

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
September 13, 2007**

Attendance:

Tribal Council

Jim Peters	Chairman
Arnold Cooper	Vice Chairman
Vince Henry, Sr.	Secretary
Russell Harper	Treasurer (vacation)
Will Penn	1st Council Member
Pete Kruger	2nd Council Member
Charlene Krise	3rd Council Member

Executive Director

Ray Peters

Deputy Director

Whitney Jones

Legal Counsel

Kevin Lyon

Recording Secretary

Melissa Puhn

Jim called the meeting to order at 9:10 a.m. Pete Kruger offered the opening prayer.

APPROVAL OF AGENDA

Vince Henry moved to approve the September 13, 2007 Council agenda. Pete Kruger seconded the motion. The Chair considered amendments to the agenda. Arnold Cooper asked to table the Island Optics discussion to allow for further review. Don Whitener requested that his time be moved earlier in the day. Charlene Krise asked that two donation requests be added to the Executive Director's Update. The motion, including the amendments, carried five in favor and zero against.

TRIBAL MEMBER PRESENTATION

Don Whitener requested an Executive Session to discuss proprietary information regarding an economic development project. The Chair approved the request. Upon coming out of Executive Session, no action was taken; however, Council directed Don to do more research and to work with Island Enterprises, Inc. with respect to his economic development proposal so as to further evaluate and refine it.

TRAVEL REPORTS AND PLANS

September 14; Washington Indian Gaming Association (WIGA) Meeting, Sequim, WA. Jim and Ray will attend.

September 17-20: ATNI Annual Conference, held at the Quinault Beach Resort. Arnold, Pete, Charlene, Ray and Whitney will attend.

September 19: Office on Violence against Women Consultation, held in Sandia NM.

TRAVEL REPORTS AND PLANS *(continued)*

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September 20: Squaxin Employee Appreciation Dinner, 6:00 p.m., at the Hotel Ballroom.

September 21: Northwest Tribal Leaders consultation, held in Portland, OR. Jim and Ray will attend.

September 24-27; 24th Annual National Indian Health Board Consumer Conference, Portland, OR. Will plans to attend.

September 25-27: Safe Communities Conference, held at the Little Creek Casino.

September 27-28: 4th Annual NW Regional Enrollment Conference, held at Suquamish. Arnold, Pete and Charlene will attend

October 5-7: 13th Annual Native Basket Weavers Association, held in Lapwai, ID. Charlene Krise, Paula Henry, Josh Mason, Dave Krise, June Krise, Donna Penn, Debbi Obi, Connie Napoleon, Becki Napoleon, Jenn Ogno, Barb Henry, Ramona Mosier, Margaret Henry, Vicky York, Charlene Cooper and Linda Evans are attending, sponsored by Tribal Council and One Percent. There is a waiting list for those who wish to attend.

November 5-8: Wellness & Spirituality XV Conference, held in Tucson, AZ.

November 6-7: Reasonable Alternatives to Blood Quantum Requirements, Quinault Beach Resort. Arnold, Charlene, Pete, and the newly formed Enrollment Committee will attend.

November 6-8; 4,000 from 4 Directions, Native Wellness Conference, Coeur D'Alene, ID. Will plans to attend.

November 11-16: National Congress of American Indians (NCAI), Denver, CO. Arnold, Vince, Pete and Ray will attend. Council approved Glen Parker to attend on behalf of the Elders and Veterans.

November 13-15: G2E Global Gaming Expo, held in Las Vegas, NV. Ray will attend.

November 17: Potlatch Fund Annual Gala, held at the Grand Hyatt Hotel Seattle. Charlene and Will plan to attend.

CHAIRMAN'S UPDATE

2008 Basket Weavers Conference: Jim wanted to discuss the growing interest each year of tribal members attending the Basket Weavers Conference. Whitney Jones will put together guidelines for funding, advertising and choosing attendees for future conferences. Her guidelines will be presented to Council for further consideration at a later meeting.

CHAIRMANS UPDATE *(continued)*

Wednesday Council meeting locations: Council approved holding its Wednesday meetings with Island Enterprises, Inc. and Little Creek Casino Resort in the hotel board room.

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Pacific Salmon Commission: Jim shared a letter received from the U.S. Department of Interior, requesting appointment of two members to the Frasier River Panel and two members to the Southern Panel of the United States Section- Pacific Salmon Commission, and designating alternates for each. Arnold Cooper moved to re-appoint Lorraine Loomis and her alternate Ron Charles on the Frasier River Panel and Terry Williams and his alternate Andy Whitener to the Southern Panel. Will Penn offered a second. The motion carried five in favor and zero against.

Timesheets: Council convened an Executive Session to discuss personnel matters related to Council members' timesheets. Coming out of Executive Session, Council stated that if there are hours claimed on a timesheet other than regular scheduled meetings the Chairman will review and approve the Council member's timesheets. Ruby will continue to collect timesheets for the Chairman's signature. The Chairman was authorized by Council to approve the travel expense form for Will Penn for attending the Canoe journey.

FINANCE

Deb Stoehr presented the Fiscal Year 2008 Annual Budget. She distributed the budget package and answered Council's questions. She then presented **Resolution #07-68** approving the final budget for the fiscal year 2008. The FY 2008 had been presented and considered by the Budget Commission which recommended its approval. Pete Kruger moved to approve Resolution #07-68, approving the FY08 annual budget. Arnold Cooper seconded the motion. The motion carried five in favor and zero against.

ENROLLMENT

Tammy Ford presented two enrollment relinquishments from the Squaxin Island Tribe. Arnold Cooper moved to approve **Resolution # 07-69** which approved Anthony James, and **Resolution # 07-70** which approved Georgina James relinquishing their membership in the Squaxin Island Tribe.. Vince Henry seconded the motion. The motion carried five in favor and zero against.

Whitney Jones reported on the results of the recent referendum regarding whether or not to continue the 5 and 2 year waiting period expressed in Resolution 06-31. There was a turnout of forty eight (48) voters; Twenty six (26) voted yes to maintain the five year wait on treaty rights and two year wait for education benefits. Twenty (20) voted no to eliminate the five year wait on treaty rights and two year wait for education benefits. Two (2) ballots were not counted as they were blank. The referendum failed to garner enough votes to be binding; only 48 of more than 300 votes were recorded.

LEGAL

Kevin presented an audit engagement letter for LCCR with Moss Adams. Council approved the engagement and authorized the Chairman to sign the agreement letter with Moss Adams.

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Kevin provided an update on the X2 Appendix, handed out the Terminal Allocation Transfer Plan for informational purposes only. No action was requested or taken.

Kevin provided an update on the recent enforcement action by the National Indian Gaming Commission against the Nisqually Indian Tribe. He provided copies of the settlement documents.

He also provided copies of the Tribe's response in the water rights related litigation in the Thurston County Superior Court. The matter is scheduled for oral argument on Friday September 28th.

Kevin provided an update on the motor vehicle fuel taxes negotiations with the state, noting particularly the most favored nation and term provisions.

Kevin provided an update on the U.S. v. Washington sub proceeding regarding the Culvert Case. He provided copies of the decision and of the settlement memos previously exchanged with the state and the near term schedule for negotiations.

Kevin also provided an update on the alternate dispute resolution proposals being advanced amongst tribes to avoid or minimize court involvement in such matters. Council authorized him to continue to advance such discussions and to seek alternatives to litigation, particularly those methods that honor tribal traditions. .

Bob Whitener, Jr. reported at the September 12th Meeting with Island Enterprises its process for Requests for Proposals (RFP). Kevin drafted an announcement for RFP's at Council's request. The draft RFP was circulated. Council decided to table the matter until its next Council meeting so that Charlene would have an opportunity to review the proposal.

Kevin also provided an update on the passport support for tribal members. He stated that NCAI and the Lummi Tribe are taking the position that Tribal Identification Cards should be sufficient in place of passports. While Squaxin may or may not join in their effort, he recommended that Council put in place a program to ensure that tribal members have sufficient identification for future canoe journeys and international travel. Stephanie Nichols is working with a passport agency on setting up a passport session at Squaxin Island. The Legal Department is available to assist any member in obtaining a passport. .

EXECUTIVE DIRECTOR UPDATE

Charlene Krise reported that Liz Yeahquo received a scholarship to attend a Tribal Archives Conference, October 23-25 in Oklahoma City. She is seeking travel expenses and per diem. Council approved that this could be funded by the One Percent Committee.

Ray provided the July 31st Little Creek Oversight Board (LCOB) minutes for Council's review.

EXECUTIVE DIRECTOR *(continued)*

401K Resolution: Kevin presented **Resolution #07-71**, which substitutes Cameron Goodwin for Douglas Boon as the named fiduciary and amends Resolution #03-24 accordingly and authorizes Cameron Goodwin and Margaret Johnson to administer the plan and the funds entrusted to the

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trustees. Arnold Cooper moved to approve Resolution # 07-71. Charlene Krise seconded the motion. The motion carried five in favor and zero against.

Ray provided an update on the McDonald Land Trust's response to the Tribe's request to purchase real property. He noted that the Trust was not willing, at this time, to proceed with the Tribe's proposal.

Budget report: Ray provided a report on taxes due to tribal government. Ray updated on the KTP, gas and hotel occupancy taxes. Ray briefed on the initial Council budget created from tax income. Due to additional meetings the Council budget is higher than expected. Ray went over the budget line by line.

Charlene reported that Olympic Peninsula Tribal Tourism Affiliation (OPPTA) is seeking a \$5,000 grant donation. Council has supported them in the past. Council agreed by consensus to donate \$5,000 in FY08.

Tribal Member Request: Charlene briefed on a situation where two tribal members would like to fly to Florida to attend their fathers funeral, but do not have the resources to do so. Council agreed by consensus to utilize the funeral policy – the amounts that they would otherwise receive for burial expenses - to assist them by purchasing two round trip coach tickets to Florida.

SLOCUM CEMETERY REQUEST

Ray introduced Harry Rydell from Manke, who has been the lead negotiator for Manke regarding the Slocum Cemetery. Ray commended Harry for his work at the cemetery. Larry Ross went over the sketch and phases of the new Slocum Cemetery. Rhonda asked Council if they would approve reinterring the European remains buried in and/or adjacent to the Indian Cemetery, along with the Native American remains, in the Slocum Cemetery. All remains will be documented as they are moved to the Slocum Cemetery. Charlene Krise moved to authorize reinterring the European remains along with the Native remains in the Slocum Cemetery. Will Penn seconded the motion. The motion carried four in favor and zero against. Pete Kruger was out of the room.

LITTLE CREEK CASINO

Cameron Goodwin provided the Casino's organizational chart, approved at the August 23rd Council Meeting, for signature. Council approved the organizational chart.

Cameron shared that he has evaluated employee raises for the next year. The cost of living is 2.8%, and Cameron would like to propose a 5% cost of living increase which will provide both an

LITTLE CREEK CASINO *(continued)*

incentive and appreciation. Council directed Cameron to present his proposal to the Little Creek Oversight Board for its report and recommendation.

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Kevin Lyon presented a copy of the MultiMedia contract for review and approval. Kevin briefed on the various covenants, the LCCR's negotiations and the contract terms. Will Penn moved to approve this contract pending approval of the contingencies with Bank of America. Pete Kruger seconded the motion. The motion carried five in favor and zero against.

ISLAND ENTERPRISES

Annual Operating Plan: Bob Whitener, Jr. presented the FY08 IEI Annual Operating Plan, beginning October 1st for Island Enterprises, Inc. Pete Kruger moved to approve the FY08 IEI Annual Operating Plan. Will Penn seconded the motion. The motion carried four in favor and zero against. Jim Peters and Vince Henry were out of the room.

Construction: Bob presented **Resolution # 07-72**, which authorizes IEI to enter into an agreement with Dave Smith and Petrosol Inc. for the building and use of a railroad spur and propane off-loading facility. The matter was presented because it was outside of the scope of the previously approved IEI annual plan. Pete Kruger moved to approve resolution #07-72. Vince Henry seconded them motion. The motion carried five in favor and zero against.

Island Optics: Council tabled further consideration of the proposed agreement. They would like to further discuss this business and go through the agreement with Bobby. Council feels that it is okay to allow IEI to continue to work on this with no obligations, and meet again regarding at the next meeting.

TRIBAL MEMBER CONCERNS

Jolene Grover gave a presentation to Council requesting an internship at the Tribe, where she would have the opportunity to earn ten credits through Evergreen State College. Charlene shared that the Museum has internship opportunities where students can learn areas such as archeology, Washington State history, sovereignty and self-governance. Jolene would like to see the Tribe provide a work related internship that allows a tribal member to earn credit while working towards a career of interest.

Jim stated that if she wanted to set up a program and present to a department director, he feels that the Tribe would be receptive to the idea. Jolene is looking for a commitment of twenty four hours per week, for eight weeks for this fall quarter. Ray will assist her in developing her idea, creating a curriculum and connecting her with the appropriate directors.

Dave, June and Lena Krise requested a response from Council. They presented their enrollment request at the August 23rd Council Meeting asking that Council waive the five and two year wait

TRIBAL MEMBER CONCERNS *(continued)*

periods for Lena and Tyrone Krise. They would like Council's decision prior to their relinquishment from their current tribe. Council further discussed the matter in Executive Session.

Coming out of Executive Session, Arnold Cooper moved to rescind the five year wait on treaty rights and two year wait on education benefits, with a moratorium on any new transfers for no less

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than one year. Those born into the Tribe would not be affected by the moratorium. During that year the Tribe will research the impacts that enrollment will have on education, healthcare and treaty harvesting. This moratorium will become effective on the close of business Wednesday September 19th. Will Penn seconded the motion. During discussion, it was agreed that those members currently on the five and two year waiting list would be taken off the list. However, no back payments of per capita checks would be made. The motion carried four in favor, zero against, Charlene Krise recused herself from voting due to a conflict of interest.

LAW ENFORCEMENT

Mike Evans and Chris Peters provided an update on the theft of cigarettes and cigarette tax stamps from the Tobacco Factory. Council went in to Executive Session. Police action was taken. No further Council action was taken.

LEGAL

Kevin briefly went over his research regarding compensation by other tribes for Council members. Council agreed to further discuss compensation at its next Council Meeting.

Charlene inquired about the siding project and had concerns of the workers late hours. Ray stated that the contractors are working hard to finish this project before the rain starts, but will reiterate to Dan Neelands regarding safety protocols.

The August 23rd Council minutes will be considered for approval at the next Council meeting.

There being no further business, the meeting adjourned at 5:30 p.m.