

Burial Preservation Board
125 North Roberts
Mitchell Building, Room 136
Helena, MT
June 22, 2012

Attendees: Reuben Mathias, Phyllis Mathias, Marilyn Silva, Ruthann Knudson, William Big Day, Skye Gilham, Robert Four Star, Lesa Evers, Guylaine Gelinas
Mike Manion, Steve Platt, Stan Wilmoth, Monica Abbott, with Conrad Fisher and Terry Bullis via telephone.

Chair Reuben Mathias called the meeting to order at 10:25 a.m.

Robert Fourstar opened the meeting with a prayer. Reuben Mathias asked for introductions from those in attendance. Attendees introduced themselves.

***Action Item*:** Approve September 9, 2011 Meeting Minutes
Reuben asked for a motion to approve the September 9, 2011 minutes. Ruthann offered a motion to approve the minutes, which Robert seconded.

Discussion of letter received from the University of Montana regarding human remains: *Reuben Mathias*

Reuben received a letter from the University of Montana (UOM) on February 2, 2012. The letter asked for temporary custody of the boxes in Stan's office at the State Historical Preservation Office.

Stan explained that in 1994 UOM was receiving negative input from Native students regarding the handling of remains in the university's collections. UOM delivered all of the remains to Stan's office. Stan divided the cases into geographical areas and began returning the remains to the tribes. Between 1998 and 2000, UOM asked Stan to stop sending the boxes to the geographical areas. Stan has four boxes.

There was discussion whether to allow the boxes to go back to UOM to allow them to match the remains they have in their collections with the remains in the boxes. Some members suggested giving the remains to UOM but with a time deadline, such as the date of the next meeting. Other members suggested repatriating the remains now. Stan explained he believed UOM's intent is to meet their NAGPRA requirements. Mike added that if a conflict exists between NAGPRA and our Human Skeletal Remains and Burial Site Protection Act, NAGPRA governs. Skye offered to go to Missoula and look at the collections. Steve offered to drive to Great Falls in a state car and drive to Missoula. Reuben asked for a motion. Robert made motion for Skye to take the lead and report within two weeks. William seconded the motion. The motion carried unanimously.

Update from last meeting: *Mike Manion*

- a. *Remains at Montana State University-Northern*

Mike contacted MSU Northern regarding a skull brought to the school by a biology professor in a case. It dates back to the 1950's. This was before 1991 so the Human Skeletal Remains and Burial Site Protection Act does not cover it. There was a suggestion to have MSU Northern take photos. The board can review the pictures and make a decision how to proceed. Reuben asked for a motion. Steve Platt offered a motion to ask Mike to call MSU Northern for digital photographs and any information about the skull. William seconded the motion. The motion passed unanimously.

b. Remains at the Gallatin County Courthouse under control of the Bozeman Gem & Mineral Society

Mike suggested a phone call to get information. Reuben asked for a motion. Ruthann offered a motion to have Mike call for pictures and information. Robert seconded the motion. The motion passed unanimously.

c. Remains at city museum at Virginia City

Reuben asked for a motion. Ruthann offered a motion that Mike call and get photos and information about Clubfoot George remains. Robert seconded the motion. The motion passed unanimously. Stan suggested contacting Kate McCourt.

Revisions of Draft Rules: *Mike Manion*

Mike redrafted the rules from comments taken at the hearing in November 2010. There will be thirty days for the board to comment back to Mike on the redrafted rules. After the board's review, we will contact all interested parties for comments before setting an official notice with thirty days for comments.

Mike mentioned that within this year the Legislative Audit Division is scheduled to audit the board.

New case remains: *Stan Wilmoth*

- a. The bones received from New Jersey are originally from near Garryowen. Stan will give the remains to William for reburial.
- b. A skull discovered in an attic of a retired sheriff in Glendive. It is from the 1920-1940 timeframe.
- c. A skull was located in Dawson County but sent to the State Crime Lab. It was identified as an adult Native American.
- d. Wheatland sheriff site found a skull downstream on the Musselshell at the Selkirk fishing site. They were certain it had washed out in high water. Stan has a GPS location. William will work with Stan to rebury the remains.
- e. There are remains from an old case from Meagher County in 1905 of two young adult males, which were sent from Colorado.
- f. Part of the housekeeping at UOM regarding FWP located remains of 11 people from the pictograph caves. The remains were mixed with artifacts. Stan thought board should have control over the remains.
- g. Marilyn asked about skull from the crime lab. Stan has a letter from the crime lab. It was Asian. The crime lab thought it was a war souvenir from World War II. The state crime lab would like to keep it as part of the comparative collection. Mike added medical collections would not fall under the Burial Board.

- h. Finally, the BLM archeologist in Havre was looking for a range improvement. He did a field visit to a burial site. The remains are eroding. They are on private land. He asked if he should cover the remains. Stan will contact him and ask him to cover the remains.

Marilyn offered a motion to have Monica contact Morris and see if he will take the remains from Glendive, Dawson County, and Meagher County for reburial. William seconded the motion. The motion passed unanimously.

Other business

The bones sent to Utah from a Choteau, Montana address were determined not to be from Montana. A December 15, 2011 report from the Utah State History, Antiquities Section, included a good, detailed anthropological description. The bones were determined to be Native American from the Southwest but culturally unaffiliated with any modern cultural group.

Reuben received a report from Rosemary Caye regarding repatriation completed near Kalispell.

The Confederated Salish and Kootenai Preservation Office worked with a private landowner regarding a burial site on his land. At this point, the owner will leave it alone. In one year, the office will revisit with the owner to see if he wants it moved. Mike will review the rules about permits.

The board staff will check about remains found near Helena.

Set next meeting date.

Mike will contact the Anthropology Department to see if they will meet with the board on September 21, Friday. After confirming the date, he will notify the board of the meeting details.

Reuben asked for a motion to adjourn. Robert offered the motion to adjourn, which William seconded. The motion passed unanimously. The Burial Preservation Board adjourned at 1:36 p.m.