

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
August 26, 2010**

Attendance:

Tribal Council

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

Legal Counsel

Kevin Lyon (*absent*)
Mark Allen

Executive Director

Ray Peters

Recording Secretary

Melissa Puhn

Dave Lopeman called the meeting to order at 9:20 a.m. Pete Kruger offered the opening prayer.

APPROVAL OF AGENDA

Ray Peters added an update on the golf clubhouse and a cafeteria construction update. Pete Kruger moved to approve the August 26th agenda. Ray added an executive session at the end of the day to discuss a law enforcement issue. Marcella Castro seconded the motion. The motion carried three (3) in favor and zero (0) against (*Misti Saenz-Garcia was out of the room*).

APPROVAL OF MINUTES

Arnold Cooper moved to approve the following Council Minutes:

May 13, 2010
May 27, 2010
June 24, 2010
July 7, 2010
August 12, 2010

The motion carried three (3) in favor and zero (0) against (*Misti was out of the room*).

TRAVEL REPORTS AND PLANS

August 27: Korsmo Community BBQ, 11:30 a.m. held in the Administration Building parking lot.

September 19-23: American Indian Alaska Native Tourism Association, Tulalip

September 25: MLRC Art Auction

September 21-22: WIGA, Kalispel, Andy will attend. Ray may attend also depending on the agenda.

September 20-23: ATNI Annual Conference, Kalispel. Misti, Pete, Ray and Arnold will attend.

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September 27-29: IEI Board Meeting, Siletz, Dave, Arnold, Andy, Misti, Marcella, Charlene, Ray

September 30-October 3: Basket Weavers Conference, Warm Springs. Charlene will attend. The notice was mailed to tribal members inviting them to sign up to attend.

October 4-5: US DOJ Tribal Consultation, Airway Heights, WA. Charlene will attend.

October 6-7: Self-Governance Tribal Strategy Session, Catoosa OK. This is to set up the annual meeting.

October 6-10: NIEA, San Diego. Marcella will attend. TLC staff also will be attending.

October 12-13: Tribal Law & Ethics Training, Tribal Center

October 19-20: NIGA Mid Year Conference, Prior Lake, MN. Andy typically attends.

October 26-28: IEI Board Meeting, Santa Monica

November 14-19: NCAI Annual Convention, Albuquerque, NM. Charlene, Andy, Marcella, Ray and Pete will all attend.

November 15-18: Global Gaming Expo, Las Vegas.

CHAIRMANS UPDATE

Dave apologized to the rest of Council since he feels like he has not been communicating with them. It is unintentional.

Ray shared a letter that was drafted for the Chairman's signature. The letter is addressed to the Skokomish Chairman, inviting their Tribal Council to lunch and discuss potential interests. Council approved the letter and for Dave to sign it.

Ray provided an update on the golf course. Yesterday Council saw the updated building plans for the club house. Council approved the look and basic footprint of the building. The numbers were shared with Council yesterday also, but Ray wanted to formally share the cost of expanding the building.

With the expansion of the restrooms and mezzanine, the kitchen expansion, the additional three-way fireplace and extended patio the additional cost will be about \$436,000. The kitchen expansion will accommodate a later menu allowing for formal events. These additions will meet the needs of the club house and the size will allow for hosting nice events with a larger capacity. There also will be an area set up to accommodate a large tent for outdoor events.

Ray will set up the contract in a transparent way and he feels it is a fair price. Arnold asked for regular email updates. Ray also suggested scheduling regular site visits for Council. The club house construction will begin soon and Ray stated that it will be important for Council to see the progress.

Ray is pressuring the Casino and Mitch about getting tribal members hired for the golf course. A superintendent is hired and Ray is waiting for an update on a second set of hiring.

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Ray shared that the course is under the casino; and LCOB will discuss the formation of a board at the next meeting.

The hiring process for golf pro will be starting. The pro will not be in place until the club house is finished; predicting around January. Ray still feels that June will still be the opening month.

Ray shared that he has information regarding the tee markers, yardage markers and other course accessories that will be used to finish the course. These will be brought to Council for approval.

Ray stated that the architectural plan for the club house includes distinct areas for native art. The process of buying art will need to be approved by Council, suggested having an artist head an art committee.

Arnold asked about the bridge entrance and if that area will be landscaped. Ray stated that the area will be landscaped and shared what they are looking to do. Options will be refined and brought to Council for approval.

Dave would like to find a way to show the community that once the golf course is paid for, how tribal members will benefit from an increased distribution.

Ray explained that the golf course will be a department under the casino, and will be a capital improvement to the casino.

Arnold Cooper moved to approve and move forward on the expansion of the club house. Pete Kruger seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR UPDATE

Ray provided **Resolution #10-83** which appoints Andy Whitener as the NCAI delegate; Misti Saenz-Garcia and Marcella Castro as the NCAI alternates. He also provided **Resolution #10-84** which appoints Misti Saenz-Garcia as the ATNI delegate; Pete Kruger and Arnold Cooper as ATNI alternates. Arnold Cooper moved to approve the NCAI and ATNI appointment resolutions. Pete Kruger seconded the motion. The motion carried unanimously.

Whitener Property: Ray updated on his discussion with Mary Whitener regarding purchasing a portion of her property. Mary arrived along with her daughters Theresa and Tammy, and she shared with Council that she would like to allow Council to purchase 2/5 of her property shares. She currently owns 3/5 of her property while the tribe owns 2/5. She would sell 2/5, keeping 1/5 for herself. Arnold inquired about the bridge. Ray stated that the bridge repairs will require many permits unless the property is in trust status. In order for the property to be in trust, it must be 100% owned by the tribe. Ray made the suggestion of the tribe buying 100% of her property and leasing it back to Mary. Mary shared that she is not interested in selling 100% of her property.

Arnold asked if this property would be affected by the Simmons Road connection project and would like to see the layout of the property.

Mary would like to know what her legal options are if she chooses to sell parts of her shares in the property. Mary currently owns three shares and is willing to sell two of her shares since she would

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like to keep the piece that the house is on. Ray shared that regardless of what happens to the property, the tribe owns 2/5 already so there would need to be communication in regards to what is done with the property.

Theresa asked that if Mary got a permit to rebuild the bridge, would the tribe be opposed to it. Right now, the bridge is blocked off since it is not safe.

Ray does not feel that the tribe would object to Mary replacing the bridge. Theresa would like to see the access from the Child Development Center re-opened. She suggested a locked gate instead of the ecology blocks, that way Mary would be able to access the house.

Ray suggested that Mary work on getting permits in place to replace the bridge. He would like to see her create a plan and pricing, then present it to Council; that way they can look at it and decide whether they will help financially or not.

Kevin added that several permits will need to be obtained. Misti suggested having someone look in to what it would take to obtain these permits. Ray added that at some point the tribe will need to acknowledge what to do in regards to rebuilding or refurbishing the bridge. Ray suggested that Council task him with looking in to the bridge; he can have Dan look at it. Ray also will look in to a limited access via the Child Development Center.

Pete and Arnold both feel that if the tribe owns the property 100%, then the bridge replacement costs would be justified for the tribe. Since the tribe currently owns a smaller portion, they do not believe that the tribe should help financially. Council is only interested in owning the entire piece of property; not shares. Arnold would like to continue this discussion when a full Council is present.

Council does not want to stop Mary from fixing the bridge; but will not financially assist until the tribe has full ownership.

Ray asked about the property for sale along highway 108; just past the tobacco factory. Council decided that they are not interested at this time.

TRIBAL LIAISON UPDATE

Bev Hawks was present for an update. She brought up that she would like an office at the Casino where she can meet with employees. She currently has a desk that she uses, but would like a private space and a place to keep her stuff, her notes, etc. She appreciates the phone and laptop for communication, but she would like an office where people can come see her. She also would like the Casino HR department to send out a letter to all employees stating that she is available for all casino employees and not just tribal.

She shared a concern she has regarding grievance hearings. Most hearings are the same, but when a hearing is done for upper management they are a little different. She has some ideas on ways to improve the grievance hearings and would like to work with Bob Whitener and Legal. Once she has done that, she would like to present to Council once she has come up with a better plan.

Ray reminded that Bev's position needs to benefit the entire organization; someone to education employees on what their rights are; more of an advocate for the process of doing things.

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Her position is part time although it does fluctuate depending on the need. She would like to know if she is considered part time or full time and also is unsure if she has benefits. Arnold feels that her 20 hours/week is enough. Bev stated that since she does not have an office, employees will come to her house and meet with her. Arnold would like to talk with Mitch to see about finding some space for Bev to occupy.

Bev asked about training for herself and if there is a budget for her training. Arnold told Bev to take it upon herself to seek out trainings and present it back to Council for consideration.

She shared many complaints that she receives from employees and asked Council and Kevin how to handle them.

POLITICAL CANDIDATE

County Commissioner Candidate Jerry Lingle was here to share his thoughts on issues and his campaign. He is in the fore running of the commissioner position. He is running as an independent; and he believes a commissioner should not be supported by a party. He is the first to run as an independent since 1864 in Mason County. Council decided to donate \$1000 towards his campaign (*the donation limit is \$800, so a check was sent in that amount*).

Misti asked about when the Natural Resource fish tax and clam tax being dropped. Ray stated that he never received direction to do anything about it. Marcella said that people do not pay their taxes anyway so the taxes should be dropped. There are people fishing and clamming without their taxes being paid. Ray stated that the taxes are important to Natural Resources programs; their programs are funded by the taxes paid by tribal members.

Ray explained that fish and clam licenses are not renewed if an outstanding tax amount is owed. The buyer and monitor need to make sure that each digger/fisher have their license current. Ray will contact Natural Resources and emphasize the importance of people being licensed. There needs to be a buyer's ordinance in place, without the ordinance the buyer is not held responsible. Misti stated that the monitor needs to watch licenses and that law enforcement needs to be stricter.

Tribal Employment Law / Ethics Training: Ray stated that he has been working on bringing the training here, and he proposed October 11-13th. There are parts of the training for directors/managers and parts for Council.

December Per Capita: Ray stated that in order for the Finance Department to plan appropriately they would like direction from Council in regards to the December per capita payment. Council would like the amount to be \$1,000 again. The youth will receive \$500 with the remaining \$500 to be put in to their trust account. Arnold asked if another increase is budgeted for next year. He would also like to see IEI increase their distribution as well. Council would like to set a meeting with Deb, Bobby, Mitch, Kevin and Ray to discuss a per capita increase. The current revenue allocation plan will need to be adjusted. Ray will set up a meeting for September 7th at 10am.

LCC Personnel policy changes: Dave put this request on hold until it has been reviewed by LCOB.

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Island Construction LLC Appointment: Council approved by consensus to appoint Pete Kruger as the Council Representative. It was suggested to appoint Chuck Bloomfield as a community member, but Council wanted to be sure that this vacancy was advertised first. The community member appointment was put on hold.

Ray reported that the dumpsters will be brought up; one came yesterday and the other will be placed today. The plan is to dump them as they get filled. They will stay here until September 7th.

Jerry Riley presented a concept and invite the tribe to develop a vision of downtown Olympia; focusing on the "isthmus," which is the land between the salt water and Capital Lake. There is currently controversy about building high rises on that land, and instead of objecting the plan; he is trying to come up with a better idea. He got a petition of 5000 signatures to build a park instead. This August the Olympia City Council put the isthmus in the formal park plan, now it is in the stage of planning and seeing what it would look like. He is here today because many people have stated that it's necessary that this park have tribal recognition in some way. He would like to start the dialogue and involve the tribe. He is not here today asking for financial support, but to invite the tribe to be in contact. He is also working with the Olympia council. Council feels that at this time Ray would be a good contact.

Dave stated that he would like to put Jack Selvidge on the next Council agenda for one hour.

MASON GENERAL HOSPITAL FOUNDATION

Meghan Lucas and Jennifer Capps were both present to deliver a banner to Council in recognition for sponsorship of the Mason General Golf Tournament. This year they raised almost \$56,000 for this years tournament.

LEGAL

Kevin shared that there is a group known as the United Automotive Trades Organization that representatives service stations. That group has filed against the state of Washington to have tribes motor vehicle fuel compact taken from the tribes. All tribes that have this compact are assisting Washington with defense. Kevin handed out a Q&A in regards to this, since Council may be questioned about this case. Kevin recommended that if the press inquires about this case that Council be prepped on answers; Arnold will be the representative for the press.

Kevin shared that Legal has two efforts with state agencies: first with the Washington State Gambling Commission and discussed the allocation of responsibilities between the state and tribal commissions. The second pertains to the Washington State Liquor Control board and they are looking for participation on their Tribal Advisory Council.

Kevin has three resolutions for consideration. These three resolutions extend the contracts for the three judges: **Resolution #10-85** extends the contact for Attorney Anita Neil. **Resolution #10-86** extends the contract for Attorney Les Ching. **Resolution #10-87** extends the contract for Prosecutor Thomas Meyer. The terms and contracts and terms are the same, just extending the contract. Dave asked if there is any reason not to renew the contracts, Ray does not believe there are any issues. Misti moved to approve the three resolutions. Pete seconded the motion. The motion carried three (3) in favor, zero (0) against and one (1) abstained.

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Misti added that she understands that Attorney Sharon Haensley is working on a code for Cultural Resources and she thanked Kevin for her work. She asked if the Natural Resource code can be worked on also. Kevin briefed on the NR Code, this would allow NR the ability to regulate water and to be treated similar to the state. Council approved Kevin to work on the NR code.

TLC UPDATE

Sis Brownfield handed out a written update on the Ta Ha Buts Learning Center.

Sis shared that last year TLC bought supplies to put together backpacks full of school supplies for all of the tribal youth. Last year she received many complaints about the back packs and supplies; so this year they handed out gift cards to Wal-Mart. Although she did enjoy last year when she called on volunteers to put the packs together, it was a good event. Her concern with handing out gift cards is that they don't always get used for school supplies.

She asked Council who is eligible for the gift cards, and if employees are eligible. Council stated that the gift cards and supplies are for tribal members only and not employees.

Sis shared the pros and cons of handing out backpacks versus gift cards. Arnold would like her to do whatever works best for the youth.

Marcella shared that she checked with SPIPA and they are willing to help pay for supplies. Misti suggested that they use the money to buy extra supplies to have on hand since the funds need to be used by the end of the fiscal year. Marcella will get a PO and TLC staff can go shopping. Council also would like the backpacks/gift cards be handed out at its own event rather than a "fair" event; that way it would be easier to hand out to tribal members only.

Sis shared that TLC is partnering with Housing to provide a personal finance workshop for young people, August 13th.

TLC is now longer working with Northwest All Prep Academy. Their license was pulled last spring. She is looking in to new possibilities: East Valley School District in Spokane is preparing a proposal. Shelton School District also has a pilot program that may be ready next year. Sis would like to research and consider developing a program for native communities; combining online, teleconferencing and tribal local programs.

Sis shared her concern regarding the lack of overall plan for early learning for tribal children and families. A lot of tribal youth are not ready for school by the age of 5; some youth have support and some don't. Arnold would like to see TLC have some sort of pre-school. Dave would like Sis to come up with a proposal.

September 22nd at 6pm there will be an Educational Forum in the gym. They will have dinner, speakers, Skyward sign-up, and they will be seeking input on the TLC programs.

Marcella added that she would like to see the baseball field put to use for something. Sis suggested having a little league team of tribal youth. They will be having basketball camp in the next few weeks.

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Ray updated on the cafeteria that has been donated by Boeing. The person who is contracting stated that they need to get the modulars delivered. It was suggested that they temporarily be stored on the baseball field. Council said that is okay.

Family services sent out a message notifying the community to be careful with the construction.

Dan Neelands came in to provide an update on the cafeteria. He stated that WSU is managing the relationship between the tribe and Boeing. Dan stated that we have done as much as can be done on the site, and he is pushing to get the plans engineered. He took the drawings from Boeing and got a bid from Chuck Bloomfield and he will build the four walls and footings.

The next issue is the cafeteria arrival; parts of it have started arriving yesterday. Dan met with Sis this morning about staging this thing.

Dan met on site with PUD and they will install another transformer, but will need an electrician to wire the buildings. He met with Taurus electric and they are willing to do it on a time and materials basis. This thing also has a complex fire suppression system. Dan will have a fire expert get that running again. Also need to pipe water to it, there is only one contractor who is certified to do that. Dan is stalling on that piece since he does not want to tear up the MLRC parking lot before the funder's tour.

Ray added that the tribe would like to get the building up and operational as soon as possible, but there are phases. He would like to replace the flooring in the building, and install cable. He discussed a breezeway between TLC and the cafeteria.

Arnold asked about the budget. Ray believes that to get it moved and operable somewhere in the \$300k range.

Council went in to Executive Session.

There being no further business the meeting adjourned.