

Minutes
April 26, 2007

**Vermont Commission
On
Native American Affairs**

Mark Mitchell, Chairman
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Commission Members:

Jeanne A. Brink
Timothy de la Bruere
Hilary Casillas
Judy Dow
Charlene R. McManis
Donald W. Stevens

Members Present: Mark Mitchell, Chairman; Tim de la Bruere, Charlene McManis, Don Stevens, Judy Dow, Jeanne Brink, Hilary Casillas

Staff: Diane McInerney, Executive Administrative Assistance; Scott Dillon, Survey Archeologist

Guests: Donna Moody; John Moody; Ellen Maxon, VT Human Rights Commission; Jedd Kettler, County Courier; Mary L. Collins, Peace/River; Richard Bernier; Chief Nancy Lyons, Koasek Abenaki; Rick Hunt, Waolowzi Program; Chinka Buck Whitekiller, AAIM North East; Phyllis Donovan, Wheelock; Doris Scale, Burlington

This meeting was brought to order by the Chairman, Mark Mitchell, at 1 pm. in the AOT Board Room, 5th Floor, National Life Building, Montpelier, Vermont.

Minutes from March 22, 2007 meeting

Diane informed the Commission that several minor changes to section 5, page 4 were made by Giovanna Peebles in regard to a state permit being issued to the University of Maine at Farmington and to the location where the instruction will take place which is DAR State Park. There was Commission consensus for approval of the minutes of March 22, 2007 with the corrections.

Mark began the meeting by expressing his thanks to all the volunteers, power companies, electricians and emergency crews for their work to restore power to thousands of families during the aftermath of the most recent and extremely destructive storm.

1. Finalize Section 03 of Criteria and vote to adopt under the authority of this Commission – At this time Mark requested a vote to table this discussion until the August 23, 2007 meeting which will be held in the AOT Boardroom, 5th floor, National Life Building, Montpelier. A discussion followed. Mark informed the Commission that he was contacted by the Governor who, over the summer, would like to start a task force

that would include Native American Lawyers from the community along with members from the Attorney Generals office in an attempt to find common ground regarding the arts and crafts issue at this point. Mark was pleased that the Governor has shown an interest and believes that the Commission should take the opportunity during the summer for the task force work and when the Commission reconvenes in August, continue work on the criteria if it is necessary. The objective will be to find common ground between state and federal law. Mark felt that, out of respect for the Governor, it would warrant his time. After struggling for several months with this issue of the Commission's established authority and what the federal government requires of arts and crafts this needs to be resolved.

Jeanne motioned to table the arts and crafts criteria until August 2007, allowing the Chair to work with the Governor and others to bring an agreeable solution between state and federal government and Don seconded. Hilary asked if Mark knew how the Governor would be selecting members for the task force, and if he had already chosen individuals to serve on the force over the summer. Mark felt that there would be a member from the Attorney General's office, a member from the Governor's office, himself, attorneys from the Native side, and others like state representatives. Mark said he had agreed to wait until the general assembly had convened for the session so that full attention can be brought to this work. Mark was not sure if other Commission members would be part of the task force, but would encourage members to be involved in the process. At this time, nothing has been finalized.

Judy felt that the Commission should go forward with their proposal for criteria even if it is not put into practice until after the task force has worked through the issues with the Governor and the Attorney General. Commission members agreed that the Governor has expressed his interest in the process, that there should not be dissention between Commission members, and that it was important to reach a common ground with this issue of identifying bands and individuals for the appropriate labeling of Native American art work. Members also felt that the process should not be delayed and that Native American Attorneys should also be included in the task force. Mark said that he could not guarantee what will happen over the summer, but could guarantee that the Governor is committed to the process. Don motioned to call for the vote and Jeanne seconded. There was Commission consensus that this discussion on criteria be tabled until the meeting in August 2007. Mark asked that interested members e-mail him and let him know if they would like to participate in the task force over the summer. It was agreed that any Native lawyers would be independent and have an understanding of native law.

4. Other Business – Jeanne Brink motioned for an Executive session to be held before the May meeting to discuss personnel issues and Don seconded. It was agreed that the meeting would be held in Barre on a Saturday. Jeanne will inform the Commission of the location and time. There was Commission consensus.

2. The Abenaki in Vermont: A Cultural Competency Training – Newport Update

Mark began this discussion by informing the members that Tim de la Bruere has been in contact with Louise Lampman who is spear heading this training. Mark feels that this will incorporate native culture, stories and history from all areas in Vermont and this will in turn become educational venues allowing all children to become aware of the Abenaki experience. Tim said that Louise is not sure how the work will be extended past Franklin County because it has been established there as Missisquoi curriculum. It will need to be altered to a relevant curriculum in each area starting with Newport. An advisory committee will need to be established for this purpose that Tim will be coordinating. Tim said that members who are interested may join the committee and that the Health Minister at Odanak will share stories since at least half of Newport relates to Odanak, and the NULHEGAN band that will also have a representative.

Right now Tim is looking for individuals who can compile stories and share what their expectations of the program may be. This work needs to be done by July 1, 2007. This work is being done through UVM and the Department of Children and Family Services. A guest from the Newbury Vermont area spoke about her concerns for children in her area. Tim explained , because of the Eugenics Survey done in 1927 this competency training was established for the education of all social workers, corrections officers, teachers, and anyone who is in contact with children. These people will be required to do a cultural sensitivity seminar that will have them focus on the community in Newport itself. This will also include the French Canadian culture so that children are not sent to counties away from where their family history lies.

The committee will include members from the community, as well as Abenaki, but from the working community. Children falling into custody will be placed within the community they are from. As the competency work is established in each community, it will then move on to the next community, eventually incorporating the whole state. This work relieves the tax burden from people because it is funded through grant money and will also create jobs for the Abenaki. Jeanne shared her positive experience, and that of the Mental Health participants, when involved with this training in Franklin County.

Mark explained the necessity for this training and the purpose: to prevent children from, not only being placed in communities in remote areas of the state, but the placement of children in a completely different state. Tim said that North Country School will be providing a room for the first training and funds are available this fiscal year for this three day seminar. In the future, as the budget increases for this work, the State House may prove to be a more appropriate building since this is where DCF is located. Families coming for services will be able to see the Abenaki displays and would know this program is available. People who have had children put into foster care will be addressing the people who are potentially doing this with families today. The goal is for a friendly face from the community to tell their horror story that will resonate through these social workers.

Tim and Jeanne will be working directly with Louise and visiting sites, meeting community members and getting an idea of what to look for at different sites, as well as an understanding of the competency training itself. A social event will be held in the Newport area in hopes that community members will become involved and engage in rigorous discussion. Tim asked the Commission's approval for this event. Mark expressed his commitment to help with this work and suggested that the press be invited to generate excitement for this work throughout the community.

3. Site Protection Efforts in Vermont – John Moody

Mark began this discussion with the understanding of weaknesses in Vermont law in regard to site protection and unmarked burials. Before John Moody spoke, Jeanne reminded the Commission that they do have a meeting with the Advisory Committee for the Lake Champlain Voyages of Discovery on May 3rd when she will present her report.

At this time John Moody distributed to the Commission, and guests, materials representing underlying problems, as he views them, to the current Unmarked Native American Burial Law. This information included traditional maps of the tribal area known by Native Americans as *Wabanaki Country*, a demographic study of said area created by John Moody, and his own concerns and understanding of burial protection and repatriation from 1973 to the present.

The meeting was adjourned at 3:15 pm.

Respectfully submitted,
Diane McNerney (say-air-kee-wayn-chukws)

