

VERMONT
COMMISSION
ON
NATIVE AMERICAN
AFFAIRS



VCNAA Meeting Minutes
September 28, 2010



vcnaa.vermont.gov

COMMISSION CHAIRMAN
Luke Willard
(802) 754-2216

COMMISSION
Charlene McManis, Secretary
Melody Walker Brook
Dawn Macie
Takara Matthews
Nathan E. Pero
Shirly Hook
David K. Vanslette
Fred W. Wiseman

Members Present: Luke Willard, Chairman; Charlene McManis, Secretary; Melody Walker Brook; Dawn Macie; Takara Matthews; Nathan Pero; Shirly Hook; David Vanslette; Fred Wiseman

Staff: Diane McInerney, Executive Administrative Assistant, DHP; Giovanna Peebles, SHPO

Guests: Mike McShane, State Attorney General; Mark Mitchell; Jeff Benay; Fred Wiseman; Kesha Ram, Chittenden County Representative

This meeting was brought to order by the acting Secretary Diane McInerney at 1:00 pm in the AOT Board Room, 5th Floor, National Life Building, Montpelier, Vermont.

1. Working Meeting

Giovanna Peebles welcomed new Commission members and asked for introductions and shared information.

2. Introductions

Commission members introduced themselves to one another, staff, and guests.

3. Review of S.222

Giovanna facilitated a discussion on the content of S.222 and questions by Commission members were raised.

- Can only one application at a time be presented at a public meeting addressing recognition?
- Can Commission members not able to vote on an application because of conflict address the Commission about the application?
- Is the work of a subcommittee required to be a public meeting?
- It was determined that the Commission is functional at this time.
- Can an application that has been tabled by the Legislature go beyond the two year limit?

4. Rule of Procedure & Commission Expectations: Attorney General, Mike McShane

Mike McShane facilitated a discussion on the use of Robert's Rules of Order vs. Consensus, and the Open Meeting Law.

- It was noted that Commission members conducting a meeting using Robert's Rules of Order can vote to suspend the rules and continue with Consensus. Commission members chose to vote on the rules of procedure after a Chairman was elected.

- McShane spoke briefly about Executive Session and what constitutes a public record. He noted that legislators were clearly aware of concerns in regard to genealogy records; specifically referring to this issue in statute. S.222 (8) pg 11 – “Any documents relating to genealogy submitted in support of the application shall be available **only** to the three-member review panel.”
- The Commission decided to elect a Chairman and a Secretary.
- McShane explained that a quorum of members present to discuss business constitutes an open meeting.
- It was noted that State Legislators are exempt from the Public Meeting Law.
- Jeff Benay was asked how the Governor’s Advisory Commission conducted their meetings. Benay explained a Consensus model was used with the ability of the Chair to call for a majority vote.

5. Election of Officers

The position of Secretary was discussed. Charlene McManis offered to take the meeting minutes for the Commission. There was member Consensus and McManis will act as the Secretary for the Commission. When complete, minutes will be sent to Diane McInerney for public record.

Takara Matthews nominated Luke Willard for the position of Chairman and Shirly Hook seconded. There was member Consensus and Luke Willard was elected the Chairman. The Chairman proceeded to conduct the rest of the meeting.

6. Meeting Dates, Times, and Locations

The Commission agreed to meet in alternate locations around the state. Monthly meetings will be held on the third Tuesday of the month from 1:00 – 3:00 pm. Meeting times may be altered depending on the location of the meeting. The October 19th meeting will be held in Montpelier at the State House. Diane McInerney will assist with meeting locations and schedules when needed.

7. Website Manager

Fred Wiseman agreed to be the Commission Web Master for the government site at <http://vcaaa.vermont.gov>, and will contact Harry Bell, DII. Mark Mitchell and DHP agreed to link with the Commission website.

8. New Business

Kesha Ram addressed the previous question asked about the Legislators timeline for application approval of recognition. Kesha noted that applications will not be tabled and that it is the intent of the Legislatures to act in a timely manor.

It was noted that all documents presented at a public meeting are subject to public review.

Diane will be sending letter head templates to Charlene and Luke.

Luke asked McShane about hearings and recognition applications presented. McShane noted that a singular application for recognition will be reviewed by a review committee, but that several applications can be approved of at a hearing for that purpose.

Commission members agreed to table the vote for meeting procedures until the next meeting. Luke appointed Melody Walker Brook to head a working group that will gather information on scholars to fill recognition subcommittee positions required in statute. Scholars should have experience with archeology and Vermont history. They should also be aware that they will have to deal with political issues. Fred noted that scholars may be difficult to find. Giovanna agreed to present a list of potential scholars to the Commission. Dawn Macie and Shirly Hook agreed to assist Melody in this work. The working group was authorized by member Consensus to gather information on scholars.

Letters of intent to apply for state recognition were presented by Melody Walker, Elnu Abenaki and Shirly Hook, Koasek Abenaki. Dawn Macie said that the Nulhegan Abenaki will also be presenting a letter of intent. Diane will scan and send the letters to all Commission members and place the originals in the VCNAAs public file.

The meeting was adjourned at 3:35 pm.

Respectfully submitted by,
Diane McInerney, acting Secretary