

Osage Minerals Council

Regular Meeting

March 18, 2015

Call to Order

Chairman Waller calls the meeting to order at 10:00 A.M.

Opening Prayer

Councilman Talee Redcorn requests that Councilwoman Boone gives the opening prayer

Roll Call

Lacey Reynolds calls roll. Osage Minerals Council members present Councilwoman Boone, Councilman Cheshewalla, Councilman Crum, Councilwoman Erwin, Councilwoman Red Corn, Councilman Redcorn, Chairman Waller, and Councilman Yates.

Guests in attendance Jinx Geurin, Joy Ledbetter, Don Williams, Rodney Tate, Corey Watkins, Michael Johnson, Mark Colerick, Florence Bigheart Trantum, Steve Sewell, J.L. Holt, Tina Cox, April Mitts, Nona Roach, Tom Lackey, Bob Knappe, Matt Beavers, Jack Rayburn, Rowdy Flemings, D. Westphal, Beverly Brownfield, Teresa Rutherford, Todd Green, Charles Wickstrom (IHEG), Susan Forman, Gene Bowl, Jamie Sicking, Rhonda Wallace, and D.C. Revard

Accountant Reports

Leslie Young and Julia Roe have called and said they will be unavailable today. The reports are in the books to be reviewed.

Auditor Report

Jim Swan gives auditor report. He states that in February collections was \$327,935.39. Average price for January \$46.04 a barrel. Average Highest posted price for February \$47.36. Today the price is \$40.00. Average daily barrels of oil produced for January 12,961 barrels. Our gross barrels produced January 401,861 barrels. Royalty barrels 63,755. Our royalty barrels verses gross barrels 15.87%. Our total oil royalty \$2,543,719. Gas \$318,569. Tank bottoms \$878. Total oil and gas royalty in February \$3,263,166. January bonus is \$1.54 per barrel.

BIA Report

Deputy Superintendent Jeannine Hale states that she has brought a written report. She wants to start off by saying the BIA has selected the GIS technician and they are in the process of getting the security clearance. There are still two positions, accounting technician and realty assistant,

and they also received a list of applicants for the accounting supervisor. She then states that if you are a producer and you haven't filled out a 208 form you need to do so and it has always been required within 10 days of completion of well. She states Dale has been trying to get the maps updated and that is where he spent most of his time. He also met and talked with landowners and lessees. They are updating tracking system that tells where different permits are. Jeannine then reads from the Branch of Enforcement and Lease Compliance report. They have only received 5 questionnaires. They have 3 producers that they are working with to complete environmental assessment and 3 different producers that have hired consultants and are working to the EA's done. She states they have some movement on the leasing EA and she thinks there will be some action real soon and when it hits there will be good news. The Performance EA final review has been done. There are some documents that are being tweaked. The workover EA is not quite as far but they are now on the fast track due to it getting attention of director Black. She then says that the Lease Management report has 61 assignments approved and 32 division orders. There were 41 terminations. She says Cammi made some notes about gas contracts and there is a need to make a correction on one of the resolutions and another was a question about whether there was a resolution. Chairman Waller states that they were actually here and they didn't think they needed it when we had it prepared, and that we are preparing to take care of those. The last report is from Field Operations. There are 10 petroleum engineering technicians and 4 were in training in February. 2 were in BLM certification training. They gauged 16 tanks and 14 calculations with purchaser's run tickets. She then states on the back is a list that field operations provides. They went out on 12 complaints and 63 meetings with landowners or lessees. Councilwoman Boone wants to know when the supervisor is going to go on training. Deputy Superintendent Hale states that the idea was to get the other guys sent first, but she will ask. Councilman Yates wants clarification on Sullivan resolutions. Jeannine states she will get clarification from Cammi. The council agrees that the wording "current gas contract" could be taken out of the resolution. Councilman Redcorn inquires about the twenty leases that were sold at auction and when they would be approved. Jeannine Hale states that they have made quite a bit of progress since Friday. All the documentation has been reviewed and provided to the BIA and a few sentences needed to be added and they are preparing packets for those. Councilman Redcorn wants to know if this is the time frame we will be looking at for every lease? Jeannine Hale states that she knows it will be substantially shorter once the EA is complete. Chairman Waller states that the email has been a special task, so a hardcopy is needed. Councilman Redcorn asks that they email the comments submitted for the 20 leases sold at the oil and gas summit to be made available to everyone in the OMC.

BGI

Kara Dillon states Mr. McNamara had a previous engagement. She will do her best to answer any questions. Councilman Crum asks how much they pay for the lease bonus per acre. It is \$50 per acre. She states that they are willing to do a drilling commitment. They want to drill two wells and complete the EA. It does have to come from Mr. Getty though; she is not authorized to

make an offer. They will stay in touch. Councilman Yates asks if the permits are complete. She responds no they have two locations but they do have to go through the process. Councilman Redcorn asks how many wells they have drilled. She says they have 33 active wells and have drilled 40.

Hard Rock Operating LLC

Steve Sewell owner of Hard Rock Operating states that Mr. McNamara made a proposal last meeting and he is back to face the music. The offer was \$1000 for the six outstanding leases for 2 years and 20%. Councilman Crum states that the minimum lease bonus is \$4750 for 2 years and 20%. He states that he has to look real closely. The royalty on the current 4 leases is 1/6th or 18.75%. The royalty is not a big deal. It's the upfront cost that is substantial. He states he can do \$2000 with no problem; \$3000 would also be no problem. The \$4700 is expensive. Councilman Crum asks that Mr. Sewell stick around for executive.

Performance

Bob Knappe asks that the council forgive him and that they have been dealing with the loss of an employee in the office and he is unprepared. He asks that he be moved to another time and he will be prepared. Chairman Waller sends condolences to the family.

Ironhawk

Charles Wickstrom asks for a one year extension for all existing leases bought from Encana in July 2014. The leases all have different due dates and Ironhawk wants one year from whatever the lease expires and all stipulations stay the same.

Motion to give Ironhawk a one year extension on all Encana leases effective upon dates on current leases with attached legals made by Councilman Yates and seconded by Councilman Cheshewalla.

Voting: BOONE-YES, CHESHEWALLA -YES, CRUM-NO, ERWIN-YES, K.RED CORN-YES, T. REDCORN-YES, WALLER-YES, YATES-YES

MOTION PASSES: 7-YES 1-NO

Orion

Chairman Waller states that this will be moved to the 4/17 agenda.

SPYGLASS

Shane Matson does not appear. Charles Wickstrom speaks on the behalf of Shane Matson and Spyglass. Council decides to have Tim Dowd to review the proposal presented at the March 13th meeting.

CEP Mid-Continent

Rodney Tate speaks on behalf of CEP also known as Sanchez Production Partners. He states that they are looking at a possible sale of their assets in the Mid-Continent area including those in Osage County. It is still just a possible sale and they plan to continue to operate and fulfill all agreements under the current concession. He states they are looking to sell to help lower overhead and lets them concentrate in and around assets Sanchez already has. Councilman Crum asks the chairman to have Amvest now CEP contracts to be researched by Mr. Dowd and see if they can sell the concession and what needs to be done.

Motion was made to go into Executive by **Councilwoman Erwin** and seconded by **Councilman Crum**

VOTING: CHESHEWALLA-**YES**, CRUM-**YES**, ERWIN-**YES**, K.RED CORN-**YES**, T.REDCORN-**YES**, WALLER-**YES**, YATES-**YES**, BOONE-**YES**

MOTION PASSES: **8**-YES **0**-NO

Executive session entered at 11:41 A.M.

Motion was made to come out of Executive by **Councilwoman Boone** and seconded by **Chairman Waller**.

VOTING: CRUM-**YES**, ERWIN-**YES**, K. RED CORN-**YES**, T.REDCORN-**YES**, WALLER -**YES**, YATES-**YES**, BOONE - **YES**, CHESHEWALLA-**YES**

MOTION PASSES: **8**-YES **0**-NO

Executive session exited at 1:39 P.M.

Councilman Crum states that the Minerals Council would negotiate the lease but would not go below the minimum. Councilman Yates states that he said he is going back and will think about it a little more.

New Business

Hobostone

Corey Watkins is seeking permission to harvest surface rock. He states there will be no excavating or no blasting. He states that he wants to pay \$.60 a ton. Councilman Crum asks how they sell it. Mr. Watkins states that every rock is different. It fluctuates with the type of rock. He can provide a price list but he does not have it with him. Councilman Redcorn requests paperwork on what their distribution should look like. Michael Johnson, partner at Hobostone speaks on the process. He states that when he did it by himself he did about 45 to 50 semi loads a year with 24 to 28 tons per load. Councilwoman Boone asks where it will be weighed. Mr. Johnson states they would load the truck and they would go to the nearest scale and weigh and

that's how they get the numbers. Councilman Crum asks what the surface owner receives. Mr. Johnson states that he does give them money too. Councilman Crum states that the CFR says that it is 10% of the gross. Councilwoman Erwin wants to know if it is floral rock. Mr. Johnson states yes some is decorative. Councilman Yates asks Jeannine what kind of permits he needs. She states that she is looking at 25 CFR 214.10 paragraph D and it would be a lease.

Councilwoman Erwin makes a motion to give sandstone contract at the rate of 10% of the gross to HOBOSTONE. Councilman Yates seconds the motion.

(DISCUSSION)

Councilwoman Red Corn wants to know what the surface owner is paid. Mr. Johnson states that 4 years ago it was \$10 a ton. Councilman Crum states that he would make the change to surface rock from sandstone since they might want to pick up limestone too. Chairman Waller asks the second, Councilman Yates if he is okay with that. Councilman Yates states he is. Chairman Waller told Lacey to make the amendment to surface rock.

Motion was made to give Hobostone LLC a new lease to harvest surface rock at 10% of gross value to be weighed at nearest shipping point per 25 CFR 214.10 D by **Councilwoman Erwin** and seconded by **Councilman Yates**.

VOTING: ERWIN -**YES**, K.RED CORN -**YES**, T.REDCORN- **YES**, WALLER - **YES**, YATES -**YES**, BOONE - **YES**, CHESHEWALLA - **YES**, CRUM -**YES**

MOTION PASSES: **8**-YES **0** - NO

EIS - MEMORANDUM OF UNDERSTANDING

Motion was to make a concentrated effort to solicit congressional legislation on behalf of the Shareholders and authorize Chairman to sign all documents if needed by **Councilwoman Erwin** and seconded by **Councilman Cheshewalla**.

DISCUSSION

Councilman Yates states that we need to get the EA or EIS done as soon as possible, and if we solicit congressional legislation it will slow the process. He asks if he wants to do it in conjunction with the MOU. Councilwoman Erwin states we need to do anything and everything to get drilling back in Osage county. Councilman Crum states that congress has never proven to be friendly to Indians and he doesn't think there is anything they can do. Councilwoman Boone states that the 1906 act was a congressional act so congress has been involved since square one. Councilman Redcorn asks to call for the question.

Motion to make a concentrated effort to solicit congressional legislation on behalf of the Shareholders and authorize Chairman to sign all documents as needed is made by **Councilwoman Erwin** and seconded by **Councilman Cheshewalla**.

VOTING: K.RED CORN-**YES**, T. REDCORN-**NO**, WALLER-**YES**, YATES-**YES**, BOONE-**YES**, CHESHEWALLA-**YES**, CRUM-**NO**, ERWIN-**YES**

MOTION PASSES: 6 –YES 2 – NO

Yates: "I'd like to make a motion that we sign the Memorandum of Understanding or direct the chairman to sign the Memorandum of Understanding and if need be under protest as directed by our legal counsel"

Erwin: "Can I ask him?"

Waller: "No hang on. Is that complete?"

Yates: "That's it."

Crum: "I'll second."

Waller: "I have a motion on the floor to sign the MOU with letter of protest ."

Yates: "I'd rather not with pro- Either or..."

Waller: "How did you word that?"

Yates: "I did say with protest."

Waller: "Okay I'm going to have to stick to what you just said, if applicable, seconded by councilman Crum, open for discussion. Yes"

Erwin: "You know uh I went to that meeting out there the other day. I wasn't really happy with the presenter and what she had to say and uh of course this is just my opinion. They have gone so far so long on this to me it sounds like it's pretty well done. I think if we want to do a MOU since they already got everything and everything is always left up to them can we change the MOU to say that the BIA will adopt the OMC's position at any point in the process? Can we put that in the MOU?"

Yates: "Ask the BIA right there if they are willing to do that."

Waller: "Excuse me I'd like to go back to the council for just a second. I'd like to have Councilman Crum have discussion before I go to the superintendent."

Crum: "I think if you read both Ian's report on it and Mr. Fredericks you will see that is against federal law. They are required to be the agency that makes the decision. So we can't. They couldn't sign one that says we get to veto them. Federal law would not allow them to do that. Your attorney tells you that right here."

Erwin: "that is not what I said"

Waller: "Excuse us let him finish."

Crum: "That's what I understood you to say. That they have to go by our recommendations and they have to listen to them. If we sign the MOU we can be there when they make the recommendations. We can guide them and shape them the way that we want but in the end it's the BIA by federal law that has to make the decision on it so for you to try to add that they have to do what they say federal law won't allow you to do that. If we try to do that they won't allow us to be a cooperating agency not under those circumstances."

Erwin: "What did the executive change on their MOU?"

Crum: "They didn't get veto power"

Erwin: "I'm just looking out after us."

Crum: "If you really want that answer maybe Jeannine can (inaudible talking over each other)"

Waller: "Would you like to have any comments at this time?"

Jeannine: "Well the nation did not ask for veto power."

Erwin: "That's not what I asked." (several people talking over each other)

Waller: "Excuse me I want to hear from the superintendent."

Jeannine: "You could make changes but not to the extent that you can have the overriding vote or whatever. Galen is right we have to make the final decision."

Waller: "He usually is right."

Jeannine: "Very often."

Erwin: "I didn't say veto power."

Waller: "No excuse me I want to talk to her a little bit."

Jeannine: "Whatever the wording is the final say or that we relinquish the decision making authority we can't do that."

Waller: "We aren't going to amend it to that affect we are going to add some stipulations it's going to have some we have been advised by our counsel on what we need to sign."

Jeannine: "Okay."

Waller: "And with that Councilwoman Boone."

Boone: “Last Friday when this first came up for discussion I held up Mr. Fredericks’ legal opinion and he said regardless of the OMC’s decision the BIA is obligated by virtue of the trust responsibility to consult with and include the OMC in the forthcoming EIS process. I asked Jeannine specifically a question that she really wasn’t crazy about, and the question was if we make comments would you throw them in the trash and you said no. My point being we will be listened to in our comment section. I don’t know how Ian got involved with all this but on Friday’s conversation I also heard Mr. Crum say that he was so adamant about being on this committee that he would go to the nation and get appointed to this committee if that is what he had to do. Now my situation is such that I was elected by shareholders to represent shareholders. If somebody else wants to go to the nation and get an appointment somewhere else some other method then that is entirely up to them but the loyalty I have is to my shareholders. And I have to agree with councilman Bear when he called Galen Crum a carpetbagger.”

Waller: “NO Ma’am NO NO NO”

Crum: “Do what now?”

Boone: “Well”

Waller: “No excuse me no. Does that finish your comments?”

Boone: “That is why I am going to vote no on this motion to sign the MOU and I would hope that we would find somebody that is loyal to the shareholders to be on the committee if in fact that motion passes.”

Waller: “Okay and you’re done?”

Boone: “I’m done.”

Waller: “Councilman.”

Crum: “Reading from the same legal opinion by becoming a cooperating agency and securing a seat at the table during the EIS process the OMC would not be sacrificing the sovereign immunity or compromising its authority outside the EIS process. Furthermore cooperating agency status would then enable the OMC to obtain all relative information early in the EIS process. Early involvement is generally more beneficial than waiting and providing comments after a draft EIS late in the process. Therefore the OMC would have meaningful opportunity to contribute to the forthcoming EIS from the beginning. In fact the OMC would be required to contribute to the process the BIA would be required to consider those considerations. He is telling us that if you want to shape the document you have to be in it to begin with. And I wish you would give me one minute about the other one. When I made the statement the other day I said if you guys weren’t willing to stand up and fight for the producers and the shareholders then I would find a way to be there. So my statement was my loyalty is going to be to the headright holders regardless of what this body says. I am going to try and shape that as best I can from the

outside in whatever way to make sure we get an EIS document that works for the producers and works for the headright holders.”

Waller: “Thank you. Are you done sir? Councilman”

Yates: “I would just encourage the council to get involved with this MOU right off the bat. We need to help shape this document and help guide it. If we try to not be a part of this, and then submit comments, that will only delay it. Because they would have to respond to each comment. And that will make it last longer. I mean it will take a lot longer. Because we need to get this as soon as possible get it in board and get to work on this.”

Erwin: “So what you are saying is when I get there and make a comment out there, it is going to make it last longer?”

Yates: “Written comments. No.”

Erwin: “I mean not as a minerals council but as an individual. Because I always do. But I have a question for Miss Superintendent here. “

Waller: “Give it to all of us.”

Erwin: “Okay, uhm if we are designated as a, If the Osage Minerals Council can be a cooperating agency can they do that without signing the MOU? I mean it says in the law that you have to address us and you have to interact with us. Can you do that without signing the MOU?”

Jeannine: “Well that is what I was trying to say last time. You can’t be a cooperating agency without signing the MOU and that is being on phone calls and all these meeting where we are discussing how what the wording should be and everything before the chapter is actually written or whatever, they are not written yet. Now can you be consulted as a tribal entity? Yes. And you can probably ask for a schedule of when you are consulted and how you are consulted and on what it will probably be after the chapter is written that we can meet with you and get comments on each one. But“

Erwin: “How many more meetings do we have?”

Jeannine: “Hmm?”

Erwin: “How many more sessions, listening sessions or meetings or whatever you call them. How many more of them and are they all open to the public or are they going to be private as some things have been in the past? Only certain people are allowed to go.”

Jeannine: “If you are a cooperating agency or if we are consulting with you those aren’t necessarily public meetings. Those are meeting between the agency and you. If you are a cooperating agency we would all be in a room just like the other meeting with the cooperating agencies who were invited to be cooperating agencies. And we set down and talked about the

public meeting and when that would be held and a lot of things and tried to work things out. I'm not sure how many more public meetings there are going to be."

Erwin: "Can we have more than one seat at the table?"

Jeannine: "You mean as a cooperating entity?"

Erwin: "Well if we were a cooperating agency"

Jeannine: "If you all want to come you can all come"

Waller: "But the two, who are signed on the MOU, are the designated seats at the table."

Jeannine: "Is that how it's worded right now?"

Waller: "Yes ma'am."

Erwin: "I might want to set at the table with you."

Waller: "Don't have any comment other than the MOU."

Crum: "As the person being the second and I discussed it with the person being the first. He did mention one of Ian's options that we may want to look at and that was stating under protest. Ian also gave us some options about other wording that we may want in there. I think maybe even Mr. Frederick might have eluded it or something I wonder that if the motion couldn't be that we sign the MOU with any changes that the council wishes to put in there. Under protest would be one that already in there and perhaps some other wording that might be put in there. "

Waller: "That was actually brought in as a cover letter. And then put those as amended to your motion. I would like to add the items that were sent to us from Ian. They are just technical. They don't ask that we are the dominate element. It would be nice to be that someday. But that's not what we are looking for. But if you would, I would like to see some of those items that he mentions in there and it concurs with Mr. Fredericks. And then the letter, what is not put in the MOU, will be put in the cover letter for the records sake. Councilwoman Erwin quickly."

Erwin: "If we do it under protest do we have to just say we are signing this under protest or do we give a list of reasons why we are protesting it."

Crum: "We don't. Well let me give my opinion first." (???)

Erwin: "Well, whatever, I want somebody to answer that because that is a very definite thing that needs to be answered."

Crum: "Well the under protest Ian said I think did have a specific one stating that you believe the Is fine but since we are going to do this one we wish to do a cooperating agency."

Waller: "Not quite that verbiage"

Crum: "But close, that was what it was."

Waller: "Yes sir."

Erwin: "We need to be real concise on that"

Crum: "You can get Ian to write it for you if you want I think he made some suggestions that you can have go into that."

Erwin: "What do you think Mr. Redcorn? "

Redcorn: "Well I said it all last Friday. I'm going to talk to Jeannine. "

Erwin: "Tell us, tell us what you think"

Redcorn: "No."

Erwin: "Rah rah Talee."

Redcorn: "No vote to the EA process no vote to the EIS its all unneeded and its you know. I said it all last Friday."

Erwin: "That's why they call you rah rah Talee."

Redcorn: "I don't know all I know is this is how feel about the whole process. I don't like what our attorney has given to us, Mr. Shavitz. And I have requested repeatedly over and over that we get another attorney. "

Waller: "Wait a second."

Redcorn: "Can I finish?"

Crum: "Sure."

Redcorn: "My thought to fight for the shareholders."

Waller: "Okay."

Redcorn: "Everyone is looking out for everyone else no one is listening to the folks that own this property. So for us to continuously be given documents to approve this or that about the EA that has pretty much destroyed the county. I find it almost insulting. It is unfair. Didn't think about our people didn't think about the history of our Osage people how it happened what happened in Fairfax what happened in Pawhuska what happened to our people years ago all those things that destroyed and hurt that thought never crossed their mind so I am categorically voting no. "

Erwin: "And I would like to say ...(inaudible) Immigrants west of town."

Yates: "Chairman, I'm just going to clarify that signing under protest. Clarifies that serving as a cooperating agency does not mean the OMC agrees with or endorses the BIA's NEPA approach and preserves the OMC right to challenge the BIA's EIS or NEPA compliance. If the OMC desires to be a cooperating agency but remains concerned about signing the MOU the OMC could sign the MOU under protest as explained. "

Waller: "That's actually the letter?"

Yates: "Right."

Waller: "I don't want to bring out what is going to have us in court in a month after we sign it. "

Crum: "I think it is important to remember and I think it kind of gets lost in that the BIA's handling of the EA situation post Donnellson lawsuit is not what we are endorsing or voting on here. What we are voting on is the process that will fix things. And if it is done properly it can be a huge boom to our producers and thus our headright holders in the county. We have opportunities to completely revamp the way the beetles are treated within that document for Osage county we have the ability to set finally to rest the questions that came up on the Donnellson case that actually began shutting this place down. This is the fix for the mishandling of the other. And we have been trying to get this done for quite some while. It is going to happen anyway. That process is already going. There will be an EIS at the end of this year. Weather we are in the room saying what we want in it"

Waller: "Since 2013."

Crum: "I don't know what you meant right there but It's going to happen I t will continue on whether we are in the room fighting for our headright holders and our producers or whether we just let Ted Turner and the surface owners and the fish and wildlife and whoever else shows up to do it. Let them write the thing for us and then go oh my Gosh this thing stinks"

Waller: "Excuse me let's leave out my neighbor."

Yates: "And he mentioned a valid point. The surface owners are very well organized. I can guarantee they aren't fighting over signing the MOU they wish they had this MOU they told us that at that meeting which I stayed until the very end Miss Foreman. I was one of the last ones out of the meeting. And uh they are organized, the surface owners and they want to be a part of this MOU and for us to not sign it and be a part of it, that's not working for the shareholders"

Waller: "Last comment."

Boone: "I had a taste of the negotiated rulemaking process in me. We had a place at the table there were five of us there. UH the vote went to accept the new negregs. When the full council

got in here we voted that we didn't want the negregs. We fired our attorney and we had comments over five hundred of them sent in by shareholders. The bottom line is the bureau has the final say. I heard the other day that they are getting ready to be rolled out, whether we like them or not whether we wanted them or not. We asked to go back to the table and start the process over but the BIA did not honor the minerals council request. And according to the attorneys opinion there is no guarantee that the Bureau of Indian Affair will accept any of our positions at any point in this process. SO I just don't have much faith in the fact that whether we are or aren't at the table the bureau is going to do what they want to do anyway. So that is why I am going to vote no "

Waller: "Where is Councilwoman Erwin? Give her just a second. I'd like to call for the question."

Yates: "Got to wait to get Ms. Erwin back."

Waller: "I'll vote for her."

Yates: "I've heard that."

Waller: "I'll help."

K. Redcorn: "According to Galen it doesn't matter anyway. Whatever we vote, it's already done, right?"

Crum: "No, it's going to happen, but we can shape what is in there. If you are asking me the question, we can shape it. If you try to shape it afterwards then you will find it will be like what Councilwoman Boone is talking about with the CFR's we worked through it and put it in there then some of the council wanted to back away from what we already decided to do they didn't listen to you anymore because you were just putting your input in after the fact."

Waller: "I'd like to call for the question."

Crum: "You have to put input in before the fact."

Boone: "The input was done before it was closed."

Waller: "Excuse me let just stick to the MOU. I'd like to call for the question"

Crum: "This is so important."

Motion to sign the MOU with letter of protest if applicable by **Councilman Yates** and seconded by **Councilman Crum**.

VOTING: T. REDCORN – NO, WALLER – YES, YATES – YES, BOONE – NO, CHESHEWALLA – NO, CRUM – YES, ERWIN – NO, K.RED CORN – NO

MOTION FAILS: 3 – YES 5 – NO

BIA Semi Annual improvement meeting –

Chairman Waller asks when a nice date would be. Jeannine Hale apologizes says she knows she was supposed to get dates. Chairman Waller asks if he can table it for a minute. There are no objections.

Meeting Minutes September, January, and February

Councilwoman Boone says she has reviewed them and has some mistakes to be corrected and would be willing to make the motion that the minutes be approved with corrections from the tape. Councilman Crum states that he will never vote on an amendment he does not see.

Motion to accept amended meeting minutes for September, January, and February by **Councilwoman Boone** and seconded by **Councilman T. Redcorn**.

VOTING: WALLER – YES, YATES – NO, BOONE – YES, CHESHEWALLA – YES, CRUM – NO, ERWIN – YES, K.RED CORN – YES, T.REDCORN – YES

MOTION PASSES: 6 – YES 2 – NO

Resolution to hire Charli Riddle

Motion to approve resolution to hire Charli Riddle by **Councilman Redcorn** and seconded by **Councilwoman Erwin**.

VOTING: YATES – YES, BOONE – YES, CHESHEWALLA – YES, CRUM – YES, ERWIN – YES, K.RED CORN – YES, T.REDCORN – YES, WALLER – YES

MOTION PASSES: 8 – YES 0 – NO

Motion to begin process to advertise/interview and hire a Minerals director/analyst by **Councilman Redcorn** and seconded by **Councilwoman Red Corn**.

Discussion:

Councilwoman Erwin requests to see a position description before voting. Chairman Waller calls for the question.

VOTING: BOONE – NO, CHESHEWALLA – NO, CRUM – NO, ERWIN – YES, K.RED CORN – YES, T.REDCORN – YES, WALLER – NO, YATES – YES

MOTION FAILS 4-Yes 4-No

Old Business

American Environment

Doug Boyd comes back to request a sandy soil permit. They suggest \$.60 a ton for two years. They would also like to pay the arrears as soon as possible. Councilman Yates asks Jeannine if everything is in order at the BIA. She states that she has to check but she thinks all that was needed was the corrected legal description. Councilman Crum says that it is just trading soil for soil.

Motion to accept American Environmental proposal for a Sandy Soil \$.60 per ton and payment of arrears made by **Councilman Yates** and seconded by **Councilman T .Redcorn**.

VOTING: CHESHEWALLA – YES, CRUM – YES, ERWIN – YES, K.RED CORN- YES, T.REDCORN – YES, WALLER – YES, YATES – YES, BOONE – YES

MOTION PASSES: 8 – YES 0 – NO

Baker Petrolite

Chairman Waller states there was no information just the original resolution and he would like to extend the term. Councilman Crum states there is a resolution in the books. He then reads from the resolution royalty rate of a \$.25 per barrel and termination 90 day's notice by either party at a minimum royalty of \$27,500 paid each year by February 17th for five years.

Motion was made to adopt resolution as printed for Baker Petrolite Resolution by **Councilman Crum** and seconded by **Councilman Cheshewalla**.

VOTING: CRUM – YES, ERWIN – YES, K.RED CORN – YES, T.REDCORN – YES, WALLER – YES, YATES – ABSTAIN, BOONE – YES, CHESHEWALLA – YES

MOTION PASSES: 7 – YES 0 – NO 1 – ABSTAIN

Councilman Crum states that the improvement meeting, it might be more helpful if we suggest dates. He then says due to the 30 day notice the earliest would be in May. Councilman Crum's suggest would be the 11th through the 15th and Jeannine could get back with the Minerals council. Chairman Waller agrees.

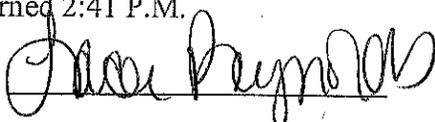
Motion to adjourn by **Councilwoman Boone** and seconded by **Councilman Cheshewalla**.

VOTING: ERWIN – YES, K.RED CORN – YES, T.REDCORN – YES, WALLER – YES, YATES – YES, BOONE – YES, CHESHEWALLA – YES, CRUM – YES

MOTION PASSES: 8 – YES 0 – NO

Meeting Adjourned 2:41 P.M.

Submitted By:



Approved by:

