

APPROVED

VERMONT
COMMISSION
ON
NATIVE AMERICAN
AFFAIRS



VCNAA Meeting Minutes
Monday, November 19, 2012



vcnaa.vermont.gov

CONTACT
(802) 754-2216
lukewillard@live.com

COMMISSION
Luke Willard, Chairman
Carlton Bertrand Jr, Vice-Chair
Charlene McManis, Secretary
Andrew Beaupre
Jeffrey Benay
Lucy Cannon-Neel
Dave Van Deusen
Shirly Hook
Trudy Ann Parker

Members Present: Luke Willard, Chair; Carlton Bertrand Jr., Vice-Chair; Charlene McManis, Secretary; Andrew Beaupre; Jeffrey Benay; Lucy Cannon-Neel; Shirly Hook; Trudy Ann Parker.

Absent: Dave Van Deusen

Guests: John Moody, Sharon; Billie Largy, Derby; Donald H. Parker, Lunenburg; Chief Bernie Mortz, Newbury, Haverhill, N.H.; Giovanna Peebles, VHP; Jim Masland, Thetford Center; Nancy Rivera, Windham, CT; Edwin Rivera, Windham, CT; Carol Saucier, Englewood, FL; Chief Nate Pero, W. Fairlee; Chief Paul Bunnell, Were, N.H.; Jarod Pero, W. Fairlee; Theresa Olson, Berlin; Chief Don Stevens, Shelburne; Duncan Mathewson, Middlebury.

The meeting was brought to order by Chairman Luke Willard at 12noon at National Life in Montpelier. Luke thanked the VHP for the room and the guests who came.

1. Introductions and Rules of Order

Luke gave an overview of what the agenda and asked for introductions from commission members and guests. Luke then went over the Rules of Order.

2. Approve minutes of October 15, 2012.

The commission reviewed the minutes of the last meeting. Jeff moved to accept the minutes. Andy seconded. All agreed.

OLD BUSINESS

1. December Meeting

Andy moved to break the December meeting. Joe seconded. All agreed. Discussion was held regarding the application. At the last meeting, it was decided to send a letter to the legislature for an extension of the application. Discussion was held regarding having meetings while the legislature was in session. New item for the January agenda will be about extending the meetings from six to more.

Andy asked if the Resources Guide has been removed from the VCNAA website per the copyright holders. It had not been removed. Giovanna will work on this.

Jim received a letter from Helen Head stating that Vermont did understand that Indian territories may overlap when they created the legislation. Luke reminded him that it was Helen's committee that scrutinized tribal's applications regarding territories. Discussion was held.

Trudy asked does the law say how members are needed to be considered a tribe. There is no minimal number.

Lucy moved to take a five minute break. Charlene seconded. All agreed.

The hearing returned after 2:10pm.

Discussion was held regarding territories. Jim asked if the commission could look into the geographical location like they did with Missisquoi using Windsor and Orange counties. Luke stated the commission will have the same consideration as they did with Missisquoi. Discussion was held regarding criteria 4. Andy had two questions. Does the tribe have any documentation like census records or newspaper articles regarding the transfer of chiefs? No there are none. Had there been any breaks in the structure of the tribe. Nate has had the knowledge of continuity of tribal leadership since 1947. Andy then asked when the recordkeeping began for the tribe. Paul stated that they have recordkeeping from 2005-06 on, not counting Chief Howard's records.

Paul produced a copy of a letter from Becancour recognizing the Abenaki dated November 4, 1977. Charlene will make copies and send them to the commission. Discussion was held. Andy asked about the Nookta Deer Clan cited on the application. Nate stated the Nookta joined the tribe.

Chief Don Stevens came to testified. He had reviewed the application. He cited a few issues. On page 94, a letter, dated September 14, 2010 from U.S. Customs shows the tribe's headquarters address is out of New Hampshire. The documentation was using general Abenaki history rather than history relating to their tribe. The constitution allows Abenaki citizens or non-Abenaki citizens to be on membership. On page 10, it shows the tribal leadership is not residents in the state of Vermont. In their petition, the North Woodland Band had Richard Phillips as chief from the Nulhegan band, not the tribe. On page 111, Jim Masland's letter of recommendation, using state of Vermont's letterhead, did not state he is a member of the tribe and a tribal judge. Don discussed the disbandment of this tribe during 2011 timeframe. Andy requested the copy of the letter of resignation from Chief Chenevert. Don will email a copy to Andy. The Nootka Deer Clan joined the Koasek so does that means the chiefs cited in the petition were actually chiefs from the Nootka.

Paul testified the relationship between Nancy and their tribe. Discussion was held regarding the merger/migration from their tribe to Nulhegan. Paul was not informed about the disbandment of the tribe until after the fact. Much discussion was held. Don stated there was no merger of tribes. Nulhegan was offering citizenship at the meeting in Thetford in 2012. Brian has documentation of the meeting.

Charlene moved to have Joe as temporary chairman for VCNA. Lucy seconded. All agreed.

Luke testified the history of the two tribes of Brian and Nancy and his relationship with Brian. He also spoke about the meeting between the two tribes. Much discussion was held regarding the meeting on November 2012.

Joe moved for Luke to be chair. Charlene seconded. All agreed.

Chief Mortz passed out the minutes of the May 2012 meeting. He testified that the tribe was resolved to dissolve. Heated discussion was held. Luke asked Paul if he was a member of the tribe in 2005. Paul was not. Discussion was held regarding the copyright of the name Koasek.

Giovanna asked for the next steps regarding the application process. Act 107 states we needed a least one public meeting. It was decided to extend the meeting till 4:30pm. Luke went over the process of deliberation of the application. A letter of extension will be sent to the legislation if a determination cannot be met. Giovanna asked if the deliberation will be public. All meetings are public.

Nancy Rivera testified as to why she was at the meeting. She was always Abenaki and she was looking for her people. She wanted peace with her people. The Vermont law recognized individual Indians as a minority.

John Moody spoke about the process of recognition. Jarod asked if you can have a clan without a tribe and can you have a tribe without a clan. Bernie spoke about continuity in the tribe and the spelling of their tribal name.

Luke thanked everyone for coming. Discussion was held regarding bringing back the December meeting. Lucy moved to reinstate the December 19th meeting from 12noon to 3pm at National Life. Charlene seconded. Discussion was held. All agreed. Jim asked when he can bring additional information. Ten days before the meeting if it is verbal. Additional paper information would have to go to the scholars.

Lucy moved to adjourned. Shirley seconded. Meeting ended at 4:25pm.

Respectfully Submitted,
Charlene McManis
Secretary