

Minutes
Burial Preservation Board
May 8, 2015
10:00 a.m. – 2:00 p.m.
State Capitol Building, Room 137
1301 East Sixth Avenue
Helena, MT 59620

1. Call meeting to order: *Dr. Ruthann Knudson, Chair*
The meeting was called to order at 10:12 a.m.

2. Introductions and opening prayer
Members, staff, and guests introduced themselves. Videll Stump gave an opening prayer in his native Cree language.

3. ***Action Item***: Approve October 10, 2014 Meeting Minutes
Ruthann mentioned that a lawyer contacted her on Pat Smith's case regarding Sunny Slope. The draft minutes and all documents regarding Sunny Slope were sent to him.

Robert Four Star offered a motion to approve minutes with John Murray seconding the motion. The motion passed unanimously.

4. Nesbit Remains: *Dr. Ruthann Knudson*
Pat Roath, from the Museum of the Rockies (MOR), attended the meeting to speak about the Nesbit remains. Leah Evans-Janke, from the Alfred W. Bowers Laboratory of Anthropology at the University of Idaho, participated by telephone conference call. In the late 1980's, the director of the MOR sent all of the remains to the University of Idaho and the University of New Mexico. The remains sent to New Mexico have been repatriated. All but two sets of remains sent to the University of Idaho have been repatriated.

In 1988, the Nesbit remains came to the MOR from Sidney Nesbit who had a personal collection. The human remains were separated from the burial items. One set of remains is from the Gallatin canyon. The MOR has a copy of the 1988 letter transmitting the remains from MOR to the University of Idaho, but little other information about the discovery. The University of Idaho has described the remains and provided that description to the Board. Rosemary Caye mentioned the requirements of NAGPRA. Leah replied that there are little physical remains to show cultural affiliation.

Rosemary suggested a trip to see where homesteaders lived to rule out European remains. Pat read from the letter sent in 1988 about remains when road construction was in 1933. The museum director thought they were Crow. Steve Platt will check to see if there was road construction during that time; there may be construction notes. Rosemary clarified that they cannot determine ethnicity with the little they have. She asked if Leah has any analysis of the remains. Leah replied that a trained individual did a record of the remains. The human remains are from Montana. There was more discussion about NAGPRA and that there should be more research.

George Reed mentioned that there is a proclamation of the native lands Bear Paw, Beartooth, and Belt mountains. He said the Crow claim that area. He would like to be involved.

John Murray mentioned that 1933 was a long time ago. The remains were dug a long time ago and he would like a timeline to rebury these remains.

Steve mentioned that it is doubtful it is native because of when they were discovered. He thinks we should rebury them. Ruthann added that the board covers all remains native and non-native.

Conrad Fisher mentioned he thinks rather than spending more money to determine ethnicity a physical anthropologist could make determination possibly.

There is no skull and it is a juvenile, which Leah said, was not enough evidence. She spoke to the national NAGPRA and they suggest repatriating the remains to Montana.

Skye mentioned that without the skull if they are that young you cannot determine ethnicity.

Steve Platt agrees with John that we should rebury. He thinks that MDT would pay for carbon dates if the board thinks it is necessary.

Rosemary mentioned that NAGPRA requires going through tribes. She thinks Leah should go through all the tribes.

Leah has contacted national NAGPRA about these remains. She is trying to return remains from the MOR back to Montana. There are no physical characteristics or artifacts because the artifacts were separated from the remains.

Pat is trying to learn the process to and is willing to do research. Rosemary asked Leah if she was willing to send remains to burial board for reburial. Leah replied she would love to have them reburied.

There was more discussion regarding NAGPRA and contact with tribes. Everyone agreed that the remains should be reburied.

Ruthann suggested Richard Parenteau from the Little Shell should take the lead. Richard offered to work on the reburial at the First Peoples Buffalo Jump.

A motion to reinter the child with a tribe or at First Peoples Buffalo Jump was offered by Ruthann with John Murray seconding. The motion passed unanimously. Leah will send the remains from Idaho to Stan Wilmoth. He will work with manager at First Peoples Buffalo Jump along with John and Richard. Pat will receive remains and work with John, Richard, and Stan.

5. Legislative Update: *Mike Manion*

Mike explained the new legislation affecting board business. After July 1, 2015, members will be paid \$50 a day for board business.

6. Officer Elections Discussion: *Mike Manion*

There is nothing in the by-laws regarding how often to hold elections. They are not being held on a regular basis. Ruthann suggested holding elections on the biennium.

John offered a motion to hold elections at the first meeting closest to July 1, 2016 which was seconded by Robert. The motion passed unanimously.

The group adjourned for lunch at noon and started the meeting again at 12:50 p.m.

7. Old business

Dave Schwab is not ready for disposition of Clubfoot George. Due to a family issue, the remains will not be reburied at this time.

The Chevalier ranch remains will be buried on the Derosier property near Helena.

8. New business

- White Horse Ranch: *George Reed*

There is a ranch between Laurel and Rockville road. Construction supposedly uncovered a grave. A member of the Kiowa tribe, Chief White Horse was in a marked grave and they want a buffer around the grave. Steve Platt will investigate.

9. Public Comment

- Richard Parenteau mentioned there are remains by Lewistown. A mass grave of Metis folks and mixed blood folks was discovered. The remains fall under the Little Shell tribe. Richard will forward information to Ruthann. There is no intention of disturbing the grave. They plan to have a monument.
- Conrad Fisher spoke about MDT sites and remains being discovered inadvertently through construction and work. He would like better communications with MDT. Conrad mentioned that in North Dakota, they have progressive cooperation for road construction. He would like to see a better relationship with MDT. If there was any, it was minimal with THPO and the Northern Cheyenne council. MDT is possibly destroying cultural and historical sites. He would like a discussion with MDT to improve the communication.

Conrad asked Steve to investigate and get as much information as much as possible. He thought this might be the opportunity for a discussion.

Steve replied that he and Jon Axline would be the persons involved from MDT. Steve has continually asked for more discussion. Steve asked the tribes that it would be helpful if they contacted the administration for a meeting. He thought there was a meeting scheduled for this Fall.

Ruthann asked if it would be appropriate to send a letter to MDT asking for formal discussion. Mike suggested having Jason Smith from Office of Indian Affairs contact MDT administration would be the better route at this point. Ruthann also recommended having members talking to the members of the Indian Caucus.

Marilyn suggested a map made of where the Indian roads are to give people including workers of where there could be remains. Steve thinks there should be a position to be a liaison with MDT. Steve knows about the North Dakota arrangement.

- Doug MacDonald from University of Montana (UM) sent John a packet of human remains. John asked if it would be on the agenda for the THPOs.

Rosemary said they want the tribes to come together to find a common burial. The remains are not in NAGPRA inventory. Conrad agreed with Rosemary that they needed a better inventory. Rosemary spoke with students that said that they were still using remains in the classes.

C. Riley Augé is the new Collections Curator at the UM. Ruthann asked if we should ask Dr Augé to come to report to the board on disposition of remains. Stan added that there are disconnections happening at UM and thinks we should invite her to come and explain.

10. **Action Item*** Schedule next meeting: The next meeting date is October 9 in Great Falls at the Little Shell cultural center. Richard offered the Little Shell Cultural center as the location of the meeting.

11. Adjourn: The meeting adjourned at 2:05 pm.