

January 10, 2018
2:00pm
SOC Conference Room

VIRGINIA INDIAN ADVISORY BOARD MEETING MINUTES

Attendees

Members Present

Chief Lynette Allston, Chair
Dr. Margaret Huber
Julie Langan
Dr. Ashley Atkins Spivey
Leah Dozier Walker (on behalf of Dr. Steven Constantino)

Members Absent

Cami Adkins
Dr. Gregg Kimball (on behalf of Dr. Sandra Treadway)

Staff Present

Kelly Thomasson, Secretary of the Commonwealth
Benjamin Hermerding, Records Manager

Call To Order

The Chairwoman called the meeting of the Virginia Indian advisory board (the Board) to order at 2:12pm.

Approval of Agenda

Ms. Langan moved to approve the agenda. Dr. Atkins Spivey seconded the motion. The Board approved the agenda on a voice vote.

Approval of Minutes

The Board recommended a couple of cursory changes to the meeting minutes. After approving the changes, Dr. Huber moved to approve the minutes. Ms. Langan seconded the motion. The Board approved the minutes on a voice vote.

Old Business

Secretary Thomasson told the board that state Senator Jennifer McClellan is introducing a resolution to the General Assembly that would give state recognition to the Wolf Creek Cherokee, an unrecognized group in Virginia.

New Business

Board Name

VIRGINIA INDIAN ADVISORY BOARD MEETING MINUTES

The Board discussed some possibilities for a board name. Ultimately, the Board decided the members should think about it and decided at a future meeting.

Procedures

Secretary Thomasson's office presented their draft changes to the Virginia Council on Indians' Procedure for Petitioning. The Board reviewed the Procedure for Petitioning by step. [A copy of the draft Procedure for Petitioning is available with these minutes.]

Step 1

The Board agreed to the Office of the Secretary of the Commonwealth's revisions to Step 1.

Step 2

The Chair recommended that the petition should include the petitioning group's governing body's members' names and addresses.

Dr. Huber asked for clarification after the Board makes a recommendation, specifically if the General Assembly must vote on a Board recommendation. Secretary Thomasson explained that the General Assembly does not need to vote on a recommendation. Ms. Dozier Walker asked where the recommendation goes after it is made. Secretary Thomasson explained that the three recommending or not recommending recognition would go to the Governor, the Secretary of the Commonwealth, and the General Assembly. The Board then agreed that the content in this step that requires the General Assembly to act on a recommendation does not match the Board's legislation. Instead, the Board added language that explicitly states the process does not guarantee the General Assembly will follow the recommendation and that the petitioning group must find a sponsor for their resolution.

The Board recommended re-adding the paragraph requiring applicants include physical copies of their petition and the paragraph making the petitioning group responsible for all photocopying.

On a Negative Recommendation

Dr. Huber asked if the Board should adopt language that would require the workgroup to provide feedback to the petitioning group in the event of a negative recommendation. Ms. Dozier Walker agreed that without such feedback, the workgroup could potentially have problems with bias against certain petitioning groups. The Board agreed that they would adopt such a requirement.

VIRGINIA INDIAN ADVISORY BOARD MEETING MINUTES

Step 3

Dr. Huber and Dr. Atkins Spivey explained that “tribal recognition” is a loaded phrase and recommended “state recognition” instead. The Board agreed and replaced all instances of “tribal recognition” with “state recognition.”

The Chair asked the group if the Board should set a restriction on the number of workgroup members. After a brief discussion, the Board agreed to set the number of workgroup members at minimum three and at maximum five.

Secretary Thomasson recommended that the section regarding the Virginia Freedom of Information Act (FOIA) be rewritten to say items not subject to FOIA will not be open to examination. The Board agreed.

The Board discussed whether the Board could appoint more than one workgroup. The Board agreed that there should not be need for more than one workgroup, and that petitions would be worked on in the order in which they are submitted.

Step 4

The Board agreed that the first paragraph in Step 5 should be moved to the end of Step 4.

Step 5

The Chair recommended that, if the Board decides not to make any recommendation, that communication should be sent to the Secretary of the Commonwealth, rather than the Governor.

Public Comment Period

There was no public comment.

Adjournment

Chief Allston entertained a motion to adjourn, which was provided by Ms. Langan. Dr. Huber seconded the motion.

The motion carried, and the meeting adjourned at 3:50.