

**SQUAXIN ISLAND TRIBAL  
COUNCIL MEETING  
May 27, 2010**

**Attendance:**

**Tribal Council**

**Dave Lopeman**  
**Arnold Cooper**  
**Andy Whitener**  
**Pete Kruger, Sr.**  
**Misti Saenz-Garcia**  
**Marcella Castro**  
**Charlene Krise**

**Chairman**  
**Vice Chairman**  
**Treasurer (travel)**  
**Secretary (travel)**  
**1<sup>st</sup> Council Member**  
**2<sup>nd</sup> Council Member**  
**3<sup>rd</sup> Council Member (left at 1pm)**

**Legal Counsel**  
**Executive Director**  
**Recording Secretary**

**Kevin Lyon**  
**Ray Peters**  
**Melissa Puhn**

Dave Lopeman called the meeting to order at 9:15 a.m.

**APPROVAL OF AGENDA**

Arnold Cooper would like to discuss benefits when there is a full Council present. Pete and Andy are both on Travel.

Marcella Castro would like to discuss the Island Enterprises Board. Charlene Krise would like that executive session. This will be discussed at the end of the day.

Marcella would like to discuss the IEI Board. Charlene would like executive session regarding that. Dave will bring up at the end of the day.

Charlene also would like to discuss KTP.

**TRAVEL REPORTS AND PLANS**

**May 23-27:** NTEC, Albuquerque, MN. Pete and Andy are attending.

**May 31: Offices will be closed for Memorial Day.** Council directed Ray to dismiss non essential personnel at noon tomorrow.

**June 4: Sgwi Gwi, 5:00 p.m.** Events Center. Council usually presents the awards and congratulates the students. Dave asked about giving away cars to some graduates. Whitney will give an incentive report later today. Arnold shared that he has heard negative feedback about the cars, most seem happy with the money and the laptops. Arnold feels it should be equal for everyone. Ray stated that the report today will not show how the students talk about the incentives; he shared that people really do talk about the incentive to graduate. Looking at the numbers, more people are continuing with higher education; more people getting their GED's; feels its working. This amount is budgeted each year. Arnold asked about LCC and IEI contributing also. In the past, Council has asked IEI to sponsor different events. In reality IEI does provide revenues and as those come in to the government it is budgeted for such events. Arnold thinks we should ask them to help fund as a direct sponsorship.

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Ray explained that past Council directed the Casino that there would be no more free meals/events for anybody, including tribal government and departments, in order to get costs under control

**June 2: First Public Budget Hearing**, 4:30 p.m. Council Chambers.

**June 6-9: Native American Fish & Wildlife Society**, Carlton, MN Pete. This will be billed to Natural Resources. Charlene would like to add to the travel policy; if a council member works for a department it will need to be identified which travels are department and which are Council funded.

**June 7: MLRC Golf Tournament**, Council decided to sponsor two teams for \$800 each.

**June 8: Centennial Accord**, at Muckleshoot. Charlene stated that she is leaving for a travel on this day and wanted to be sure that Squaxin has strong representation at the Centennial Accord. She also stated her concern with the harvesting policy that will be discussed; Ray has spoken with Rhonda and Legal in regards to this. This policy is being drafted for ATNI and also will be presented at Centennial Accord.

**June 9-10: Tribal Leaders Forum**, Pechanga Resort, CA. Misti, Marcella, Charlene will attend (*Misti and Marcella did not attend*).

**June 17: WIGA**, Lummi, Andy

**June 20-23: NCAI**, Rapid City SD Pete, Andy, Arnold, Dave, Misti and Marcella will attend.

**July 12: WIGA Golf Tournament**: Council decided to sponsor two teams for \$800 each.

### CHAIRMANS UPDATE

**Tribal member request for financial assistance:** Charlene shared that Jaime Nelson went through some trauma causing her to miss work. She is requesting a \$200 donation to help them until their next paycheck. Arnold asked about the Job Ready Program. Charlene doesn't think that would work for them at all, given their circumstances. Charlene understood that she is getting assistance from Gloria Hill's program for her PUD bill. Council went in to executive session.

Misti brought up TANF and changes. A letter will be drafted stating that no changes are desired from Council.

Misti asked about a fence on KlahCheMin near the culvert.

**TANF funding:** Ray stated that there was a lack of attention to the TANF regulations in a recent case. They are now tightening up the regulations and everyone is feeling that decision. Ray stated that if the regulations are being followed, nothing will change. SPIPA has been tightening also because of the scrutinizing of TANF funds. Ray stated that the Stepping Stones program is not allowed stipends anymore. So the kids will be "paid" with purchase orders to stores instead. Stepping Stones includes kids on TANF and kids not on TANF; it falls under the provision of preventing kids from getting on TANF. Charlene brought up that TANF used to help clients regain their drivers license and that is no longer allowable. Charlene would like to know if that is just an interpretation of

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the policy, or if the tribe can still help through TANF. Ray stated there are always ways to package most things to make it work.

**Adage discussion:** Ray stated that Jeff Dickison has been looking in to impacts that this plant may have. If it does happen there are positives that will come from it, but Jeff is looking at the secondary impacts such as potential overharvesting to create more wood waste. Jeff will do a nice job looking at those impacts that might occur. It is being followed and once enough information is collected it will be presented to Council regarding support or not support. Arnold would like someone to come to Council to go over the pros/cons.

### EXECUTIVE DIRECTOR UPDATE

Ray shared that Ruby is working on scheduling a lunch meeting with the Mason County Commissioners. She is also working on scheduling a lunch meeting with Green Diamond.

**Tribal member request:** Melanie Hause is requesting financial assistance for her to attend a Narcotics Anonymous Conference. Council asked Whitney to contact her and inform her of the Job Ready Program; she can work in the Museum and participate with the language program.

**Elders letter:** Ray shared the letter that was mailed to the elders regarding the bus and looking for feedback regarding the decision to charter a bus versus buying a bus. Glen stated that there was a lot of discussion about the recent charter bus; a lot of the concern was that the charter bus has its own rules such as point A to point B travels with no stops in-between. Ray stated that is in the set up and can be fixed. Colleen can schedule and designate stops. Ray will talk with Colleen.

**Property update:** Ray reported that the Linder property is moving forward with a scope of repairs on the house. Island Construction is doing the work. It is close to being able to be rented out.

Ray spoke with Charlene about getting in touch with Bev Hawks regarding the trailer. There still is a lot of stuff in the trailer that needs to be removed. The initial assessment on the trailer is \$7,000 - \$10,000 worth of repairs in order for someone else to move in. Ray asked Charlene to contact Bev to see if the family would like the stuff that is left; otherwise it will be hauled out. The recommendation is to not put any money in to the trailer; it could be replaced for a similar amount. There will be a better assessment once the stuff is removed.

Ray updated on the women's restroom; there is a problem with the roof. As of now looking to patch the leak. This is a recurring problem that was thought to have been fixed before.

**ATV's on reservation:** Ray shared that the area near the drain field has been damaged by quads. That area will be fenced with no trespassing signs posted. Fliers will be send out regarding riding on the reservation. Charlene worries that a young kid riding a quad will get hurt or hurt someone else. She would like to see quads not allowed on the reservation. Arnold would like to see stricter rules regarding riding without a license. Charlene would like to see a public notice sent out regarding this topic.

### PLANNING/DEPARTMENT OF COMMUNITY DEVELOPMENT

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Elizabeth Eagen presented the Elders Care Grant **Resolution #10-54**. Arnold Cooper moved to approve the grant resolution. Charlene Krise seconded the motion. Charlene asked if she would share any information gathered regarding the health of the elders and their needs. Brian stated that Elizabeth wrote an article for the newspaper regarding this. Elizabeth will share it with Council. The motion carried four (4) in favor and (0) against.

Brian Thompson provided a map of the Arcadia Property. It was developed as a township initially, trapping lots by a roadway or alleyway. Very few of the road/alley ways were ever built or utilized. Under the current law, if those ways were not utilized, it can be converted back to the landowner. Brian shared that the highlighted areas on the map show areas owned by the county for roads/alleyways. Brian does not feel there would be an issue and working with Legal in obtaining those pieces back from the county, vacating those roads back to the tribe.

Brian shared that Esther Fox met with Herb Westmoreland and are in the final stages of getting the newest set of appraisals, expected by the end of June. There are little price changes from the initial round and once those numbers are ready Brian will return to Council with a resolution.

Brian shared that the Shaker Church project is at a standstill. The fee to trust process is on hold until the church elders are met with regarding what direction they would like to go and if they will settle with their neighbor. Ray stated they have been contacted and will try again. Arnold suggested that he and Dave travel to Yakima; Charlene would like to include Mike & Rose on that trip. Dave would like to get that taken care of. Marcella will talk with Rose. Charlene also would like to go.

Mark Allen has been working with the Shaker attorney; who has not gotten direction from the Shakers.

Brian included a flier that will go out in the mail, updating on the process on the renovation of Klah-Che-Min Drive. PUD and Hood Canal both will be digging and installing new lines and cable. The utility phase may be more disruptive than the paving process since PUD will need access to the transformers. Housing will be an active liaison and will start next week. The bid for paving will go out next week.

Marcella asked if this will impact the transport of fireworks stands. Brian stated that this preliminary work will be done before the stands need to be moved. The paving will start after the 4<sup>th</sup>.

Brian shared **Resolution #10-55** which appoints Penni Giles as the Davis Bacon Compliance Officer. Charlene moved to approve the appointment. Marcella seconded the motion. The motion carried five (5) in favor and zero (0) against.

## ENROLLMENT

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Tammy Ford presented the following enrollment resolutions. The Enrollment Committee met and they recommend the enrollment of the three applicants.

**Resolution #10-56** enrolls Halia Cooper Lewis, full benefits

**Resolution #10-57** enrolls Crisaleena Rees, full benefits

**Resolution #10-58** enrolls Kenai James, full benefits

Misti Saenz-Garcia moved to approve the three enrollments. Arnold Cooper seconded the motion. The motion carried four (4) in favor and zero (0) against (*Charlene Krise was out of the room*).

Charlene suggested that Council should limit the number of surveys conducted at General Body Meetings; there seemed to be a lot this time.

Tammy updated on the enrollments that were under investigation. The first one being a sibling study, it was determined that the enrollment can move forward. With the second one, the DNA test was refused by the father and he has until tomorrow to present in writing, alternatives to DNA that would qualify to continue the enrollment of the child. The committee will then evaluate if something is received. He will be given the opportunity to appeal. Arnold asked for executive session. No action taken.

*Charlene left at 1pm*

### TRIBAL GAMING AGENCY UPDATE

Desi Smith shared that this are putting together an RFP for this year's external audit. Moss Adams will be here this year also, but Desi would like to see who else can offer the same services. If Moss Adams is offered the audit, this would be the 5<sup>th</sup> year they conduct the audit. If a new firm came in, they would need to be in by September.

Desi will present at the next Council meeting the issue of allowing executive entities gamble at the casino (LCOB, Council, staff, etc). He stated that the Gaming Commission has no issue as long as there is no interaction with a dealer; machines only and no large jackpot winnings.

### FAMILY SERVICES

Janita Johnson was here to discuss the upcoming Community Health & Awareness Fair. They will be doing a Domestic Violence Awareness Walk. She is looking for an interested Council Member to BBQ during the event. She is also doing a fundraiser for the food bank; she will have a dunk tank and will charge \$1/toss. The Native Sisters group will work the dunk tank. All proceeds will be split with the Native Sisters and the food bank. Council volunteered Ray Peters, Mike Evans and Andy Whitener to be in the dunk tank. The Hands-On Children's Museum will be there, she will have a bounce house, face painting and t-shirts for all participants. This will be on June 25<sup>th</sup>.

### LEGAL

**Fish Buyer Code (Draft):** Kevin shared this before at Ocean Shores. There is no action today, but Kevin is trying to get approval for submission to Fish & Wildlife and continue the conversation

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regarding the states regulation on tribal sellers and tribal buyers. This code is explaining to the state how Squaxin conducts business, so the state can see that the tribe has a plan in place. The state will comment and critique, so it's not ready for adoption yet. There are two parts: first, treaty fish buying and selling can be regulated by the tribe without a state license. The second part of the code is that Council asked to solve the problem of unaccounted harvesting. Legal suggested moving the weigh station away from the buyer's boats, manned by enforcement and not the buyer. Then the buyer can only have product on their boat that has been tagged and weighed. No final action at this time. Council agreed to have Kevin move forward.

**Random Drug Program Memo:** Kevin has shared via email. He provided a memo about the strengths and weaknesses of that program for Council review.

**Hunting Co-Management Agreement (Draft):** This has been negotiated amongst the medicine creek hunting representatives. Marcella and Misti attended the meeting in Puyallup earlier this week. It will go to the state, and then the tribes will negotiate with the state. Council agreed to have Kevin forward this information to the state.

Kevin introduced Michael Reichert who is the newest member of the Washington State Gaming Commission. Cameron and Desi also were present. Dave asked about the state opening up class III gaming for non tribal venues. Michael stated that this is called "leveling the playing field." When Michael was appointed, he asked the same question on gaming for non Indians. He stated that the governor has no interest in allowing non Indian venues to have class III gaming. The WSGC has been directed to guard against the expansion of non Indian gaming. There is a great deal of pressure to expand due to the budget shortfalls. No one on the commission is for the expansion as well.

Michael stated that he is aware of the self-regulating of casinos has diminished. His concern is that there is not an embrace of the transition from the shared regulation to the full and independent regulation to the tribes. He feels that it is unintentional. He would like to meet with tribal governments and see what they think and where to go with this situation.

Desi and Michael discussed licensing tribal members who currently cannot get licensed through the state.

Kevin reported on the telephone poll that was conducted April 29<sup>th</sup> regarding extending the HR Class III licensing implementation date from May 15, 30 days. This discussion will be tabled until Misti returns.

Kevin brought up the Operating Plan that was adopted last year at the Cow Creek Retreat. He highlighted a few date specific items and there has yet to be direction to staff. It needs to be updated and Kevin suggested that Ray, Kevin, Bobby and Mitch work on. Ray commented that several areas have been worked on even though it hasn't been fully adopted. Council discussed holding a visioning with directors in July for a couple of days.

Kevin also included in the copy of the letters received from the governor denying the petition of the wells in the John's creek basin. Ecology will be out June 1<sup>st</sup> in respect of each of the directives regarding the basin and will meet with NR staff. Kevin has prepared to file a petition with the superior court on the denial and will work with Ray since there will be some political action regarding the second filing.

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Arnold moved to rescind extending Class III gaming licensing to HR Marcella seconded the motion. The motion carried four (4) in favor and zero (0) against.

Council went in to Executive Session. Coming out of Executive Session Council approved **Resolution #10-59** which authorizes Legal to seek reimbursement from the insurance carrier for fees and costs associated with the pending litigation: Ruddell vs. US.

### **EXECUTIVE DIRECTOR** *(Continued)*

Ray reported that the scotch broom will be cleaned up by July 4<sup>th</sup>. That will be a youth activity.

Mike Evans will get together with Kevin on boaters education and safety courses for tribal members.

Ray reminded that the fish season leave policy requires employees to submit their leave requests by June 1<sup>st</sup> if they plan to be gone five or more days during fishing season.

### **TA HA BUTS LEARNING CENTER**

Whitney Jones presented on behalf of the TLC.

**Graduation incentive impacts:** Whitney stated that it is hard to determine any impact, but Sis has seen the impact in the kid's attitude and encouragement in graduating and continuing their higher education. Kids encourage others to complete in order to get their laptop and money.

**Graduation verification:** usually if there is no verification by Sgwi Gwi the youth waits until next year to receive their money and laptop. Council would like those youth who graduate late to get their incentive even if the verification is during the summer and not wait until next year. There are 12 students so far that have submitted their documentation.

Sis drafted a letter that Whitney relayed regarding charter schools. She shared that Washington State is a state where charter schools are not allowed. There is a group who feels that tribes should have the right to a charter school since they are a sovereign nation. Sis would like to look in to the feasibility of a school.

Dave brought up the Casino employee policy changes that were sent up from HR. This will be tabled until full council is present.

Marcella brought up the IEI Board; she has concerns about Tim Sheldon saying the tribe supports Adage Plant. Dave stated that he and Bobby know Tim really well and will talk with him.

**Superfly donation:** Ray stated that they asked about using the busses again this year. Ray feels the busses are not dependable enough to loan out. So in lieu they are asking for a donation. Council agreed to \$250 for their bus rental

**Basket purchase:** Council decided to purchase the rose basket woven by Liz Yeahquo for \$700. This basket will remain on display at the Museum and will not be given away. Charlene abstained from this discussion and decision.

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There being no further business, the May 27<sup>th</sup> Council Meeting adjourned at 3:55 p.m.