

Ethics Rules? Oh Yeah, We got Ethics Rules

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Some of you may have heard some scuttlebutt several months ago about the Osage Nation Attorney General filing ethics charges against some of the Minerals Council members for failing to file an Osage Nation form declaring any gifts and their value received by the Council Members during 2013 and 2014. Well, it seems that the scuttlebutt was true.

On March 16, 2015, after due notice, the AG filed some type of order or scheduling notice with the Osage Trial Court against Stephanie Erwin, Joseph Cheshewalla, Galen Crum, Kathryn Red Corn, Everett Waller, and Cynthia Boone, requiring them to appear at a pre-trial hearing on July 20, 2015 concerning reporting the gifts.

A resolution was passed by the Council to have David McCullough, the Council's general attorney, to represent them.

A few days before the pre-trial hearing, Galen Crum turned in his declaration and was excused from further proceedings in the matter.

At the hearing, their defense was that the MC was not subject to the rules of the Nation, but was a separate entity. Associate Judge Lee Stout disagreed, and a motion to dismiss was denied. Attorney McCullough immediately gave notice that the decision would be appealed to the Osage Nation Supreme Court. A date to hear the appeal has not been set at this time.

In My Opinion---

I do not understand why these Council members are resisting the directive to produce a record of any gifts they may have received. It is required by the Osage Nation that a full disclosure of all gifts to elected officials be made. Further, in the Jech case, the Interior Board of Indian Appeals has ruled that the Osage Nation is the single recognized entity for the Osages. Surely, the Osage Nation Supreme Court will rule the same way.

This refusal to follow the Nation's rules is a colossal waste of time and money. This Council has many more important things on their plate, like dealing with the issue of Producers threatening to leave and falling production and withering headright checks.

If this appeal fails, as it surely will, it's going to open up a huge can of worms where by every ethics complaint that was ever filed against any of them will be thoroughly investigated, beginning with using the MC staff attorney as their personal defense attorney. Neither the Minerals Council nor the Shareholders they represent received any gifts what so ever. If there were any gifts, they were given to individuals. For this reason, if they wish to create a situation where legal advice is needed, each individual involved should hire their own lawyer.

Ray McClain, Osage Mineral Estate Beneficiary