



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

**DATE:** August 6, 2018

**MEMO TO:** Craig Taylor, Chair  
Operations Committee

S. Michael Rummel, Chair  
Finance Committee

**Agenda Item#** 9.3

**FROM:** Nan Buckardt  
Director of Education

**RECOMMENDATION:** Recommend approval of a Resolution approving the transfer of cultural items from the Bess Bower Dunn Museum of Lake County’s collections to the Ho-Chunk Nation.

**STRATEGIC DIRECTION SUPPORTED:** Organizational Sustainability

**FINANCIAL DATA:** No Impact.

**BACKGROUND:** The Lake County Forest Preserve District owns and operates the Bess Bower Dunn Museum of Lake County. The Museum’s Collections Policy guides the collecting scope for the Museum. Under this Policy, guidelines have been established for the care of Native American human remains and associated funerary objects. These guidelines are aligned with those established by the American Alliance of Museums’ policies on the Native American Graves Protection and Repatriation Act (NAGPRA).

NAGPRA is a federal law that requires federal agencies and public and private museums that receive federal funding to return certain Native American cultural items -- human remains, funerary objects, sacred objects, or objects of cultural patrimony -- to lineal descendants, and “culturally affiliated” Native American tribes. “Cultural affiliation” means a relationship of shared group identity that can be reasonably traced historically or prehistorically between members of a present-day Native American tribe and an identifiable earlier group.

Included in the Museum’s permanent collections are the partial remains of one individual and an associated funerary object (the “Cultural Items”). The accession records for the Cultural Items indicate that they were acquired on May 23, 1957 from the Moody Museum in Clayton County, Iowa by Robert Vogel of the Lake County History Museum in Wadsworth, Illinois. Ownership of the Cultural Items was transferred to the District in 1989 from the County of Lake, which had previously acquired the collections from the private museum in 1965.

Working through a NAGPRA consultant, the Museum was contacted by George Garvin, Repatriation Officer with the Ho-Chunk Nation. According to the Museum's accession records, at some unknown time the Cultural Items were removed from an area near Decorah, Iowa. This area is part of the aboriginal lands of the Winnebago (present day Ho-Chunk Nation and Winnebago Tribe of Nebraska) and was part of the "neutral ground" established by the United States Government in treaties with the Winnebago in 1832 and 1837.

In accordance with NAGPRA regulations, a Notice of Inventory Completion was published for 30 days in the National Register, Vol. 83, No. 98 dated May 21, 2018. During the posting period any tribe with a cultural affiliation to the Cultural Items may claim them. The 30-day posting period ended on June 21, 2018 and no additional tribes (other than the Ho-Chunk Nation) have since come forward.

According to the Museum's collection policy (which is consistent with NAGPRA), "If the cultural affiliation of Native American human remains and associated funerary objects is established the museum, upon the request of a legitimate claimant, shall expeditiously return such remains and associated funerary objects..." (Section V. Deaccession). The Ho-Chunk Nation has expressed a desire to receive the remains of their ancestor at the earliest possible opportunity.

**REVIEW BY OTHERS:** Chief Operations Officer, Superintendent of Educational Facilities, Exhibitions and Collections Manager, Corporate Counsel

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF LAKE     )

**BOARD OF COMMISSIONERS  
LAKE COUNTY FOREST PRESERVE DISTRICT  
REGULAR AUGUST MEETING  
AUGUST 14, 2018**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **OPERATIONS COMMITTEE** and **FINANCE COMMITTEE** present herewith "A Resolution Approving the Transfer of Cultural Items to the Ho-Chunk Nation" and request its approval.

**OPERATIONS COMMITTEE:**

Date: 8/6/18      Roll Call Vote: Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
                          Voice Vote Majority Ayes; Nays: 0

**FINANCE COMMITTEE:**

Date: 8/6/18      Roll Call Vote: Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
                          Voice Vote Majority Ayes; Nays: 0

**LAKE COUNTY FOREST PRESERVE DISTRICT  
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING THE TRANSFER OF CULTURAL ITEMS  
TO THE HO-CHUNK NATION**

**WHEREAS**, the Lake County Forest Preserve District (the "District") owns and operates the Bess Bower Dunn Museum of Lake County ("Dunn Museum"); and

**WHEREAS**, the Dunn Museum's collections include certain Native American remains and funerary items; and

**WHEREAS**, the Native American Graves Protection and Repatriation Act ("NAGPRA") is a federal law that requires federal agencies and public and private museums that receive federal funding to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants, and culturally affiliated Native American tribes; and

**WHEREAS**, pursuant to NAGPRA, the Ho-Chunk Nation has requested that certain cultural items, specifically the cultural items listed in Exhibit A attached to this resolution (the "Repatriated Objects") be returned to it; and

**WHEREAS**, based on NAGPRA and its procedures, the District's Board of Commissioners hereby finds that the Ho-Chunk Nation is culturally affiliated to the Repatriated Objects; and

**WHEREAS**, it is in the best interest and serves the purposes of the District to transfer the Repatriated Objects to the Ho-Chunk Nation;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois THAT:

**Section 1. Recitals.** The recitals set forth above are incorporated as a part of this Resolution by this reference.

**Section 2. Approval of Deaccession and Transfer of Repatriated Objects.**

The deaccession of the Repatriated Objects from the Dunn Museum's collections is hereby approved. The Director of Education is hereby authorized and directed to transfer the Repatriated Objects to the Ho-Chunk Nation, in a manner that is consistent with NAGPRA and (to the extent it does not conflict with NAGPRA) the Collections Policy for the Dunn Museum. The President, or her designee, is hereby authorized and directed to execute any document necessary to complete such transfer.

**Section 3. Effective Date.** This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2018

AYES:

NAYS:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2018

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Ann B. Maine, President  
Lake County Forest Preserve District

ATTEST:

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Julie Gragnani, Secretary  
Lake County Forest Preserve District

Exhibit No. \_\_\_\_\_

Exhibit A

**AUGUST 2018  
DEACCESSION LIST FOR NATIVE AMERICAN REMAINS**

<b>ACCESSION NUMBER</b>	<b>DESCRIPTION</b>	<b>LOCATION</b>
70.10.3	Human skull	LCHA; COLD ROOM; BAY 5; SHELF 1; BOX
70.8.2	Projectile point	LCHA; COLD ROOM; BAY 5; SHELF 1; BOX