

**SQUAXIN ISLAND TRIBAL
COUNCIL MEETING
February 11, 2010**

Attendance:

Tribal Council

Dave Lopeman	Chairman
Arnold Cooper	Vice Chairman
Andy Whitener	Treasurer (<i>arrived at 3:43</i>)
Pete Kruger, Sr.	Secretary (<i>arrived at 11:30</i>)
Misti Saenz-Garcia	1st Council Member
Marcella Castro	2nd Council Member (<i>left at 3pm</i>)
Charlene Krise	3rd Council Member

Legal Counsel
Executive Director
Recording Secretary

Kevin Lyon
Ray Peters
Melissa Puhn

Marcella Castro offered the opening prayer. Dave Lopeman called the meeting to order at 9:27 a.m.

APPROVAL OF AGENDA

Charlene Krise moved to approve the February 11th Council agenda. Arnold Cooper seconded the motion. The motion carried four (4) in favor and zero (0) against..

APPROVAL OF MINUTES

Arnold Cooper moved to approve the January 28, 2010 Council Minutes. Charlene Krise seconded the motion. The motion carried unanimously.

TRAVEL REPORTS AND PLANS

Feb 18: SPIPA/TANF Roundtable Meeting, 9am-2pm at the LCCR. Ray would like a tribal attorney to attend. Charlene shared some of her issues regarding the relationship between the tribe and the State.

February 19: Coast Salish Gathering, held at the LCC Events Center at 5:30 p.m.. This is the night before the pow wow. Charlene shared that there are many tribal members concerned because Squaxin does not have a pow wow tradition; this gathering is in honor of Squaxins' traditions.

February 20-21: Sa He Wamish Days Pow Wow, LCCR Events Center.

February 21-24: Reservation Economic Summit 2010, Las Vegas, Andy, Misti, Ray, Pete and Arnold will attend (*Andy, Misti, Ray and Arnold cancelled*).

March 1-3: NCAI Executive Winter Session, Washington DC. Arnold, Misti, Ray and Charlene will attend. Council discussed the Youth Council Member who was chosen to attend. Due to the weather Council decided that it would be best to bring the Youth Council Member during the spring or summer time. That would provide a better experience. Arnold will talk with the Youth Council member and let him know that he can attend later this year (*Misti did not attend*).

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

March 15-17: NTGC/R Palm Springs, CA. Misti, Charlene, Marcella and Arnold (*Misti will not attend*). .

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

May 2-6: 2010 Annual Tribal Self Governance Conference, Scottsdale AZ, Pete, Ray will attend.

May 1: General Body Meeting, LCCR

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

CHAIRMAN'S UPDATE

Dave provided an update on the whale. They have completed de-boning it and will be preparing the bones for soaking in a peroxide solution. Northwest Indian News will be on site tomorrow. This has been a learning experience for all who have been involved. It will take about three to four months to dry the bones and they are still working on a safe place to store them.

WIGA Resolution: Misti Saenz-Garcia moved to appoint Andy Whitener as the WIGA delegate and Mitch Corbine as the WIGA alternate. Marcella Castro seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR UPDATE

Whitney Jones presented **Resolution #10-26** which appoints June Krise and Lorraine VanBrunt as the Tribe's Delegate and Alternate to the WWIETP Board of Directors. Misti Saenz-Garcia moved to approve this appointment. Marcella Castro seconded the motion. The motion carried unanimously.

Ray Peters presented **Resolution #10-27** which authorizes the Northwest Indian Fish Commission to enter in to a contract to perform, to the benefit of Squaxin Island Tribe, programs, functions and services that are associated with *US v. Washington* and the Pacific Salmon Treaty; and to continue receiving Indian General Assistance funding to support tribes in developing and coordinating tribal environmental priorities. Charlene Krise moved to approve this resolution. Marcella Castro seconded the motion. The motion carried unanimously.

Ray shared the invoice received from the Womens' Spirit Coalition for annual dues. Council agreed by consensus to pay the \$150 amount.

Council agreed by consensus to purchase five tickets to the Washington State Democrat Crab Feed Fundraiser. Five tickets will be purchased at \$50 each, totaling \$250.

Ray shared a letter of support from Billy Frank Jr. The letter is recommending the support for Steve Robinson who is running for State Legislature. Council agreed by consensus to donate \$1000 for his candidacy. He will be on the next Council agenda and Council will present him with a check at that time.

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Ray shared that he met with Billy during the ATNI Conference. Billy invited Council to lunch with Franks Landing at Wa He Lut School. Dave and Bobby discussed the 26th at 11:30 a.m.

Kevin Lyon provided an update on the Multimedia Machines. Cal Peters was present and asked Kevin about the Tribal Gaming Commissions involvement in the negotiations. Kevin shared that the TGA Director is involved but the commission generally is not. Cal felt that the TGA Commission is responsible for the Casino so he feels that the Commission should have more involvement. Kevin responded by saying that the Commission role is to review contracts at a regulatory level; the business decisions of the Casino is the role of the Little Creek Oversight Board (LCOB). Cal believes that the TGA Commission should pass recommendations to LCOB; he would like to see the TGA Commission receive regular reports and feels that currently TGA is being left out of the loop and not involved in any decisions. Bobby stated that the TGA Director is supposed to attend all LCOB meetings to make sure that LCOB does not step in to any regulatory issues. The TGA Commission should receive regular reports from the TGA Director. Bobby offered to attend TGA Commission Meetings, as the LCOB Chairman.

SALISH CLIFFS UPDATE

Bob Whitener Jr. provided an update on Salish Cliffs Golf Course. They are currently working with Frank Hutchinson on the funding. Bobby assured that the golf course will be 100% owned by Squaxin and Frank Hutchinson understands that and knows that he has no ownership of the course itself. What has been agreed to be that when Salish Cliffs Management LLC is formed Frank would own 49% of that entity. Bob and Ray met with Frank last week and the meeting went well. An agreement will be drafted by next week. They are pushing to have a soft opening this fall. They have been looking in to clubhouse styles; Bob and Ray will continue looking at designs and present something to Council in the future.

NATURAL RESOURCES

Jeff Dickison provided an update from the recent community geoduck meeting. This meeting was advertised widely and was held last Tuesday. There were about 30 people in attendance. He provided a summary of what came out of the meeting. He felt it was productive and respectful. Jeff explained that NR role in the fishery is to identify the total poundage and how the fishery takes care of the pounds; NR does not decide who participates in the fishery.

Others present: Rick Peters, Rose Boggs, Jason Koenig, Cal Peters, Andrea Sigo, Walter Lorentz, Whitney Jones, Craig Parker, Veronica Rivera, Daniel Johnston, Jeremy Meyer, and Steve Sigo Jr.

Rose Boggs stated that per the January 14th Council Minutes, it stated that Marcella requested an Aquatics Meeting happen before the community meeting. Rose shared that she was unable to get the Aquatics Committee together. She said that the committee has vacancies that need to be filled and its hard to get a meeting without a strong committee.

Arnold asked the divers present why they were here. It was shared that they (the divers) met last summer and came up with an agreement on how to conduct the 2010 geoduck fishery; something different is being presented to Council now. They felt that an agreement was started, just not finalized yet. The bylaws state that the committee comes up with the requirements, not tribal members or the community. Andrea would like to see the committee reconstructed.

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Arnold stated that the last direction from Council was that the committee needs to come up with an agreement before the 2010 season. He does not want to accept any proposals without the approval of the Aquatics Committee.

Craig shared that he put together a draft agreement; but he is not pushing his idea. He provided a starting point.

Arnold stated that the proposals need to go to the committee and the committee needs to provide a recommendation to Council.

Pete Kruger arrived at 11:30.

Arnold would like the entire general body to know that there is a possibility of allowing in new divers. Andrea felt that they have a good plan of fading out some divers and introducing new divers.

Steve stated that there is always is a new excuse of why the season is postponed.

Cal brought up his concerns about cutting back on the elders who no longer dive. There are young guys who want to come in, but a lot of the elders need the money and need to be considered. If someone (and elder) can't dig, they can be on the boat working.

Craig stated that he is not an aquatics member but he attends the meetings. There have been more tribal members/fishers than committee members attending the meetings; if a committee can't get together, listen to the fisherman.

Rick stated that he is here to protect his diving income; but he is willing to give up pounds in order to allow new fishers in. He believes that the community got together in a strong way and came up with a reasonable proposal. He is willing to phase himself out, since he is aging and it is getting tougher each year to dive.

Marcella shared that Council Member quota holders do not vote. She explained that the three members on Council who have a quota excused themselves from voting on any geoduck issues. Charlene added that Council is not trying to take pounds away from anyone, but at the same time they see younger divers with no quota at all doing all of the work for those who do not dive anymore. She reminded that divers also need to look in to other means of income since an income based on natural resources will always be diminishing.

Misti stated that being a diver and on Council she might be able to offer insight; she is not being selfish, but there is not enough for everybody.

Walter stated that he is a commercial diver and he does not make a lot of money doing it. He does not want to lose any pounds since he can't afford it. He also would like to see new divers get a quota, but it will financially hurt him.

Charlene shared her concern of the dangers of diving. She does not want to jeopardize anybody's income, but she also doesn't like seeing quota holders not dive, and have someone else do the hard work for them putting the diver at risk for the quota holder.

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Walter assured that he is always safe when he dives.

Arnold wishes that there was a resolution a long time ago. Council does not want to overrule the committee, but would like a committee recommendation to Council. He doesn't want to see Council put in the position to make a decision without the committee.

Jake shared that he has been diving for four years without a quota. He agreed that the committee should have come up with a decision before now. He also knows that not everyone will agree with whatever decision is made but is willing to do whatever it takes to keep this fishery going. He would like to see geoduck planted.

Jeff pointed out the committee members who were present at the community meeting. He thanked those who are working hard to find a solution. He did not sense a unanimous agreement but perhaps framework to a plan to move forward on. There is recognition that there is a group of people who are ready to start and some who still need training.

Jeff suggested that Council can 1) direct NR to work with the committee to come up with framework for adoption of a new regulation before April 1; 2) direct the development of a different regulation scenario; 3) Council can organize additional meetings with those interested to come up with a regulation; 4) remain status quo; or 5) any other idea Council may have.

Jeff stated that all of the quota holders will need to sacrifice some pounds in order to allow others in the fishery. April 1 is the start date of the fishery; with some work Jeff feels that they can come up with a proposal by the beginning of March. He feels that most people are willing to embrace changes if it comes up with a solution.

Bobby stated that as a diver, he loves diving. He feels that the present system does not work. If there is an option of status quo, all of the current holders would like that, but personally he doesn't feel that the fishery should open until a decision is made.

Charlene would like to validate those tribal members who attend the Aquatics meetings. If the committee fails then Council needs to rely on the community input.

Cal doesn't want to see a delay in the opening. Andrea stated that the divers were told last season to come up with a plan, and a lot of people have tried. She would like to see one more community meeting.

Charlene would like to see NR help with the framework and everyone participate in a resolution.

Dave said March 12th Council will meet with the divers. The decision may not be fair to everyone, but one has to be made.

Rose read the by-laws and wanted Council to appoint to the committee. Charlene would like to allow those in attendance to vote to have somewhat of a committee structure.

Dave stated that on the 12th all those concerned will be invited. Glen stated that has already happened so he is not clear of what needs to happen between now and March 15.

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Between now and March, the committee/community needs need to fine tune a proposal present to Council in the 12th.

Andrea asked if they can use the framework from recent community meeting. Council likes the basic plan but some specifics still need to be worked out. Council wants a draft regulation on the 12th.

LITTLE CREEK CASINO

Mitch Corbine, Cameron Goodwin, Michael Peters and Mark West were present to provide an update from the Casino. Mitch handed out the December Year-to-Date financial summary.

Cameron shared that December was a good month. Discussed the fiscal year; strong revenues so far.

Cameron updated on payments to the tribe, they are ahead of the payment status. Loan payments are on schedule.

Charlene asked for an update on the audit findings. Cameron stated that they have been successful in fixing and cleaning up items while removing other issues.

Council is comfortable with the casino signing the agreement with Multi Media for machines.

Mitch updated on the 401K audit; they are in compliance. They 2008 audit should be done within two weeks. 2009 audit is out for bid and will be resolved by March and on time by the July 31 deadline. The IRS will be on property next week for an IRS tip audit. Mitch assured that the audit will go fine.

Michael Peters provided a food & beverage report. There will be some non gaming events this month so expect some good numbers and full rooms.

Mitch provided a revised organization chart that has been approved by LCOB. Arnold Cooper moved to approve the LCC Organization Chart as presented. Pete Kruger seconded the motion. The motion carried five (5) in favor and zero (0) against.

Charlene brought up the 2012 Canoe Journey. She would like to see the Casino Executives attend the Journey this year. She feels it would be important for them to get a complete view of what is coming our way in 2012. Ray and Bob both also need to go.

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

Commissioner Peter Goldmark and Rodney Cawston were both present.

Dave thanked both of them for coming in today. Peter shared that he has great respect for the tribe and share a common commitment to the land and the water. It is his hope to resolve any issues and have common values.

Peter brought up the state land ownership on the Island and he stated that once an appraisal process is agreed upon they can move forward with the sale negotiations. He estimates there is about 200 acres.

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Ray brought up that the appraisal process has been a problem in the past. The appraisal of the Island is different than any other waterfront properties in the area because there is no land access.

Peter feels that the transfer needs to be done in an equitable way for both the tribe and the state; he is confident that it can be resolved. He stated that he will assign management staff to be available to help with the appraisal process and will track this transaction to make sure it gets taken care of.

Ray understood that in the past the tribe was told that a final appraisal would not be made available for the tribe to review; the state and tribe have a forest management plan and will take the timber value into consideration. The tribe and state will work together to choose an appraiser.

Kevin stated that he appreciates hearing the possibility of working together and that there is a dynamic for a government to government relationship.

Peter stated that he and Rodney work closely together. Rodney has been working on the Commissioners Order; outlining the relationship with DNR and other tribes. Rodney provided a draft copy to Kevin. They are working on statewide annual meetings with the tribes as well as regional meetings.

Dave asked about DNR gates. Peter stated that if DNR has locked gates in areas where the tribe needs access, keys will be issued to the tribe.

Ray brought up, in the absence of Andy, Totten Inlet and Taylor Shellfish property in North Bay; Taylors believed that it was their land where in reality it belonged to DNR. The tribe has interest in the natural production of that land, but unsure of how much. Peter suggested having his aquatics staff meeting with tribal aquatics staff. Rodney stated that he is prepared to meet with Andy and his staff.

Peter stated that they have worked through that issue with Taylors. There are some other areas with the same issue.

PLANNING/HOUSING

Brian Thompson handed out a grant report ending FY09. They are working to close out grants for FY09. They brought in a lot of grant money for 2009 and hoping to do that again for 2010.

Brian reported that they submitted a grant for the expansion of the tobacco factory, a number of grants for the Museum; working with June O'Brien to extend her treatment program, looking in to a grant for the longhouse, language and environment issues.

Arnold asked about funding for the elders bus. Brian shared they applied for grants in 2009 for transit but did not receive it. Seven months ago Planning applied for funding to replace the current transit busses and they finally will be replaced. Dave suggested selling the old busses but Brian felt that there is not much life left in those busses. Ray stated that he has a plan and is making arrangements for funding.

Brian handed out the current housing wait list.

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He provided a January animal control report. The animal control officer is working one weekend day each month.

Brian shared a list of construction projects. They are preparing three requests to Senator Murray and Cantwell for special appropriations for the NR/CRD Building, canoe shed and Simmons Road bypass.

Marcella left at 3pm

Brian has identified a couple of private foundations for capital projects such as the canoe shed and NR/CRD Building. The longhouse has been targeted this year for the ICBGD HUD grant.

Charlene inquired about speed limit signs. Brian stated that new signs will be included with the resurfacing of Klah-Che-Min and will install a speed limit sign closer to the main entrance.

Charlene asked about the housing situation with an elder. Brian stated that the tenants have returned and Housing sent a letter telling them not to "snow bird" again. Charlene does not want to see elders evicted.

Brian stated that No Trespassing signs are posted on the island. Maintenance worked extra hours yesterday to put them up and complete the project.

Planning is working with NR and DOT on the permitting process for the Arcadia Boat Ramp upgrades.

Brian had a contractor in and fixed the handicap doors. A similar device will be installed on the side door of Council Chambers.

Arnold asked about ATVs and quads; the housing commission is working on developing a policy for ATVs. An ordinance will be presented to Council once complete. Question of where they should be ridden safely. Arnold would like to see some trails built for riding, such as in areas that will not be developed yet. He suggested that those who ride might be willing to build trails.

Next Council meeting, Brian will bring a resolution for the next round of appraisals for the island.

Dave mentioned that he had a request from a tribal member to build a house on Skookum Ridge. Brian stated they still need to find an initiative to put in sewer and water and roads.

LEGAL

Kevin provided an update on the shellfish settlement trust account. He is asking for approval to designate Ray Peters and Dave Lopeman to participate as Tribal Representatives on the account. Kevin will prepare the appropriate paperwork. Council agreed by consensus.

There is a meeting March 3rd regarding the settlement. Andy will attend and Ray will call in from DC.

NORTHWEST INDIAN TREATMENT CENTER

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Andy arrived at 3:43 p.m.

Tribal Council approved paying for the flight home from Anchorage for Joe Kuntz (Liz Kuntz husband).

June O'Brian presented **Resolution # 10-27** which approves the Organization Compliance Policy for the NWITC. Arnold Cooper moved to approve the policy. Charlene Krise seconded. The motion carried unanimously.

June presented the information about the behavioral health proposal that she and Whitney have been working on. Marcella had some concerns regarding the proposal such as funding.

Ray stated that Council has tasked both he and June to put together a model and propose moving the Outpatient Program back to the Clinic, separating the residential and behavioral programs. June met with Ed Fox and Whitney Jones; Ed believes there is mental health funding that can fund a manager position for behavioral health. The manager would provide oversight and appropriate credentials for Medicaid funding. Other tribes have a fully developed behavioral health program with services and Squaxin needs something like that. Squaxin has practitioners but not a formal program in place.

Marcella agrees that this program is needed. June talked about the need for the program to be housed in the same building; it would provide better care and easier access. Dave supports these ideas.

June will move forward with training a tribal member to take over the Residential Program. The Outpatient Program will come back to the Clinic, creating a Behavioral Health Program. The manager for the Behavioral Health Program will need to be native. The tribe needs to move quickly to get the recruiting process started since it will take time. The program will be a division under Ed Fox. Council approved by consensus the Behavioral Health Program.

Dave would like to remain updated on this process. June has Council's blessing to work with Whitney and Ed to put together a job description for the manager's position. June will meet with her counselors and Ed will meet with the mental health counselors.

Ray provided an update on the whale budget. Initially \$5,000 was budgeted under CRD. Council has a donation line item in their budget that many tribal initiatives have used. Ray estimates the final cost will exceed the initial budget. Council will pay Mike Foster \$1,800 for the rental of his boat and his time for six days of 24 hour security of the whale. Dave spoke with the community and elders, asking for workers.

Ray handed out a Council budget.

Andy would like to see an actual plan for the whale; who will put it together, where will it be stored? Ray will work with CRD and MLRC in regards to getting a plan in place and come up with a proposal for Council to consider.

Council discussed the Job Ready Program. Council does not feel it necessary for everyone to come to Council if they are interested in the program. Ray will handle it.

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Misti asked about the UA cost increase; Ray will email the report to Council.

There being no further business, the February 11, 2010 Council meeting adjourned at 5:21 p.m.