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VCNAA August 12, 2020
Meeting Minutes

Members Present: Carol McGranaghan (Chair), Carol Irons (Vice Chair), Andrea Brett (Secretary), Hillary, Hoffman, Beverly Little Thunder

Members Absent: Jennifer Morton, Eugene Rich

Guests: Kate Frederick, Karen Freedman (Vermont Housing and Conservation Board), Maxwell Krieger (ACCD), Jennifer Lavoie (DHCD), Aaron Marcus (Vermont Agency of Natural Resources Diversity and Equity Committee), Mark Martin (Vermont Housing and Conservation Board), Nick Richardson (Vermont Land Trust), Jess Robinson (VDHP), Tracy Zschau (Vermont Land Trust)

The meeting was brought to order by Carol McGranaghan at 1:15 pm virtually through the GoToMeeting platform. Following initial greetings, Jess Robinson and Jennifer Lavoie briefly discussed the processes by which the meeting should be conducted in a virtual environment.

1. Changes to Agenda

The commissioners agreed to hear from the representatives from the Vermont Housing and Conservation Board (VHCB) and the Vermont Land Trust (VLT) at 2:00 PM to accommodate their schedules. Carol

McGranaghan also stated that the discussion of the potential adoption of by-laws would be general, and not a specific document review. Carol Irons moved to accept the changes to the agenda, and Andrea Brett seconded the motion. All other commissioners voted in the affirmative.

2. Recognition of Guests

The guests and commissioners introduced themselves and were welcomed.

3. Approve March 11, 2020 Minutes

Carol McGranaghan moved to accept the March meeting minutes without substantive changes. Andrea Brett seconded the motion. All other commissioners voted in the affirmative.

OLD BUSINESS

1. Legislative Updates on Commission sponsored Bills and other Statehouse Happenings – Carol McGranaghan

Carol McGranaghan reviewed the status of the bills that the commissioner sponsored or co-sponsored in the current legislative session. She noted that H. 880 – An Act Related to Abenaki Place Names of State Park Signs – has already passed the house and she is hopeful it will be taken up by the Senate in August. Commissioners stated that there appears to be widespread support for the bill. H. 897 - An Act Relating to the Repatriation of Traditional Abenaki Lands – is tabled for this year. One of the committees of jurisdiction discussed the possibility of establishing a task force to study this issue. Finally, H. 918 – An Act Relation to Native American Cultural and Religious Freedom – is also tabled for this year. Given that 2020 is the second year of the legislative biennium, tabled legislation will have to be reintroduced to be considered in the legislature.

2. Update on Other Bills Before the Legislature

H.716 - An Act Relating to Abenaki Hunting and Fishing Licenses – passed both the House and the Senate and was signed into law earlier in the summer. Commissioners stated that this was a significant victory.

3. Discuss Draft By-Laws

Carol McGranaghan stated that although they had previously discussed the possibility of adopting by-laws, after seeing various proposed ideas and language, she was somewhat skeptical that by-laws would reflect the ethos of the VCNAA. She asked commissioners what their thoughts were on the adoption of formal by-laws.

Andrea Brett questioned why by-laws were not adopted before now, given that the VCNAA has been in existence for a number of years. Nevertheless, she was in favor of their adoption in some form. Beverly Little Thunder stated that she thinks by-laws are important and provide guidance to both commissioners and the public about the commission's scope and procedures. Hillary Hoffman, speaking as a lawyer, stated that in a strictly legal sense, they are an important tool for commissions such as the VCNAA. Carol Irons stated that she is troubled by the extent and scope of the various ideas and templates that she saw and that the document was risked becoming non-Native in its tone. However, she is also aware of the transitive nature of the commission and commissioners and that there is a need for consistency.

Hillary Hoffman suggested that VCNAA continue to have by-laws be considered by the administration and see if they offer any advice or if they potentially determine that by-laws are inappropriate for the VCNAA. She also offered to research other potential alternatives utilized by similar entities. Beverly Little Thunder made a motion to continue to consider to the possibility of by-laws in some form and also that Hillary Hoffman

should continue to explore potential alternatives. Andrea Brett seconded the motion. All other commissioners voted in the affirmative.

NEW BUSINESS

1. Issues Surrounding Land Use and Conservation – Karen Freeman / Mark Martin – Vermont Housing and Conservation Board

Karen Freedman and Mark Martin from VHCB and Nick Richardson and Tracy Zschau from VLT introduced themselves and stated that their organizations are committed to housing and conservation, including the preservation and conservation of historic and cultural resources, and that their mission speaks to equality, accessibility and building relationships. They also understand that some past conservation programs had dark origins with regard to Indigenous peoples. Acknowledging all of this, they wanted to reach out to the VCNAA and the tribes they represent to see how they might work with the Abenaki and other Indigenous peoples in Vermont.

Karen Freedman enumerated several suggestions about how they might collaborate:

- 1) Return land to Indigenous people through particular tribes or non-profits that operate on their behalf.
- 2) Allow access to conserved lands for non-destructive purposes such as hiking, plant and medicine collecting, ceremony, etc., and formalize these access rights in future conservation projects.
- 3) Acknowledge that Vermont lands have an Indigenous origin.

Karen Freedman further stated that VHCB is involved with over 2,000 landowners with conservation easements. It will be a lengthy process to discuss with them all the possibility of Indigenous access but that that they begin this process. She stated that memorializing access to Vermont Land Trust lands would be the logical first step.

Andrea Brett asked if hunting and fishing are allowed on conserved lands. Nick Richardson stated that that was the case on most lands and that that is their intention in almost all conservation projects. Tracy Zschau stated that the VLT was interesting in learning about Abenaki needs and how they can help Vermont Indigenous people. She also stated that understood the need to listen to Indigenous voices.

Carol McGranaghan stated that there are people that are interested in donating land to the Abenaki in general or to specific tribes but that the tax burdens and administrative infrastructure required make it prohibitive for the Abenaki to accept in most cases. Karen Freedman stated that there are large and small land trusts all around the state that could potentially partner with the Abenaki to accept and administer the lands on their behalf. Hillary Hoffman stated that there are many kinds of land status across the nation. She suggested that it would be good to understand those difference and what the implications are for the Abenaki. She stated that she would be excited to explore the issue further. Commissioners also asked what resources might be available to the Abenaki or a willing

non-profit to build capacity for land donations and administration. A discussion on this topic followed. Finally, the commissioners heartily thanked Karen, Mark, Nick, and Tracy and invited them to the September meeting.

2. Status of VCNA A applications and options for membership - Jess Robinson

Jess Robinson confirmed with the Governor's commission office that there have been no recent applications submitted for potential appointment to the VCNA A, despite the call for applications on the website being up for several months and several announcements on the VCNA A Facebook page. He stated that given the current vacancies and lack of applications, administration regulations allow Carol McGranaghan and Carol Irons to remain in their seats until sufficient applications are submitted and new commissioners are formally appointed by the Governor. Maxwell Krieger confirmed this regulation.

3. Announcements

- a. Kate Frederick announced that was working on a project related to the Pulitzer Center's study of land grant colleges and the lands that were appropriated from Indigenous communities for this purpose. The website detailing the project is entitled landgrabu.org. She encouraged the commissioners to look at the website and the project it details and to consider the ideas for reconciliation enumerated on the website.

Carol McGranaghan made a motion to adjourn the meeting. Carol Irons seconded the motion. All commissioners voted in the affirmative.

The meeting was adjourned at 3:20 PM.