

VERMONT
COMMISSION
ON
NATIVE AMERICAN
AFFAIRS



VCNAA Meeting Minutes
January 17, 2012



vcnaa.vermont.gov

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

COMMISSION
Luke Willard, Chairman
Melody Walker Brook, Vice-Chair
Charlene McManis, Secretary
Andrew Beaupre
Shirly Hook
Betty Johnson
Takara Matthews
Dave Van Deusen
Fred W. Wiseman

Members Present: Luke Willard, Chairman; Melody Walker Brook, Vice-Chair; Charlene McManis, Secretary; Shirly Hook; Betty Johnson; Andrew Beaupre; Dave Van Deusen

Absent: Takara Matthews, Fred Wiseman

Guests: John Moody, Nathan Pero, Doug Brent, Rep. Jim Masland, Duncan Matthews, Diane McInerney

The meeting was brought to order by Chairman Luke Willard at 1:10pm at the National Life Building in Montpelier.

Approve minutes of December, 2011

Tabled December minutes until next meeting. All agreed.

OLD BUSINESS

Status of Scholar's List

Melody passed out a copy of the most up-to-date list of active Expert Panelists (Scholars). Melody gave a report on which experts are currently available as well as those who are no longer available. Melody removed Davy Lacy and David Skinas from the list and added Scott McLaughlin and Giovanna Vitelli. Lisa Neuman is on sabbatical at this time. John Moody is available. Andrew stated he didn't know if Giovanna will be available immediately. Discussion on the topic of the lack of willing experts ensued. The availability of a suitable Scholar's Panel to review the Koasek Traditional Band's application is the Commission's priority in this matter. Professor Fred Wiseman is currently not available to review application. Bill Haviland's status as an expert reviewer needs to be clarified. Eloise Beil's status must be clarified too. Andrew moved to add Scott McLaughlin, Lisa Neuman, and Giovanna Vitelli to the active scholar's list. Melody seconded. All agreed. Three of the active scholars will be contacted regarding the Koasek Traditional Band's application.

Koasek Traditional Band Application Review

David asked about the repercussion of two bands seeking recognition having legal names that are so similar, more specifically, how it could and would likely confuse legislators. Discussion was held though the Commission has no authority over the legal names of applicants. David felt open dialogue is needed regarding the recognition of tribes and splinter groups in Vermont. Discussion was held. Luke reminded the Commission that Vermont recognition law has nine criteria that each applicant must meet regardless of their legal name or “splinter” status. He explained that “factions” have every right to split off from a recognized tribe however the theoretical faction will not be state-recognized because they have relinquished their citizenship in the tribal government that has a statutory government-to-government relationship via Vermont statute (state recognition). The Commission’s role in this matter is to determine whether applicants meet the criteria outlined in Act 107. Representative Jim Masland (a member of the Koasek Traditional Band) addressed the Commission regarding the applicant’s tribal rolls. Luke suggested taking a second look at the “specific geographic location within Vermont” after Andrew pointed out that the applicant does not meet the residency requirement.

Vermont Indian Child Welfare

The Community Services Committee reviewed the draft legislation that Luke presented. David asked for the revised draft. After further review, Luke suggested that all sections with exception to 1, 2, 3, and 14 be deleted because they are already state law. Charlene asked, since the act has already been shared with legislators, does the Commission still vote on this act? Luke suggested that the more appropriate question is, do we as a commission support Indian child welfare policies for state-recognized tribes in Vermont? He went on to state that his purpose for writing the draft is to extend the protections of the federal Indian Child Welfare Act to child who are members of (or qualify for membership) a state-recognized tribe in Vermont, not to spend valuable time writing and rewriting language that would be rewritten by legislative counsel anyway. David moved that the Commission adopt a resolution outlining the basics of the Commission’s position on Indian Child Welfare and state-recognized tribes in Vermont. Discussion was held. Melody seconded. All agreed. Discussion was held. David and Luke will work on the resolution and email to the Commission.

NEW BUSINESS

Legislative Hearing

Luke announced that there would be a hearing regarding the state-recognition of the Koasek Abenakis of the Koas and the St. Francis-Sokoki Missisquoi Abenakis and he will be there to testify regarding the Commission’s reviews of the applications and the process.

VCNAA Email Address

The Commission has an email site VCNAA@state.vt.us. Diane requested that the address be used for public records inquiries and other administrative purposes relating to the Commission. All agreed.

Resignation of Betty Johnson

Betty presented a letter of resignation to Luke after being ordered to by the Vermont Department of Children and Families. Passionate discussion ensued. Dave moved to reject the resignation and to table until next meeting. Shirly seconded. All agreed.

Nathan passed out invitations to snow snake games at his residence.

The meeting was adjourned at 3:25 pm.

Respectfully Submitted,

Charlene McManis
Secretary