

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
June 10, 2010**

Attendance:

Tribal Council

Dave Lopeman	Chairman
Arnold Cooper	Vice Chairman (<i>left at 12:30</i>)
Andy Whitener	Treasurer
Pete Kruger, Sr.	Secretary (<i>travel</i>)
Misti Saenz-Garcia	1st Council Member
Marcella Castro	2nd Council Member (<i>left at 1pm</i>)
Charlene Krise	3rd Council Member (<i>travel</i>)

Legal Counsel
Executive Director
Recording Secretary

Kevin Lyon
Ray Peters
Melissa Puhn

Dave Lopeman called the meeting to order. Marcella Castro offered the opening prayer.

Discussed deferring the approval of the minutes until later in the day or next session. Approved by Chairman.

Announced that the minor child in the hospital passed away this morning. Tribe will be reaching out to the family.

Discussed whether the cemetery will have an area reserved for infants. Shelton has a small section of the younger ones. Will consider designating one for the Tribal Cemetery.

Council discussed the cemetery. Ray Peters reported that an RFP has been sent out for clearing the property. The alders that will be removed will be given to Natural Resources.

Executive Session. Discussed request to hear from tribal members concerns regarding personnel and related matters at LCCR. Direction: invited one speaker to provide comments to Tribal Council at noon.

CHAIRMANS UPDATE

Council discussed the Geoduck testing and pregnancy exception. Discussed exception for extending the time period applied only to pregnancy and not other circumstances. Arnold inquires if the exception extends to all; he proposes extending the testing time to all.

Discussed existing incentive for all to get it done sooner rather than later because they will want to go fishing.

Mike Evans was available and provided an update on the tests. Law Enforcement is prepared to administer the tests and the boat owners need to schedule the tests and not the individual diver. Mike stated that August 31st timeframe for testing all divers is adequate time to get everyone tested. Law Enforcement is only half of the component; the boat owners need to schedule the time and stick to it.

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Arnold was concerned about the request for extending the deadline for testing due to a pregnancy was limited. Previously Council approved extending the deadline for testing until the end of the season (March 31, 2011) for pregnancies. Arnold feels that if the deadline is extended for her, it should be extended for everyone. Ray stated that the test (certification dive) needs to be done before the diver has their IDQ.

Andy said that he would have no problem with extending the deadline to March 31, 2011. Arnold moved to extend the date for proficiency testing for new IDQ Holders to March 31, 2011. Council agreed by consensus to extend the deadline for testing until March 31, 2011.

Misti told Mike that Law Enforcement needs to be available to administer the tests. She has heard complaints that the boat owners have not been able to get their tests scheduled. Dave reminded that Law Enforcement needs advance notice from the boat owners. Mike shared that Law Enforcement anticipates Sundays for testing; they reach out to the boat owners and if nobody is ready to test Mike does not send anyone out.

Misti feels that 30 minutes is not enough time to dig 10 geoducks. Mike reminded that the timer does not start until the diver is in the water.

Ray clarified that Council agreed by consensus that everyone has until March 31, 2011 to dive their certification test.

Marcella Castro made the motion to extend the dive time for more than half hour; she would like to extend the test time to all day, having no time limit on digging 10 geoducks.

Andy stated that the goal is not to take people out of the fishery, but to get divers in the water digging their own geoducks. Arnold wondered if half hour is sufficient time for the test. Dave reminded that the 30 minute time was determined by the divers who were present at the meeting where this decision was made. Andy suggested directing the Aquatics Committee to consider Marcella's request and then bring their recommendation to Council at the next Council session

Mike Evans was here on request to respond to the ATV flier that went out, per Council request. Mike explained that citation will not be issued for passive driving; although it is illegal to drive an unlicensed vehicle on the road. The flier got peoples attention. ATV's are not allowed on lawns, drainage areas and aggressive driving will be cited. Mike asked for direction regarding underage riders. There is a potential liability for allowing underage riders on the reservation roads. Marcella thinks that parents need to be more responsible for their kids; she recently saw two kids speeding on a quad the other day. Mike shared that the Housing Commission is working on a recommendation on this topic. Direction is needed from Council regarding what to allow on the reservation; right now the only code that is in place states that ATV's are not allowed on the roads. Arnold would like to see Law Enforcement crack down on under age riders and riders without safety equipment.

Ray stated that direction is needed; he asked what the liability is of the tribe if minors are allowed to ride quads and someone gets hurt. Kevin stated that he is unsure of the result, but the likelihood of a claim asserted against the tribe will be raised if minors are allowed to ride. Marcella does not want to take quads away from the kids since there is nothing else for them to do. Mike added that the officers can cite for speed, but it is tough to catch the kids. Arnold would like the officers to get more aggressive on stopping quads and educating the riders.

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Discussed selective enforcement. Kevin noted that the failure to enforce will increase the likelihood that claims will be asserted against the Tribe.

Law Enforcement will continue to work on it with Housing.

Ray added that once the fliers went out to the community, both positive and negative feedback were heard.

PLANNING AND COMMUNITY DEVELOPMENT

Bridget Ray presented a questionnaire/survey she would like to send out to tribal members. The information will be specifically used for the ICDBG grant for the traditional longhouse. She provided to Council a sample of the survey as well as an informational page explaining the survey. Andy suggested modifying the question asking about income; he suggested inserting an income range rather than asking for a specific number. Council agreed by consensus to approve the survey, as amended.

Tracy Parker presented **Resolution #10-60** which authorizes the submission of a DOJ grant application that will fund a full time employee for Public Safety for three years. Ray explained that grant covers salary and fringe, but not indirect. Arnold moved to approve the grant resolution. Misti seconded the motion. The motion carried four (4) in favor and zero (0) against.

Liz Kuntz handed out the housing enforcement and animal control report.

Liz provided a housing update with a resolution for a housing policy change. This change is in regards to the rent collection policy; as the policy reads now when tenants rent is three months overdue a Notice of Termination will be served. The resolution will change the policy from three months to two months overdue. This will help Housing catch past due rents better. Once a tenant is three month overdue it is tough for them to recover from that expense; but two months will make it easier for the tenant to catch up on payments. Marcella Castro moved to approve **Resolution #10-61**. Misti Saenz-Garcia seconded the motion. The motion carried four (4) in favor and zero (0) against.

Liz handed out the May 30th housing wait list. All houses are occupied at this time. List does not reflect Frank Metcalf, denied because of past criminal history.

Misti asked if Housing would periodically advertise the housing and wait list process so new tribal members know how to apply for housing.

Penni Giles shared the Squaxin Island Transit Technical Assistance Project Plan. The funding for this plan is provided by the federal transit authority. She briefed on the phases of the plan. Andy moved to approve the plan. Marcella seconded the motion. The motion carried unanimously.

Brian Thompson provided an update on construction projects; Klah-Che-Min resurfacing is being done and Native Development has been selected to build the new multi family housing. Dave asked about the contractors hiring tribal members; Brian stated that is standard process to hire tribal members through HR. They are just starting so not hiring anyone yet.

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Brian handed out a grant status report.

ENROLLMENT

Tammy Ford shared that June 30th is the cut off date for new enrollments to be eligible for per capita payments this year. Because the last meeting of the month (June 24) will not be held, she reminded of the June 30 cut-off. She has six new applicants that are pending the DNA results; everything else is complete on the applications. Discussed a phone poll later in the month.

Kevin suggested Council could consider approval contingent on the DNA results arriving prior to June 30 cut-off. Tammy anticipates having the DNA results by the end of the month.

Andy moved to approve all six applicants contingent on receipt of the DNA results prior to June 30. Arnold seconded the motion. The motion carried unanimously. Tammy will prepare enrollment resolutions for signature once the results are in.

MASON AREA FAIR

Joyce Evans, John Hanson and Rachel Hanson were present to discuss the Mason Area Fair. Joyce handed out a written proposal. As Fair Board Members, they wanted to invite the tribal community to participate in this annual event. Rachel explained that the County has pulled out of the fair so she and her husband are leasing the fairgrounds in order to continue this 102 year fair tradition. She is inviting anybody to participate in any way to keep the fair alive. She would like to see the Tribe do drumming, dancing, booths, etc. They have a three year commitment to rent the fair grounds. Rachel would like to see the tribal elders continue their frybread/salmon booth. She suggested having Tribal members there displaying their weaving and teaching tribal heritage. Misti added that the youth were interested in participating with the fair.

Joyce shared that she is aware that the fair falls during the canoe journey; but she hopes that those who are around could be involved in the fair, which is July 23-25th.

John explained that they would like to create a farmers market booth as part of the fair. This would allow locals to share and sell their goods and crafts.

Andy stated that the Council supports the fair and would like to see what the tribe can do. Joyce provided an application for vendors at the fair.

TRAVEL REPORTS AND PLANS

June 6-9: Native American Fish & Wildlife Society, Carlton, MN. Pete will attend.

June 9-10: Tribal Leaders Forum, Pechanga Resort, CA. Charlene will attend.

June 16: Retirement Party for Larry Ross, MLRC, 1:30 p.m. Rhonda would like Council attendance.

June 17: WIGA, Lummi, Andy will attend.

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June 17: National Parks Service at Suquamish, Misti will attend.

June 20-23: NCAI, Rapid City SD. Pete, Dave, Marcella, Misti would like to attend.

June 23: Assisted Living Information Presentation, Council Chambers 1-3pm.

June 25: Community Health & Awareness Fair

July 8: Canoe send off from Arcadia

July 7-24: 2010 Canoe Journey July 19th the canoes are scheduled to land at Makah.

July 29: Public Budget Hearing, LCC and IEI will share their 2011 budget plans at this hearing.

Ray got a hold of Francis Toulee and will set Tuesday next week at 11:00 to meet with the Indian Shaker Church. Mark Allen to attend.

July 30: All Staff Meeting

Ray added that he has spoken with the bishop from the Shaker Church. They would like to meet with Council at 11am next Tuesday to discuss the next steps, the sale of the wedge parcel and the fee to trust process with the church property.

Misti brought up an issue that was discussed at the Elders Meeting. The elders need to have the changes in their bylaws approved; Council needs to approve the elected officers. Arnold felt that the elders determine their own officers and don't need Council involvement. Dave stated that Council appoints members to committees and commissions, but has no involvement in electing officers. Council would like to be informed from the elders on their activities, but will stay out of their politics.

TRIBAL MEMBER REQUEST

Russell Cooper was present. Council went in to Executive Session. No action taken.

Arnold left at 12:30 p.m.

Council discussed geoduck and the pregnancy issue. Glen Parker suggested allowing a temporary medical waiver for the pregnancy. Misti stated that in order to be eligible for the waiver, the diver must first hold an IDQ.

Glen shared that he has about 15 divers on his boat and about half of them are tested and certified. He feels that the testing is working as it was intended.

Discussed Jamie's due date. He responds that if they and she thinks that through March 31 is an adequate time, he is fine with it.

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Council does not want to change the rules mid-year on the rest of the divers. Andy was trying to limit the extended deadline for certification for pregnancies only. Marcella feels that everyone will get the tests done early anyway, even if the deadline was extended.

EXECUTIVE DIRECTOR *(continued)*

Further discussed the minor child's funeral. Arrangements are being made for the parent's release from jail to attend.

Discussed need for controls to protect the unborn child if the birth mother is pregnant again. Discussed that children should not be in their current placement. Ray will discuss with Lorraine; Ray was asked to limit the conversation.

Ray reported that he is working on ordering and installing panic buttons for the tribal center front desk and the clinic front desk this week..

Fireworks season is here; stands will be set up June 12th. In the past wholesale sellers who do not set up a canister are not charged a fee. Ray wanted to make sure that Council is aware that only those who set up a canister will be charged the \$1500 fee. Council wanted to leave the fees status quo.

Ray shared that Golf Works, Inc. would like to pile some debris between the railroad and the bridge in the field until they get ready to chip it. Probably a month or so.. Andy feels that it is okay as long as Jeff Dickison and Dan Neelands are okay with the location.

Charlene asked about helping Jaime Nelson. Whitney shared that she was able to assist her thorough SPIPA. Council would like to stay consistent with the Job Ready Program. Ray will contact Jaime.

Ray explained a scenario where a youth has relinquished from Squaxin to be enrolled with another Tribe. Discussed whether when a youth relinquishes whether he or she is entitled to the per capita in the trust account?

Kevin prepared a briefing memo. He summarized the conclusion: to receive a distribution from the trust account certain requirements have to be met: (a) 18 with a diploma or 21 without a diploma and (b) a member. A minor that relinquishes – voluntarily terminates the relationship with the Tribe – is not entitled. That is consistent with the current rule: if the child dies before reaching 18, then the money does not go to the estate, but back to the Tribe. Until the prerequisites are met, the Tribe holds the money for the benefit of the member. If the individual is not qualified to receive it, then it is not distributed. For this child, we won't know the answer until she turns 18. Even if we are incorrect, the money would not be distributed until she was 18 with a diploma or 21 without a diploma. Best to wait and see. Until then, the funds belong to the tribe. Dave feels that if a tribal member relinquishes, they are entitled to the funds accrued until relinquishment; but will not receive any further payments into the trust until they are 18.

Kevin advises that if Council would like to proceed in that fashion, he recommends modifying the minor's trust and/or revenue allocation plan to make that clear.

Misti comments on the youth's inability to make a choice – that is – it was an involuntary termination by the youth.

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Dave would like to discuss this when a full Council is present.

Marcella left at 1:00 p.m.

Donation requests: Council agreed to donate a raffle item to the Mason Dental Golf Tournament .

Ray shared that Rhonda Foster and Bruce Davies are working on writing white papers regarding traditional gathering. Dave will take this to NCAI to share during a Cultural Resources break out session. Kevin encouraged attendance at a Park Service Meeting at Suquamish on the 17th to discuss the gathering protocol that is being proposed by the federal government. Bruce Davies has prepared the Tribe's comments

Misti asked for an update on Truth Griffin. Ray met with him last week. He is doing well and had an opportunity to meet with staff and is going through orientation and assessing the program.

Council discussed a message board for the departments showing whether staff is in/out or on travel. Recommend for all departments.

The June 24th Council meeting will be cancelled. Dave, Pete, Misti and Marcella will be at NCAI.

2010 Canoe Journey starts July 7th. Might not be a meeting early July either.

Donation request: Council received a letter from Jessica Solano requesting a donation to pay for summer football for her sons. Council decided to pay the \$170 and will be reimbursed by One Percent next quarter.

Misti exits. No quorum.

Minutes: The May 13th, May 27th and Work Session Minutes will be tabled until the next meeting.

There being no further business, the June 10th meeting adjourned at 1:30 p.m.