

# Ray McClain's Response to Boone's Bulletin 4/5/15

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April 6, 2015

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(Posted by 'anonymous' on----<http://osageblog.blogspot.com/2015/03/osage-shareholder-matters-march-2015.html> on April 6, 2015.)

I too, appreciate Ms. Boone taking the time to point out what the Council has been doing. I hope that it is complete and comprehensive. However, I do have a few questions and comments.

The first is 'Why was it necessary to have this posted anonymously on a blog with public access?' Why not post it on the MC web page? Why make it available only to a select few of the Shareholders?

### **1. BIA/US ATTY. LAWSUIT AGAINST WIND FARM**

How could the MC have been "instrumental" in initiating this lawsuit when the Council and BIA were barely speaking to each other? Was the Council asked to approve or help formulate this lawsuit? I hope this atmosphere is changing!

### **2. ODOT**

This agreement was done months ago. Has something new developed? Reportedly, some of the Council was recently unhappy with the agreement. Has something now changed from the original agreement?

### **3. AG'S REQUEST FOR DECLARATORY JUDGEMENT (gifts)**

If this had been covered in the Council's "ethics rules," the AG would have not needed to file anything. By the way Ms. Boone, I don't find ANY ethics rules except to possibly cover issues that may have come up unexpectedly like this one. You have been on the MC for nearly 9 years and was Chairman of the Policy and Procedures Committee for 4 years. There has been very little, if any, language concerning 'ethics' promulgated during that time. If I have missed something, please post all the language from the P&P concerning 'ethics' here on this blog. Better still, please make the MC's entire P&P available to all of us here on this blog, via a link to it, or put it on the MC's web page. It's no secret! There is a new committee now established to revamp the P&P. We Shareholders have every right to review the originals and make suggestions for revisions. By the way, your reference to "appealing" the Osage court's upcoming decision on the ethics issue is not lost on us.

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## **4. ENVIRONMENTAL IMPACT STATEMENT MEETING**

Development of the Environmental Impact Statement is the process of making rules that we and our Producers may have to live with for 30 years or more. Ms. Boone, please explain why our MC representatives should not be a part of that. Kudos to Galen Crum for wanting to at least be there. I hope Chief Standing Bear will appoint him to represent the Nation and the Shareholders. It's sad that the MC's failure to participate is just one less voice we will have. You keep griping about not having any input to the neg regs. The 5 MC members who were elected by the MC to be a part of neg reg had a full voice in neg reg, some pro and some con, and several times they did not agree with each other, but they all had an opportunity to speak on each issue. This had a tremendous effect on the final outcome. Nobody gets their way all of the time.

## **5. EXECUTIVE BRANCH CONCERN**

I'm happy to see the Executive Branch taking an interest in the Mineral Estate and the Shareholder's business. For years, the Chief has always had a representative attending all MC meetings, including Executive Sessions. Now, a month or so ago, the Council reportedly refused to allow the Chief's representative to sit in Executive Session. I just don't understand why this MC continually picks fights with the Nation. This Chief has vowed to stay out of Minerals business but, this Council has repeatedly ignored the Chief's right to monitor the activities. This belligerence will only lead to more directives from the Chief and it shouldn't be necessary. Now the Council has forced him to demand that the MC meeting notices, agendas and minutes thereof be forwarded to his office. Has this ever been required before? I doubt that a 'requirement' was even necessary before. Also, if the Constitution doesn't require SOMEONE to send leases to the Chief for approval within 5 days, just exactly how is he supposed to get them? How would he even know that a lease had been executed? This is just one more little flaw in our Constitution that must be fixed. Meanwhile, it's just common sense that the leases, meeting notices, agendas, and minutes of meetings should be forwarded to the Chief promptly. If this Council keeps poking this Bear with a sharp stick, they may find out just how long his reach really is.

Thanks for letting us know about the 10 new drilling permits. This is encouraging.

Ray McClain, Osage Mineral Estate Beneficiary