

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
January 28, 2010**

Attendance:

Tribal Council

Dave Lopeman	Chairman
Arnold Cooper	Vice Chairman
Andy Whitener	Treasurer
Pete Kruger, Sr.	Secretary
Misti Saenz-Garcia	1st Council Member (<i>arrived at 9:30</i>)
Marcella Castro	2nd Council Member
Charlene Krise	3rd Council Member

Legal Counsel
Executive Director
Recording Secretary

Kevin Lyon
Ray Peters
Melissa Puhn

Dave Lopeman called the meeting to order at 9:25 a.m. Charlene Krise offered the opening prayer.

APPROVAL OF AGENDA

Marcella Castro asked for a clinic update. Ray Peters shared that he has been working with the clinic during the last few months. Marcella has an issue that she would like to discuss at the end of the day.

Andy Whitener stated that Misti would like to talk about the random drug testing policy.

Andy also asked which department is in charge of the whale project. Ray stated that Rhonda Foster has been coordinating that effort.

Misti arrived at 9:30 a.m.

Charlene Krise would like to add a housing issue to the agenda. She also would like to know the community economic status; such as who is on TANF, Low Energy Assistance and would like to know how the fishing season affected the community. She also would like to know about the relationship between the tribe and the state and how often the tribe needs to ask the state permission to do things such as fish openings. She also would like to know how the tribal elder program treats spouses and if the spouses are still included in activities even if the tribal member is not here anymore.

Ray shared that the TANF round table discussion is today. An inquiry was made as to whether the Tribe was adequately represented in the state-TANF discussions. Whitney Jones will be attending. Kevin Lyon shared that the tribes' legal team working with SPIPA are very capable and will represent the tribes' interests generally. He felt that the discussion will be well covered on the tribal side. Marcella stated that ICW staff was unaware of the TANF meetings and they need to be included in the notifications. Whitney stated that the meeting schedule was emailed to all staff, including ICW. Arnold would like to be sure that SPIPA is in the loop with these meetings.

Charlene would like to see a community economic status report so that the tribal government can be prepared if the state's economic problems impact the tribal programs. Ray stated that they track all of that information.

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Whitney stated that she is in contact with TANF and Lorraine is learning TANF. Ray is part of TANF negotiation also. He is briefed on a regular basis when things come up.

Charlene shared that she also would like to go to Washington DC since she has concerns of the health care issues.

Arnold Cooper moved to approve the January 28, 2010 Council agenda with the additions of (a) random drug testing; (b) housing issue; (c) economic status; and (d) TANF. Charlene Krise seconded the motion. The motion carried six (6) in favor and zero (0) against.

APPROVAL OF MINUTES

Arnold Cooper moved to approve the January 14, 2010 Council minutes. Charlene asked if the third paragraph on page two could be condensed. Kevin suggested a adding to the minutes of the general body state that "a quorum was not reached". Marcella Castro seconded the motion. The motion carried six (6) in favor and zero (0) against.

TRAVEL REPORTS AND PLANS

January 28: SPIPA/TANF Roundtable Meeting, Lacey, Whitney will attend.

January 29: DSHS Briefing at SPIPA

February 2: How to Protect Indian Cultural Intellectual Property, MLRC

February 3-6: Golf course construction meeting, Salt Lake City, UT, Ray, Bobby Whitener and Mark Allen will attend.

February 8-11: ATNI, Great Wolf Lodge, Dave, Arnold, Pete, Misti, Marcella, Charlene and Ray will attend (*Dave authorized Misti, Marcella, Charlene and Pete to stay at the hotel; even though it is considered "local travel" per the Travel Policy*).

Feb 18: SPIPA/TANF Roundtable Meeting, Lacey WA

February 19: Coast Salish Gathering, MLRC

February 21-24: Reservation Economic Summit 2010, Las Vegas, Andy, Misti and Ray will attend.

March 1-3: NCAI Executive Winter Session, Washington DC, Arnold, Misti, Ray and Charlene will attend. Arnold stated that the youth council is in the selection process of who will attend. Misti will chaperone the youth. Ray state that he will submit appropriation request and taking up the issue about writing a white paper in regards to shellfish management. Need to take the lead in shellfish management dollars.

March 3-6: Tobacco Expo, Las Vegas, NV, Andy will attend.

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March 15-17: NTGC/R Palm Springs, CA. Misti, Charlene, Marcella and Arnold will attend.

May 2-6: 2010 Annual Tribal Self Governance Conference, Scottsdale AZ, Charlene, Pete, Misti, Ray and Deb will attend

April 6-9: NIGA, San Diego, CA, Andy will attend.

May 1: General Body Meeting, LCCR

May 10-15: NTEC, Tulsa OK, Andy will attend.

CHAIRMAN'S UPDATE

Dave Lopeman provided an update on the status of the whale project. Ray stated that the project has been planned out as much as it can be. Rhonda is the lead and Council has no problem with that since Dave will be out there also. Ray met with Rod Schuffenhauer this morning and they will use the barge to load the whale and the oyster scow will be next to it. IEI will provide totes to load the flesh in onto the scow.

Ray stated that he was directed by the Chairman to direct maintenance and natural resources staff to participate. Charlene was concerned about staff being directed to participate in a really stinky project. Misti felt that because of the strong smell, staff should not be forced to participate. Arnold knows that this is a tribal project, but also felt that staff should not be forced to help. Council concurred that all who help need to be in good spirits. Cascadia will have at least five workers, Larry Ross and Rhonda will be there also. Arnold does not want to force staff to participate and feels that there is adequate help. Arnold also expressed the view that there are mixed feelings in the community about this project anyway since this is not part of the culture here.

Ray stated that he will make clear that participation is voluntary and staff will not have to participate if they do not want to. Arnold does not want any negative feelings during this process. Dave stated that he was the one directing staff to work, but agrees that everyone that there needs to be a good spirit during the process.

Dave reported that the donated log has been delivered to Monroe Correction Center by Manke Lumber. The inmates got right to working on it. Dave will be personally paying for the transport. Once the log is carved in to a totem, the totem will then be donated to the Tribe. There are 60 native inmates. Dave noted that some of the elders would like to meet the carvers. Colleen Woodard has been directed to arrange that meeting.

EXECUTIVE DIRECTOR UPDATE

SPIPA Board Delegate: Charlene Krise moved to appoint Marcella Castro as the SPIPA Board Delegate and Whitney Jones as the alternate. Misti Saenz-Garcia seconded the motion. The motion carried six (6) in favor and zero (0) against. This is reflected in **Resolution # 10-24**.

Council bags: Council would like to order some Pendleton computer bags, similar to what was ordered several years ago for Directors. Each Council Member would like one, as well as a couple of extras for gifts. 12 bags will be ordered at a cost of \$135 each .

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Coast Salish Gathering, February 19: Salish Seafoods is donating shellfish for the Gathering. Ray stated that in the past a tribal hunter has donated an elk. The cost of the Gathering is usually around \$10,000 and has been paid out of the hotel occupancy taxes. Council agreed by consensus to host this dinner again and to appropriate funds from the hotel occupancy taxes.

Dave mentioned that Dick Reller is selling lean ground beef at \$3/pound. Whitney is looking into additional tribal freezer space. He would like to buy some for the food bank and elders meals. Council decided to buy 200 pounds.

Retirement: Deb Stoehr announced planning for a retirement party for Carolyn Hoosier. Carolyn has been working for the tribe for 28 years. Council will help fund the event and also would like to gift her with a Pendleton Blanket. Misti stated that she would like to present the blanket to Carolyn.

Family Services building update: Marcella shared that at their last staff meeting she was being asked about the possibility of a new site for Family Services. She knows that Natural Resources are the main focus for a new building but asked about a new modular building. Ray stated that he looked in to modular buildings but there is nothing available that would fit the needs at this time. Marcella asked about the timeframe for the new NR building. Arnold asked about having the other entities help fund these projects. Andy stated that the casino is already behind on payments so that might not be the best option. Charlene suggested that IEI could apply for a USDA loan. Ray brought up the concept that tax revenues from co-manufacturing could go towards these projects.

Bryd's Whale Status: Rhonda Foster provided an update on the whale project. The whale will be processed on the Island and brought back to the Reservation to be buried. She has been working with the scientist from Cascadia Research (www.cascadiaresearch.org). She reported that historically, whales that are not from here have come here to die. She also stated that in the future if this situation comes up again, she would like a unanimous vote from Council before this task is taken on again, including how to process and/or dispose of the next whale. With this particular project, a decision was made and now she is doing what needs to be done in order to move forward with the project. She feels that the Tribe is demonstrating that whales mean something to the Tribe, Tribal ancestors and the Creator. She believes that the tribal leaders are also demonstrating the importance of whales. In the future, she suggests sinking the whales. She also will gift all workers who participate.

Jeff Dickison arrived and stated that he has been working with NOAA on the regulatory aspects of the whale project. As a preliminary matter, the tribe needs permission to transport the whale and also needs to maintain responsibility over of all parts of the whale. He has contacted a number of people including an expert with Washington State Fish & Wildlife. This expert has processed about 30 whales and immediately suggested not burying the whale. He expressed that if the intent is to eventually display the bones the whale needs to be boiled. Otherwise, during burial, the remaining flesh will create a dark oily substance that will stain the bones. The other option is to string the bones up in a beach seine net underwater and let the bones be picked clean. It was suggested using 55 gallon drums over a fire and boil pieces at a time. The Seattle Marine Lab has equipment that is available. Alternate options were discussed. The whale still will be processed this coming Monday and staff will continue to look in to other options to preserve the bones.

ISLAND ENTERPRISES

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Co-Manufacturing: Bobby Whitener reported on co-manufacturing. He shared that other tribes are interested in the tobacco industry but do not want to build their own factory. An agreement has been reached with the State of Washington authorizing co-manufacturing and tax benefits to the respective participating tribes. He will now turn his attention to reaching agreement with the participating tribes. To that end, it is necessary to have a co-participation agreement under Skookum Creek Tobacco. Those organizational details have been negotiated between Legal, the State, and with the Tribe's approval, with the other tribes. Next Wednesday at 8am there will be a meeting at the Business Development Center regarding co-manufacturing (many tribal representatives are local because of the WIGA conference at LCCR), Dave and Andy should be there. Five other tribes are expected. This is a big positive for Squaxin and could potentially lead to a doubling of Skookum's tobacco production. Bob assured that Skookum can handle that kind of production increase. The co-participation features are expressed in amendments to the articles and by-laws of Skookum Creek Tobacco. He handed out the suggested changes and included the final form for Council's review. He briefed on the major changes. Council agreed to adopt the amended SCT articles and by-laws by consensus as reflected by **Resolution # 10-25.**

LEGAL

Pending and Threatened Litigation Report: Council went in to executive session. Pending litigation in U.S. v. Washington – the Makah request to determine the ocean boundary of the Quileute Tribe; the Makah request to clarify the status quo of the halibut fishery; and the Suquamish request to compel certain Area 10 fishery behaviors were discussed. Also discussed were Ruddell v. United States, including discovery, threatened personal injury claims at LCCR, and compliance actions by the Department of Labor, the Internal Revenue Service and the National Indian Gaming Commission..

Buffalo Communication: Ray presented a contract for services for Tribal Council review and approval. Ray summarized the role that Buffalo Communications will play in marketing of the golf course. Ray stated that there will be a monthly invoices. There are also other costs associated and those also are written out in the agreement. Andy shared that Buffalo Communications will bring in reporters on "Familiarization Trips" once the course is complete. Pete Kruger moved to approve the contract and to authorize Ray to sign the contract. Misti Saenz-Garcia seconded the motion. Andy emphasized the importance of having a reputable marketing company to spread the name of Salish Cliffs Golf Course. The motion carried unanimously.

Johns' Creek Petition: Kevin provided an update. The Tribe is waiting for a response from the State due February 16. No specific proposal has yet been made to the Tribe although the Tribe met with DOE representatives. DOE informed the Tribe that it was considering an extension of the Port agreement to provide the Port an opportunity to enter into an agreement with the Utility and City. Kevin asked Council to become more familiar with what was filed because of what will be heard in the larger community, he would like Council to be well informed and able to answer any questions. Kevin publicly thanked Sharon for her time and efforts on this case.

Intellectual Property: The Legal Department has arranged for a seminar with Cjeston McFarland regarding protecting cultural Indian property. The meeting is free and will be held at the Museum next Tuesday. The seminar will cover trade marks, copywriting and other protections related to traditional native art and practices, stories, names, songs, etc.

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Probate Code: Kevin shared that he was directed by Council to draft a probate code. A draft code had previously been presented to Council on December 10, 2009. Kevin handed out an additional copy to Council. He discussed the continuing need for probate provisions. An issue came up and it has come to a point where this code needs to be in place. Arnold Cooper moved to approve the code. Misti Saenz-Garcia seconded the motion. The motion carried five (5) for and zero (0) against (*Andy was out of the room*). Kevin will return at the next meeting with a resolution.

Enrollment Code: Kevin shared that the Enrollment Code had previously been presented to Council on October 22 and November 12, at the Winter General Body meeting, a by bulk mail. The latest notice requested comments by February 11, with notice that Council would take up the Code for final review and approval at its next regular session February 11.

Youth Code: This was brought up at the last meeting regarding extending the ICW Youth Code to include unborn children. Council had then directed that care should be taken so as not to interfere with a mother's right to chose. To that end, staff discussed extensively how to draft to avoid creating an incentive or a disincentive in a woman's choice. Staff recommends that the incentive issue cannot be readily resolved and that it would be sufficient to express that there is no such intention. Kevin presented a Resolution amending the Youth Code. The code will define "Indian child" as *an unmarried and un-emancipated Indian person who is under eighteen years of age and is a member of an Indian tribe or eligible for membership in an Indian tribe. An "Indian child" includes the unborn child of a Squaxin Island Tribal member. In so defining an Indian child, there is no intention to affect, either positively or negatively, a woman's right to choose whether or not to bear a child.* A further amendment added a definition for "inadequate medical care" meaning "evidence that an Indian child is not receiving adequate medical care, including but not limited to the mother of the unborn child is not receiving adequate prenatal care or the mother of the unborn child is using alcohol or other drugs (prescribed and non-prescribed) to an extent that the fetus or infant is likely to be endangered." The proposed amendments come with a consensus recommendation from the Family Wellness Team. Misti Saenz-Garcia moved to approve **Resolution #10-15** which reflects this change. Marcella Castro seconded the motion. The motion carried unanimously.

Child Care Development Center: Kevin presented the articles and by-laws for the Child Development Center arm: "Friends of the Child Development Center." The CDC Board is ready to receive and approve the draft and is waiting for Council pre-approval. The Child Care Development articles and bylaws had previously been presented to Council in December 2008. This arm will be a non-profit group that will apply for funding and grants for the CDC. Misti Saenz-Garcia moved to approve the articles and by-laws. Marcella Castro seconded the motion. The motion carried unanimously.

Elder non-profit status: Kevin handed out the by-laws for Squaxin Island Elders, Inc. The organization was previously created to find a way for the elders to apply for funding as a charitable organization. Last year a copy of the by-laws were submitted for review and approval by the Elders and Council. They are still in draft form. No action was ever taken. Council directed that the by-laws will be presented to the Elders for their review and approval and then brought back to Council for approval.

Executive Session on Personnel Matters: LCCR CEO.

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Following Executive Session Council agreed by consensus to approve the employment agreement prepared by Legal and previously approved by Mitch Corbine. The Council authorized the Chairman to sign the employment agreement.

NATURAL RESOURCES

Jeff Dickison introduced Neil McClanahan, Tumwater City Council Member. Neil thanked Council for the opportunity for this time. He shared that he is working on a salmon hatchery on the Deschutes River. The appropriate permits are in place and they now need approval from area tribes. He is looking for approval and would like to involve area tribes with this project. There are 42 acres set aside that Tumwater is donating to Washington State Fish & Wildlife. They anticipate that this hatchery would bring in a lot of tourism to the area. Today he is only asking Council to consider the proposal at this point with no financial commitment. Andy asked about funding for this project. Neil stated that they have funding for a feasibility study but nothing set aside for the actual construction. He feels that it is unique and should have no problem getting federal funding. The property is located past Pioneer Park towards the airport.

LEGAL *(continued)*

Kevin handed out the draft fish buyer's code in its first presentation. He discussed the "meet & confer" and pending dialogue with the Department of Fish and Wildlife and the challenges with buying and selling treaty fish under state licensing and tax laws. The draft buyer's code redresses the challenges that came out that process with DFW and the desire to buy and sell treaty fish free of state interference. In addition, Council previously directed Legal to recommend code changes to address the continuing problems of unaccounted harvest, unaccounted sale and unaccounted harvesters.

Charlene would like to address the areas in which the tribe has to answer to the state. She starts to question the tribe's sovereignty when we have to answer to the state. She would like to see a thorough look at the accountability that has to be given to the state.

Kevin continued, he shared that there are three options: approve the code today; approve the code at the next Council meeting; or send the code back to the committee for review. Arnold feels that this code is important and he would like to meet with Natural Resources and Law Enforcement to discuss the code. Kevin shared that he has discussed the code with Andy and Mike Evans who both felt that it is a good step. Arnold would like to spend a little more time reading it, but would like to see it approved soon. Charlene recommended providing a chance for the committee to comment. Council will continue looking at this and discuss it later.

Executive Session: Pending or threatened litigation or enforcement matters related to the NIGC, IRS and Department of Labor regarding LCCR.

Status of Ruddell v. United States.

PLANNING/HOUSING

Housing update: Brian handed out the current housing list update.

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Grant resolutions: Brian provided the following grant resolutions:

Resolution #10-16 which authorizes the submission of a grant/loan application for the purpose of expanding the industrial and manufacturing area including Skookum Creek Tobacco Factory.

Resolution #10-17 which authorize the submission of a grant application to the ANA Environmental Regulatory Enhancement grant for up to \$937,500 over three years for the purpose of establishing a meaningful review process for new capital projects that utilizes geospatial data to inform decision-making.

Charlene Krise moved to appoint Resolution #10-16 and #10-17. Marcella Castro seconded the motion. The motion carried unanimously.

Brian and Liz Kuntz provided a housing update. An empty unit report was handed out as well as a "Transfer of Ownership" form. No action necessary today, this was provided for information only.

Charlene shared that she was approached by a tribal couple; the woman received a home and now her boyfriend would like to reside in the home with her. They were told that they could not live together in a rental unit. Ray stated that the tribe usually stays out of those situations, but in this case the tribal member who received the home, stated very clearly that it was in her best interest to live with her children without her boyfriend in the house. She also did not include her boyfriend on the housing composition list when she went through the process of applying for a home. There also would be issues with her getting a house if he was added to the composition list. She has moved in to her home and the tribe did not tell her that her boyfriend could not stay with her that was a decision made clear by her.

Brian and Esther Fox presented the following fee to trust transfer resolutions:

Resolution #10-18 transfers the Green Diamond Property;

Resolution #10-19 transfers the Whitener Property;

Resolution #10-20 transfers the Rawson Property;

Resolution #10-21 transfers the Linder Property.

Marcella asked about grants for home improvements. Brian shared that they are constantly looking for those types of grants.

Misti Saenz-Garcia moved to approve the four fee to trust resolutions. Pete Kruger seconded the motion. The motion was approved five (5) for and zero (0) against (*Charlene Krise was out of the room*).

Andy asked Brian about installing a handicap door button on one of the main Council Chambers doors, and to also fix the handicap button on the main entrance. Brian will take care of both of those requests.

NORTHWEST INDIAN TREATMENT CENTER

June O'Brien was present to discuss funding for the residential program in Elma, specifically the immediate effects of the state budget. With some effort the program will get what is needed, but this year they are a lot more vulnerable. The program has funding through the month of June 2010, but after that they are unsure. In the past Council has made an effort with Norm Dicks for funding, that

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effort needs to be put on the fast track for this year. If the residential program loses funding, they will need to reorganize and the program will no longer be the same. If that happens, the program will also begin to lose other funding. Ray stated that he is working on white papers to bring to DC. This will be a discussion item. Ray asked June to work on a letter to the governor. Charlene would like bullet point discussion topics for DC.

June shared her idea of creating an outpatient behavioral health program. Right now there is no comprehensive program and the services are scattered around. Puyallup has a decent program and Coeur d'Alene has a good program. She suggested hiring a manager to develop this program. Ray stated to Council that this is something that he and June have discussed before. There are not many areas that the tribe lacks, but the mental health programs need updating. The programs have good staff; it just needs a more comprehensive approach.

Ray suggested that once a decision is made that he, June and Ed Fox could create a job description of the type of person they are looking for. Charlene would like to see the program financially secure first. June stated that the Outpatient funding is stable as long as Medicaid is still good; the Residential program is vulnerable.

Ray stated that Council directed to get someone trained under June, and June feels that she has a tribal employee who is capable. Ray would like to see that employee trained and it is up to Council regarding an in-house transfer.

June shared that she is in the process of training someone for the drug free workplace policy.

Glen Parker shared that Ron Whitener is working on a survey of elders and their health concerns. What came out of that interview is that the primary healthcare concern is diabetes closely followed by drug and alcohol abuse and treatment care. The community feels that there is room for improvement in that area. He shared that what is proposed by June is commendable. That program is needed.

Dave told June that if she would like to move in that direction, she has Council's blessing. Ray has the ability to approve her request of training a tribal employee.

June reported on the drug free workplace policy. She is training a third party to implement that program. She knows an individual who runs an outpatient program in Montesano and he is familiar with this program and honest. She spoke with him about this program and he is willing to take it on. She put together a budget and a contract and started by introducing him to the Casino. She met him and his workers and did a preliminary training, then last Friday she accompanied him to the Casino and her outpatient staff taught him how they do the testing. June has already met with Mitch Corbine and Peg Johnson. Once she has him taking care of the Casino she will then work on training him to test Skookum Creek Tobacco and Tribal Government as well. June is happy to hand implementing this policy to a third party.

Ray shared that WIGA will be held at the Casino next Tuesday. They have asked a Council member to offer the opening blessing. Pete said he will do it.

Andy brought up the issue of the increase to the Rights Protection Fund. This will be discussed at the WIGA meeting on Tuesday.

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TRIBAL MEMBER REQUEST

Charlene Cooper, Rose Boggs and Nicole Cooper were present to share their concern regarding the Drug and Alcohol Awareness dinner this weekend, hosted by Christine Semanko. Charlene shared that this is the 11th year of the loss of her son, Wilson Blueback, and today is the anniversary of his death. She feels what Christine is doing is wrong. Charlene would like to host a memorial dinner for her son, not a non tribal member like Christine. She feels that it is wrong that a non tribal member can get financial help from the Tribe to host this dinner and she cannot. Charlene does not know how much money the Tribe gives her, but she stated that Christine buys sweatshirts with the funds and then sells them back to the family. Nicole stated that the only way she can get a sweatshirt from the dinner is that she either has to help host or purchase it. Charlene stated that Christine has two memorial signs posted in Wilson's name and that is upsetting since her son was not at fault. Rose stated that she is bothered that the other party involved with the accident is living on the reservation without Wilson's family's approval. Charlene does not forgive the other person. Charlene stated that if Christine continues to hold this event, she would like it held off the reservation since she is not a tribal member. She also wishes that Christine would quit using her tribal daughter to get tribal discounts.

Pete asked Charlene what she is looking for. Arnold stated that she would like Council to stop the dinners. Charlene Krise suggested that the grieving family should have time to grieve before that memory is celebrated. Arnold suggested that Christine would need to get a blessing from the grieving family in order to continue hosting these dinners.

Misti stated that she was bothered because Christine came to Council at their last meeting with a group of people that Misti did not know.

Marcella shared that she did not attend the dinners because of an individual who attended.

Arnold asked that the One Percent Committee would reconsider funding this dinner and be aware of the grieving family's feelings. Andy Whitener made the motion that any drug and alcohol awareness event cannot happen on the reservation without the help and approval of the affected family. This will be enforced by the families. Charlene Krise supports what Andy said but she would like to send Christine a thank you letter for the dinners that she has hosted. Rose shared that she would be okay with the dinners if the "memorial" part was dropped. Charlene Krise seconded the motion. The motion carried unanimously (No resolution prepared).

Dave encouraged Charlene Cooper to apply for One Percent funding if she would like to do something in her son's name.

Dave stated that Council cannot kick people off the reservation. Andy asked Kevin to look in to exclusion for vehicular homicide.

LEGAL *(continued)*

Executive Session continued: Ruddel v. United States and LCCR audit findings discussed.

Council agreed by consensus to purchase two quilts, two shawls and a beaded wallet from Virginia Beruman for \$650. Council also agreed to purchase a cradleboard from Stella Yocash for \$150.

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National Indian Gaming Association (NIGA) Appointment: Charlene Krise moved to appoint Andy Whitener as the NIGA Delegate and Mitch Corbine as the Alternate. Pete Kruger seconded the motion. The motion carried unanimously. This is reflected by **Resolution #10-22**.

Drug Policy Discussion: Misti Saenz-Garcia made a motion to “go back to the old way of doing things” regarding random drug testing. She prefaced the motion by saying that the approach and presentation hasn’t changed despite direction to change. Andy sought clarification regarding whether her motion spoke to the implementation of the program only. Misti agreed to amend her motion to implement the drug testing through a third party rather than through the NWITC.

Council discussed the on-going training for a third party to implement.

Additional discussion focused on the cost of the drug program and the increase in costs resulting from the increased testing. The information regarding per test cost was not available and it could not be said that the cost of a 3rd party tester is more or less than the cost of the NWITC tester. Ray Peters will forward the cost information to Council. Charlene noted that she wanted an opportunity to review costs before taking an action. She requested a delay until the next regular meeting. Dave asked for a second again. No member seconded the motion, and Dave held that the motion died for lack of a second.

Discussion continued. Andy explained that the amended (or restated) motion did not alter the program in any way, just who was implementing it. Further discussion ensued regarding the behavior of the tester. Two views were presented: that the objections were misdirected in that the individuals objecting were really objecting to the program; that the objections were valid as must be valid because there have been so many and so vocal.

Ray commented that the job was not an easy one for June and that objectors fall into two categories: those who have privacy or personal rights issues, or, those who are risk for being caught.

Ray related that he has not witnessed, and the HR representative present has not reported, any instances of inappropriate behavior by the tester.

There being no further business the Council meeting adjourned at 6:03 p.m.