

Meeting Minutes
Burial Preservation Board
June 20, 2014
10:00 AM – 2:00 PM
Working Lunch
State Capitol Building
Room 317
1301 East Sixth Avenue
Helena, MT 59601

1. Call meeting to order: *Dr. Ruthann Knudson, Chair*

The meeting was called to order at 10:08 a.m.

2. Introductions and opening prayer
Videl Stump, Sr. gave an opening prayer. He spoke about the background of sweetgrass, which he brought this morning for the meeting.
3. ***Action Item***: Approve May 23, 2014 Meeting Minutes
Morris Belgard offered a motion to approve the minutes, which Marilyn Silva seconded. The motion passed unanimously.
4. Discuss Dr. Lahren questions
Three questions on first page of the letter need answers from the board.

1. Is the information that “Burial Board members” provided to the genetics study team legally compliant- namely, that the Montana Board and Tribes have no standing relative to approving genetic and other studies, or the reburial plans?

2. Does the original reburial plan created by the property owners (Anzick family) as outlined in the February, 2014, Nature article, comport with Montana burial law, Tribal and agency approval?

3. Does the revised, replacement plan for 2 above, for the creation of a “time capsule” for storage of the skeletal remains on private property, to be reinvestigated every 50 years, as discussed in the April 2014 Center for the First Americans article in their Mammoth Trumpet publication, comport with Montana burial law and Tribal and agency approval?

Ruthann gave the board time for discussion of the three questions.

Rosemary asked about the process for repatriation and if members could have a flow chart showing the process. Mike will create a flow chart and provide it to the board. Rosemary suggested an outline of all processes for the board in regards to how remains are handled.

Videl asked about the Montana Constitution covering native rights. Only Article 10 pertains to native rights and covers native education.

There was discussion about filing a claim under Montana law.

The board discussed about whether Dr. Sarah Anzick, part of the Anzick family that owns the land on which the 12,600-year-old human remains were found acted in good faith with tribes. Under the Montana law, she was not required to contact the tribes.

George Reed spoke of the effect on the Crow Nation. The Crow can claim 5000 years before the Crow came here from back east. George spoke of the philosophy of the Crow by stating: do not disturb, desecrate, displace, or damage remains. George was not aware of the Crow Nation being approached about the remains. He believes it affects the mind and body if you do not respect remains.

John Murray mentioned the Blackfeet have several sites over 10,000 years old.

The board decided to answer the questions as follows:

1. Is the information that "Burial Board members" provided to the genetics study team legally compliant- namely, that the Montana Board and Tribes have no standing relative to approving genetic and other studies, or the reburial plans? Yes because no one has filed a claim.

2. Does the original reburial plan created by the property owners (Anzick family) as outlined in the February, 2014, Nature article, comport with Montana burial law, Tribal and agency approval? Because no claim has been filed, the board does not have standing to intervene.

3. Does the revised, replacement plan for 2 above, for the creation of a "time capsule" for storage of the skeletal remains on private property, to be reinvestigated every 50 years, as discussed in the April 2014 Center for the First Americans article in their Mammoth Trumpet publication, comport with Montana burial law and Tribal and agency approval? The Board understands that the "time capsule" is not being pursued.

In summary, without a claim, the Montana Repatriation Act does not apply to these remains. It does not belong to the burial board to make decision

The majority acknowledged it was best to let the burial proceed and to let the remains be at rest.

The meeting stopped for lunch and reconvened at 12:48 p.m.

5. New case remains: *Stan Wilmoth*

Remains found near Anaconda may be covered under the federal Native American Graves and Repatriation Act (NAGPRA). On June 11, a family camping and their dog brought in the human remains. Law enforcement was involved because there are two missing people in the Anaconda area. It may be on state land; Stan is waiting for more information. It was found in a road cut close to campground. ANTH13 is the case number. It was in the north zone of the Deer Lodge National Forest. There is no determination of the age of grave. There was a broken, bone bow with the remains. Teeth have determined the remains are native.

6. Old business

Pictograph Cave State Park: The cave was excavated in the 1930's and is a state park. The huge artifact and numerous human remains are at UM anthropology department but Parks agency owner. Many of the artifacts are disbursed and have disappeared.

The Big Horn Mountains are the sacred mountains of the four bands of Crow. John mentioned there was a slide at the pictograph cave. When the archeologist from Big Horn College looked at them, he contacted John and told him that what he found was Blackfeet. If there is not a claim from the Crow Tribe, then John suggested having the pictograph remains reburied at First People's Buffalo Jump.

Stan asked if UM included the remains and artifacts on their NAGPRA inventory. Rosemary asked if the park receives federal funding and if a claim has been made. George Reed did not believe a claim was made by the Crow Tribe after 2000. Ruthann recalls the work on Pictograph was in process. The board needs a letter stating whether there was any federal involvement. The board also needs an inventory from UM. Sally Thompson was working on it, but Bethany Campbell is the point of contact now.

Sunny Slope cemetery: It was platted in 1916 on the west arm west of Dayton. Reuben Mathias brought this to the board at the June 21, 2013 meeting. The land owner was not informed of a cemetery on the property when she purchased the land. She had contacted Reuben about the cemetery. The board needs someone to check into the request. Rosemary Caye volunteered to follow up on the issue, and Mike and Ruthann will send her the background information they have.

Bozeman Gem and Mineral Society: Mike included pictures of the remains on display at the Gallatin County courthouse. Ken Zahn is president of society of the society. When Mike contacted him about reburial of remains, he asked for a letter from board chair explaining why the board wants the remains to be reburied. The letter would request a voluntary reburial. Ruthann added it is possible the arrowhead is not from the remains but added at a later date.

Morris offered a motion to have Mike and Ruthann write a letter asking them to repatriate and notify tribes of the remains. John seconded the motion. Mike and Ruthann will write a letter to the president recommending the remains be removed.

Clubfoot George at Virginia City: Mike lost contact with the person at Virginia City. Stan suggested it is a private museum in the city. Skye added she will be in the area and was willing to check it out will check it out. After Skye investigates, she will send information to Ruthann and Mike. The board can follow-up with a letter to the museum. Monica will contact Commerce Heritage commission.

Surface Finds from Dr. Lahren: Mike and Stan will write a letter to Dr. Larry Lahren regarding the surface finds he turned in to Stan.

7. Other business

No other business.

8. Public Comment

Francis Auld, Tribal Historical Preservation Officer of the Confederated Salish Kootenai Tribe, remarked on the Anzick remains discussion. He was invited to a meeting with tribes and the DNRC. That meeting included Sarah Anzick and Shane Doyle. At the meeting, it was determined that the Crow Tribe would take the lead. The Kootenai Tribe agreed to let the Crow take lead. Some questions have come up since the meeting. The time capsule is not now going to happen but those things are sore to natives. Francis told that the white people considered Native Americans as savages. Some Native Americans have been educated in universities. He added talking about remains that are so old but the whole process was criminal. An arrowhead was found in 1961, but where is it now? There were suggestions of burial assemblage in the letter from Sarah Anzick and she states she wants to keep a portion of Anzick 1 & 2. Francis asks what did the board say about keeping a portion? Francis said testing of his people has not done anything for his people. Native Americans have been here for a long time and still have stories that tie into the length of time. The young people are committing suicide, drinking, drugs, abusing women, and abusing children. He thinks the board should state something about the fragments. He will suggest to his tribal leaders to not participate in the reburial if fragments are left out. He wants all remains and everything found with remains buried together. One more plea that artifacts interred with remains together for reburial; put everything back into the ground.

Shane Doyle spoke about the letter from Sarah regarding fragment for testing. Shane asked John about his thought on fragment. During Shane's public comment, he reported that Sarah will rebury all of the remains.

9. Set next meeting date: October 17 in Helena

10. Adjourn: John offered a motion to adjourn which Ruthann seconded. The meeting adjourned at 2:09 pm.