

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
July 12, 2012**

Attendance:

Tribal Council

Dave Lopeman	Chairman
Arnold Cooper	Vice Chairman
Andy Whitener	Treasurer
Pete Kruger, Sr.	Secretary (<i>absent</i>)
Ray Peters	1 st Council Member
Jim Peters	2 nd Council Member
Charlene Krise	3 rd Council Member (<i>absent</i>)

Legal Counsel

Dave Babcock

Tribal Administrator

Don Whitener

Recording Secretary

Melissa Puhn

Don Whitener offered the opening prayer. Dave Lopeman called the meeting to order at 9:17 a.m.

APPROVAL OF AGENDA

Arnold Cooper moved to approve the July 12 Council Agenda. Andy Whitener seconded the motion. The motion carried five (5) in favor and zero (0) against.

TRAVEL REPORTS AND PLANS

July 14: Shoalwater Bay Spit Restoration Project, 2-4pm, Tokeland. Arnold will attend.

July 16: WIGA Golf Tournament, Salish Cliffs. Council will sponsor one team: Don Whitener, Andy Whitener, Bob Piersol & David Kaas.

July 16-18: WIGA, Little Creek Casino. Andy will offer the welcoming on July 16th and Dave will offer a welcoming July 17th.

July 19: NIGC Consultant Meeting 9am-4pm, LCC, Sa-Heh-Wamish Room.

July 28: First Salmon Ceremony, Collier House

July 29 – August 5: 2012 Canoe Journey. Discussed the canoe parking and security.

September 18-19: NIGA Mid-Year, FL. Ray will attend as TGA and will be taking the training classes while at NIGA.

POLITICAL CANDIDATE

Ray introduced Derek Kilmer and shared that Council has endorsed him. Derek thanked Council for the support. He stated that when Norm Dicks announced his retirement, Norm has supported and encouraged him to run. He currently serves in the legislature and knows that he has large shoes to fill,

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

running to replace Norms position. Norm has quite the legacy and his three areas of interest are: economic development, working for jobs and environment restoration. He shared his partnership with local tribes on fishing and gaming issues. He believes that we need to protect our planet for our kids. He has always looked at the Centennial Accord as a guide. They have established tribal liaisons within every agency. He knows the importance of the inter-governmental relationships. He is running to continue the legacy of Norm Dicks. He is very grateful for the contribution that he received. Andy discussed the Shellfish Case briefly and the need for more shellfish management funding. Jim explained the Treaty Rights at Risk.

TRIBAL ADMINISTRATOR UPDATE

Don shared that Deb Stoehr come in regarding tax deduction on per capita distributions. Finance is working on it, but due to some complications it probably will not happen this year.

Don also wanted to discuss the Clary Barn. He was recently contacted by a man from Matlock who would like to disassemble the barn, take it home and reassemble it on his property. There is also a lot of concrete slab, which he will remove as well. Once he is done, there will be no sign of the barn. Don met with the guy, along with Dave Babcock and Dan Neelands; Dave drafted an agreement with him to ensure he will do what he says he will do. Don believes this guy is honest. If Council agrees the agreement will be signed. He also wanted the other outbuildings, but Don told him that if he would like to see how the barn goes first. Don likes the idea because at some point the tribe would like to remove the barn anyway. It would cost the tribe to get rid of the barn anyway. Council told Don to pursue this, but wait until after Canoe Journey.

Deb Stoehr came in and reiterated what Don has said. Deb is estimating that the tax withholding will not happen until 2013 because of their MIP Program. They will have to have updated W9 Forms from every tribal member first. She will send out a memo with the per capita checks stating that in 2013 there will be the option of withholding taxes, in 2013.

Arnold wants to make sure that tribal members are aware that this withholding is an option and not a requirement.

NATURAL RESOURCES

2012-2013 Annual Fishing Regulations: Joe Peters presented the 201-2013 Fishing Regulations. The Fish Committee met and approved the Regulations to be presented to Council. Joe explained the changes that also were approved by the Committee. According to the Regulations, it will follow the WDFW rules on creeks. This will give the tribe time to create their own rule.

Joe shared the other addition that was requested by the fish commission: Fishing reporting hotline. This is an opportunity for fisherman to report lost gear, kind of like a lost & found.

Only two new additions, other than date changes. Joe also mentioned that set nets will be open during the day in Carr Inlet. Chambers Bay is still in discussion amongst the tribes. Nisqually has requested that each tribe has their own day; but Squaxin and Puyallup does not want to lose the opportunity to

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

fish. Beach seines have been reduced from 900' in Chambers Bay. Fisheries will start Sunday, July 15th. Enforcement mentioned that they will be strapped for staff during Journey. There are only a couple who fish during that time anyway.

Arnold moved to approve the regulations. Jim seconded the motion. The motion carried four (4) in favor and zero (0) against.

LAW ENFORCEMENT

Kris Peters was present for an update on staffing the Canoe Journey and their boats. First, he has been short three positions for a while now. Coming in to Canoe Journey his guys will be working seven 12 hour days and will have a lot of overtime. His staff have been doing their job above and beyond. He plans to hire someone after Canoe Journey is over.

They have had some issues come up with the patrol boats; all four of their engines have died. Toms Outboard has looked them over and cannot place the reason. It seems a huge coincidence they all died at the same time; he believes vandalism. They have put in for an insurance claim. The timing is poor because of the start of fishing season and canoe journey.

He has been stressing about fixing these boats so he and Shelli went through their budget; if they hold off on hiring two positions they would have funds to buy two replacement motors, then the boats would be ready for canoe journey. Mike Foster will help out as well. The other boat will be sitting for a while because of the cost of replacement. He hopes that the insurance claim comes in and can reimburse for three of the engines. He is also anticipating a grant. Best case, the insurance pays and they receive the grant that was applied for. Worst case is the insurance does not pay, they don't get the grant and they cannot get the third boat going. By September, they will know more about the funding. He believes they will be okay, but just a heads up.

Don felt that it would be prudent of Council to allocate funding, if necessary, then can be reimbursed by the insurance claim. Ray felt confident about being reimbursed, he just knows that it would take a while. The boats need to be on the water.

Kris felt that it's not just a coincidence that all four engines have died at once. Kris suggested a surveillance equipment and locking gas caps. They have secured the oil better due to theft.

Arnold asked about getting help during Canoe Journey from other jurisdictions for security. Kris has put out a request to every tribal police chief asking for help. According to the Swinomish Chief, they did not get any commitment until the week before their Journey. Arnold asked about the County Reserve Program. The county is shorthanded and they do not have any extra people that week, but will have his guys on their down time will be in this area and ready to respond.

Ray stated that if this boat problem comes up again, come to Council sooner since this is a critical issue. Kris stated that as Police Chief, he will not keep secrets. He will keep council informed at all times. Arnold stated that if something happens on the reservation, Council does not want to be the last to know. Kris has been learning a lot with the budget, and Shelly has been awesome.

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

Arnold asked about the geoduck concerns. This is the time to do the dive tests, but they have not been testing because of the lack of boats and canoe journey. Kris estimated only about 12 need to be tested. If they had boats, they could do the tests no problem, but the window is short, about 2 months left.

Jim moved to appropriate money to PSJ for the motors, with the intent of being reimbursed by the insurance claim. Kris will provide the quotes, around \$30k. Arnold seconded the motion. The motion carried three (3) in favor and zero (0) against (*Andy was out of the room*).

Ray encouraged Kris to get the hiring process going. With the allocation, he will relook at the numbers and look in to hiring.

POLITICAL CANDIDATE

Mason County Commissioner candidate: Mark Core was here to introduce himself. He thanked Council for their time. He grew up here and raised his family here. Worked 16 years in retail, and the last 11 years worked for Mason County Building Department. He decided to run for Commissioner since he is confident that he can make a difference in County Government. He feels there has been neglect and no real full time commitment for commissioners. Mark loves this area. His campaign is going great, he's getting lots of support.

Ray asked about his views on the relationship with the neighboring tribes. Mark stated its critical for the continued relationship and the continued way of life. The district he is running in encompasses both tribes. He is confident that there is money to be found within budgets. He has seen how county budgets are padded and created, there are funds to be found. If there are funds left over, need to look at ways to improve programs, not spend it just to ensure it for next year. The priorities of government need to be defined.

Jim asked, if elected, the tribes are big in the NR field and have been working hard to clean up shellfish beds in the County. A couple of things have been happening, the accountability of working with land owners on cleaning up septic systems and having the leadership step forward. Jim explained the fish consumption rate. Jim would like to see the rate set, then figure out how to implement that. Is that something that Mark could deal with in Mason County? Mark explained that he has seen so many times, that a code or standard is adopted, with no means to carry through or tools to implement it. Mark would need more information before he made a decision, obviously it's a critical issue, but he is not a fan of throwing something on paper with no means of how to make it happen. He sees that so much with County, they create codes with no means of implementation.

There is a candidate info session at the Pavilion tonight at 6pm.

POLITICAL CANDIDATE

Attorney General candidate: Bob Ferguson was here to introduce himself. One of his pledges is to visit all 29 tribes. He currently serves on the King County Council and is a lawyer. He touched on environmental issues that he would deal with, such as cleaning up water. He is the only candidate who

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

is endorsed by WIGA. The AG needs to have a better response; he will put a tribal liaison on staff and will have a direct task to work with tribes. He will be here for the end of the canoe journey.

HOUSING

Indian Housing Plan: Liz Kuntz and Penni Giles were present with the FY 2013 IHP, which was approved by the Housing Commission. No change were made from last year. Arnold moved to approve the FY2013 Indian Housing Plan and **Resolution #12-45** to accompany the Plan. Andy seconded the motion. The motion carried four (4) in favor and zero (0) against.

Jim brought up the tribal authority to test a house for other drug paraphernalia, other than meth. How can the tribe step up and strengthen the rule, if ANY paraphernalia was found then they can test. Liz suggested that the policy list any illegal drug. Jim would like to see the policy changed to reflect if ANY illegal paraphernalia is found then they can test.

FISH COMMITTEE

Present: Jack Selvidge, Glen & Craig Parker, Leo Henry Sr., Christina and Wyatt Bragg, Liz Kuntz, Darren Ford, Mike Ogden, Buck Clark and Mikey Foster.

Jack introduced Jerry Mengle who worked with WA Dept of Fisheries. He has a plan of enhancing fin fish. He shared a video of a remote site incubator and explained how the incubator works.

Buck asked about the maintenance on the fish. There is no feeding or maintenance on the fish in the incubator. Jack asked about the return rate; generally there is a 1.5% return rate. Jerry said he put 3M eggs in Eagle Creek, and the volume returning is large. He is unsure of the exact cost for these incubators, but he estimates about \$600 each. Eagle Creek had 16 incubators. Arnold asked about the egg source, Jerry got them from the hatchery at Skokomish.

Those present wanted a response soon in regards to if the tribe would do something like this. Jim didn't see any issues, but this really needs to be done through Natural Resources, since they would be implementing this.

Buck asked if some tribal members would like to volunteer to learn this system, could they be involved? Council thought that would be fine. Jack stated that he is concerned about the lack of speed that NR moves. Jim stated that if the tribe were to do this, they would like to catch the next fishing window. Jim encouraged Jack to work with NR if he has any suggestions on how this should be done, if they decide to go this route. An egg source needs to be found as well. Mike Hill asked if this is something that can be figured out in the next 6 months or so, that way it can be implemented by May/June next year? Mike would like to see this actually done, not just talked about. Jim seemed confident that 6 months would be plenty of time to figure this out. Ray stated that the system is proven, but need to see if the tribe can get eggs first.

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

DRUG TASK FORCE UPDATE

Kathy Block shared what the Drug Task Force has been working on. She would like to order a display for canoe journey. She also shared signs that the DTF has come up with, to post around the Reservation. She has ordered informational brochures as well.

Kathy said that when she was at Lummi, she noticed that they had anti-drug signs all over. She liked that idea.

The next piece is to focus on alternate youth activities. There has been so much community involvement with canoe journey, she would like to keep the energy going with community sponsored events.

Kathy would like to add DTF in the FY13 budget for community activities. Kathy is looking for an additional \$3000 for t-shirts and hats for canoe journey/DTF.

2012 CANOE JOURNEY UPDATE

Kevin shared the First Student issue with transportation & canoe journey. Kevin went over the options. Deb shared her concerns with First Student. They gave a quote for \$190k to provide transit services during canoe journey. Mason Transit can do a better job at a much lower cost. MTA is partly funded by federal funds and because of that they cannot provide a quote lower than a privately funded organization: First Student. Kevin went over the options that Council has. Kevin suggested having the president of First Student sign off on a letter to back off the agreement and possibly give them a sliver of an action. Kevin stated that if the lead person is not going to withdraw, then to ask them what amount to buy off of. Discussed extensively.

Jim stated that he thinks we should wait to see if their lead signs the letter to back off. If he does, great. If not, then we can further discuss next steps. If they are not out, then will need to determine negotiations. Deb needs direction, if they say no, then what? Kevin stated if they do not withdraw, the only two options are to come to an agreement with them; the other is to have SIT pay for services ourselves. Kathy suggested we could rent 18 passenger shuttle busses and shuttle ourselves.

Deb has two questions: on the 2012 Pendleton blankets, will they be gifted? Arnold said that they will give 10 Squaxin blankets as gifts. All 2012 Canoe Journey blankets will be sold.

July 20th they would like to release the rest of the hotel rooms, but will keep 10 on hold in case of an emergency. Would like to give up the rest for the casino to book. Deb met with hotel staff and if they start releasing them, the hotel will go after those who are coming for the whole journey. Council will release the unclaimed rooms on July 20th.

LEGAL

Kevin is working on the audits that are being conducted by Moss Adams on the golf course. Moss Adams usually asks about pending or threatening litigation, so he will need to share about Golfworks.

SQUAXIN ISLAND TRIBAL COUNCIL MEETING

They need to disclose whether it is material or not (excess of \$15k). The risk of that is that it could be used against the tribe, so before Kevin discloses to Moss Adams he will need Council approval. Council discussed extensively; Council believes its zero. Approved.

Hunting litigation. Executive session. Kevin asked that they approve the common interest agreement. Andy moved to approve the common interest agreement with the four tribes. Jim seconded the motion. The motion carried four (4) in favor and zero (0) against.

Kevin shared the time line with the common interest agreement. Filing is about a two year process. He provided a letter regarding, for Dave to sign. Council approved the letter and for Dave to sign it. The letter was emailed to Swinomish.

There being no further business, the meeting adjourned at 4:06 p.m.