

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

Attendance:

Tribal Council

Dave Lopeman	Chairman
Arnold Cooper	Vice Chairman
Andy Whitener	Treasurer
Pete Kruger, Sr.	Secretary
Misti Saenz-Garcia	1st Council Member
Marcella Castro	2nd Council Member
Charlene Krise	3rd Council Member (<i>arrived at 9:22</i>)

**Legal Counsel
Executive Director**

Kevin Lyon
Ray Peters (*absent*)

**Deputy Director
Recording Secretary**

Don Whitener
Whitney Jones
Melissa Puhn

Dave Lopeman called the meeting to order at 9:15 a.m. Pete Kruger offered the opening prayer.

APPROVAL OF AGENDA

Arnold Cooper would like to discuss the shellfish settlement today; this was added to Kevin's report. Arnold moved to approve the November 11, 2010 Council agenda. Pete Kruger seconded the motion. The motion carried five (5) in favor and zero (0) against.

APPROVAL OF MINUTES

Arnold moved to approve the October 21 phone poll, October 28 meeting minutes and the November 4 phone poll. Pete Kruger seconded the motion. The motion carried six (6) in favor and zero (0) against.

TRAVEL REPORTS AND PLANS

November 13: SPIPA Art Auction, Little Creek Casino, 5:30 p.m. Andy, Charlene. Dave will offer the welcoming.

November 18: Shelton Skate Park Smoke-out Event, 3:20 p.m. Promotional event for the National Smoke-Out Day; they are looking for representatives to attend. Arnold, Marcella. Arnold would like to have someone else as back-up, he will try and attend but is unsure. Misti will attend.

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

November 18: Multi Family Housing Blessing, 11:30, lunch to follow. Dave will offer the blessing.

November 20: Potlatch Fund Annual Gala, 5:30 p.m. Grand Hyatt Seattle, Charlene will attend.

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All Staff Christmas Party, Dec. 22, Grand Ballroom

Charlene reported that she attended the Tribal Leaders Summit on Health at Tulalip. There was discussion at the summit on how tribes need to be financially prepared for state budget cuts to natural resource and health programs. The State budget will cut services to Medicare and Medicaid and tribes need to be prepared for that. Charlene added that Council will need to look at departments that may lose funding and will need to see how to carry some of those financial losses. Andy added that he brought up the state shortfall when Council discussed the new distribution from the Casino. He wanted to put more funding in to programs. Charlene would like to see staff look at the state budget and see where funding needs to be put.

CHAIRMAN'S UPDATE

Business Administration Board Appointment: By the way of a telephone poll (11/4/10) Ron Whitener was reappointed to the Business Administration Board. Council would like to add the reappointment of Wendy Bowman to the Board, and then will advertise for the additional vacancy. Misti would like to see what this board is about. Kevin will provide that information and he added that the board does not meet very often.

Collier Property Update: Kevin provided an update on this purchase. Council discussed purchasing and sharing the costs with Island Enterprises and the Casino. This property will be able to be put in to trust status immediately upon closing. Dave stated that Council will direct IEI and LCC that they each will pay 1/3 of the cost. Council directed Bobby, Mitch and Ray to come up with a payment plan; Kevin stated that the decision needs to be made by Monday. Arnold made the motion to direct Ray, Bobby and Mitch to do what needs to be done to pay the down payment. Charlene Krise seconded the motion. The motion carried unanimously.

Glen Parker asked about how the Collier house will be used. Arnold stated that will be part of the discussion. Possible ideas could be VIP meetings, retreats, weddings, work session, etc.

Arnold asked that the three entities meet with Council and make a plan of how to use the property.

DEPARTMENT OF CORRECTIONS

December 7th Tribal Summit: Staff from the DOC thanked Council for hosting the next tribal summit. There is good coordination between DOC and tribes for offenders upon release. DOC instituted a program for native members in prison, they can self designate an affiliation, and then the tribe is notified to see if the tribe is willing to assist in any way.

He shared that they are trying to learn and undo what was done in regards to policies in regards to native inmates. They really want tribal leaders and spiritual leaders to attend the summit and help the DOC better meet the needs of native inmates. He invited all of Council to attend, and asked Dave to make some introductory comments. He would like those who attend, lead in a prayer of the summit. Mike Evans has been the contact, and stated that he has been wonderful to work with. He worked with him in the past with the tribal state summits. Mike is an asset to the tribe.

Lyle Morris from DOC introduced himself. Lyle is in charge of correctional industries, they employee over 1000 offenders in 45 different locations. They do work force development, practice social justice, and will teach anyone while offering certificates of completion. 70% of the inmate's

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income is saved for them upon release. This work program significantly reduces the chance of the offender reoffending. He would like to have a booth at the tribal summit to provide information on what they do. They would like to have a representative there and start that relationship with tribes.

Charlene explained that in 2012 Squaxin is hosting the canoe journey. She would like to work with the institute on this event.

DOC has board openings that are appointed by the governor, if anyone is interested.

Dave asked about the hobby shops; Lyle stated that items coming out of the hobby shop cannot go in to the general public for sale. Because of competition, nobody can compete with inmates prices.

Charlene added that she attended the Nisqually Summit last year, and she brought a young member who had been incarcerated, and she shared how she was helped with tribal and DOC help. She had a good re-entry back in to the community.

FINANCE

Deb Stoehr handed out the Council financial statement.

Per Council request, Deb was here to discuss the new added position: Intergovernmental Liaison for external affairs (Ray). Ray and Deb discussed last week, she worked up some numbers based on their discussion. Deb suggested that all of Ray's salary be funded from Tribal Sources. She identified a source and an allocation from general taxes to move into the Council individual budget, increasing the Council budget and pay this position out of there. It will be "taken" from the "unbudgeted" taxes.

Arnold asked if the other two entities could help fund this position. Deb stated that if that is Council direction, they could do that. Dave stated that for now, leave it as is, but perhaps look in to that later. Deb stated that is how Legal is handled, 2/3 of their salary is billed to the others. Council concurred with Deb moving the appropriate funds to Council budget to pay for the Intergovernmental Liaison position.

Charlene shared her discussion about how the state is broke, and how it will impact tribal health programs, education and natural resources. She is hoping to see a discussion about how the tribe may be impacted by this.

Whitney handed out the Council Executive Assistant job description for review. Council would like to read it further before it is advertised.

LEGAL

Council went in to executive session to discuss a guardianship petition. Council denied the recommendation.

DEPUTY DIRECTOR'S UPDATE

TANF Negotiations Update: Whitney shared that she is the lead negotiator with TANF and things are going well. They met last Monday; the last meeting will be next Wednesday. At this point, the

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tribe is not taking any specific financial hit; all programs will receive the same as last year. This year's negotiations have gone more smoothly than in the past. Whitney would like to get the agreement signed before December 1st.

Donation request: Council agreed to donate \$1000 to the Seattle Indian Center.

Pool funding update: Whitney reported that she has identified that it can take a smaller amount to run the pool, but still will ask the budget commission to allocate about \$50k, which will maintain the same level of service. There will not be funding to keep the TANF employees working; but there are no TANF clients anyway. Misti asked why the pool is contracted out and not tribally hired. Whitney stated that there is no tribal member interested or qualified to run the pool.

SHAKER CHURCH

The Shaker Church members were here to get an update on the progress of transferring the Mud Bay property in to trust status. The members are also looking at the management and involvement of the church. Also would like to look in to security for the property and the responsibility; who is responsible for what. They suggested a Memorandum of Understanding if necessary.

Dave Lopeman stated that he understands that the property is being surveyed. He added that a resolution can be created authorizing the church board members to sign on the account. Andy added that the MOU should be up to the church board, but he did suggest that this MOU should outline responsibilities of the property.

The church would like to have a full time caretaker.

Kevin reported that the property transaction of the neighbor was taken care of and now is the time to advance the fee to trust.

One of the church members stated that when the final signing is done, wherever it may take place, the Shakers and the Tribe both should be present. Kevin stated that he hopes that this stays local.

The church group inquired about in front of the property, it gets muddy when it rains. They would like that area asphalted. Arnold stated that Council needs guidance from the church of the church needs; without the tribe stepping on toes. Arnold would like to continue meeting with the Shakers to see what is needed. Andy asked if gravel would work short term. Arnold would like to have someone from the tribe go out there and walk the property with the church. Kevin stated that Dan Neelands will be here shortly since he did a site assessment.

Rita Andrews introduced herself and thanked Council for seeing them today. She stated that the bishop is missing a lot of paperwork and is hoping to get a copy of the file from Legal. One of the topics she brought up is that she hoped Squaxin would work with other local tribes in regards to funding for a new building, instead of fixing their current building. They recently had a vandalism and theft.

Rita asked for a time line from Legal; outlining what needs to be done and what has been done including dates.

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The church has plans of hosting a large event for July 4th next year. They would like to develop RV sites in order to accommodate the large group.

Misti stated that she thought initially that the tribes' only responsibility is to assist the church in getting their property in to trust status.

Marcella added that she also understood that the tribes' only commitment was to facilitate the fee to trust process. The bishop stated that they would like to meet the 27th and clear up any misunderstandings.

Dave asked about the taxes on the church and if they have been paid. Arnold thought that Rita pays that on her own. Whitney will check on that.

Dan Neelands arrived and reported that if a good roof was put on the building, which would help significantly. Leon asked about the capacity of the septic system. Dan recommended using Kathy to find I H S funding to possibly upgrade the system.

The bishop asked about a roof and how it should be taken care of, and if the tribe is willing to replace the roof. Arnold stated that Council needs to know what the church wants. The bishop stated that they need a new roof.

Kevin offered that the church secretary is welcome to a copy of the file that Legal has. He will make sure they get that.

One of the church members asked if Council gets any financial requests from the church. The church board is meeting on the 27th to discuss donations since some donations made to the church never actually made it to the church. They would like to be sure that if people are asking for donations, it is authorized by the church board.

They are having a leadership meeting at Muckleshoot on November 27th. They asked if Kevin could attend.

The bishop suggested that all financial assistance requests need to be approved by him; if the tribe receives such requests to please let him know.

Charlene requested that the church participate in the 2012 canoe journey. She would like to see an informative booth sharing the church history.

ENROLLMENT

With the recommendation of the Enrollment Committee Tammy Ford presented two enrollment resolutions. **Resolution #10-105** enrolls Bailie Henry and **Resolution #10-106** which enrolls Benito Hernandez. Misti Saenz-Garcia moved to approve these two resolutions. Charlene asked about DNA testing and Tammy confirmed that it is done 100% on all new applicants. Arnold Cooper seconded the motion. The motion carried unanimously.

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Tammy shared that the Enrollment Committee will be presenting a disenrollment case at the next meeting.

Andy stated that the next guest: Adage is seeking support and that the tribe has never endorsed a business, especially since this is very controversial in the community.

ADAGE COMPANY

Matt Matayoshi from the Economic Development Council, Lee Torrents and Will Stakeland from Adage were present. Lee thanked Council for their time. Lee shared a slide show showing what their company is about and what their plans are.

HEALTH CLINIC UPDATE

Bonnie Sanchez provided an update on the pharmacy situation. Legal has looked in to the tele-pharmacy option and that seemed cost prohibitive.

Kevin explained that the pharmacy situation came up at the last meeting. He, Bonnie and Whitney have been looking in the options. Whitey will report back in December once she has more information. Andy suggested that a pharmacist could be funded if it was included in the Revenue Allocation Plan.

DCD/PLANNING UPDATE

Elizabeth Eagan presented **Resolution #10-107** which authorizes SPIPA to prepare, submit, negotiate and administer with the Administration on Aging and 3-year grant proposal and agreement for the Native American Caregiver Support Program. Charlene Krise move to approve the grant resolution. Misti Saenz-Garcia seconded the motion. The motion carried six (6) in favor and zero (0) against.

Sheena Kaas introduced herself, she was hired as the Solid Waste Recycling Manager. She will be presenting at the next meeting.

Ray presented a request on behalf of the Ta Ha Buts Learning Center. They are seeking sponsorship for their annual Christmas party and winter basketball tournament. Council agreed to split the sponsorship in thirds and share the cost with Island Enterprises and the Casino, similar to what was done last year (*the total amount last year was \$12,000, split in thirds amongst the three entities*).

TRIBAL MEMBER REQUEST

Tribal member Celeste Forcier was present to ask about emergency housing. She read a letter she prepared explaining her situation. Council decided to direct Island Enterprises to allow Celeste to move in to the Linder house, temporarily. Arnold feels that the Linder house should be used as an emergency house. Andy suggested using the housing rental rate as the rent for the Linder house. Council will have IEI prepare the house for Celeste, Kevin will assist. Whitney explained the “job ready” program is Celeste is interested.

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Misti asked about turkeys. The casino is ordering turkeys and asked if the tribe would like to order some also. After discussion, Misti will have the Casino order \$1,500 worth of turkeys for tribal members.

LEGAL

Kevin Lyon shared that tomorrow he and Pete will attend a hunting meeting at Tulalip. One of the items that will be discussed is enforcement protocols. Kevin handed out a flow chart of how hunters are contacted in the woods.

Kevin handed out information on the Center for Environmental Law & Policy fundraiser. Council agreed to sponsor \$1,250.

Council discussed the performance review for Mitch Corbine. Andy would like to schedule a meeting with Mitch to go over his evaluation. Council decided to meet for dinner on November 22nd with Mitch to discuss.

Council went in to executive session to discuss a settlement against the Casino. Coming out of executive session Council concurs with Kevin's recommendation: four (4) in favor, one (1) against and one (1) abstained.

Kevin reported that he will include an article in the Klah-Che-Min about the company Alliban. They are a debit/credit card reader company who tribal members use during fireworks season. Alliban is sending out a letter to all customers requesting a W9. Failure to properly report income could result in a tax deficiency.

Andy brought up the past discussion regarding Council benefits. He explained that when a tribal employee is serving on Council; they take leave without pay while attending Council functions (meetings, travel, etc). That leave without pay from their job affects their accrual of annual leave. He would like to change that, allowing employees to still accrue annual leave at their regular rate, while serving on Council. The annual leave would not be applied to their Council salary, but to be used at their regular employment level. Andy moved to direct Deb Stoehr to implement a program for annual leave accrual and usage of for time spent on Council, which can only be taken on employee time. Charlene seconded the motion. The motion carried unanimously.

Dave brought up the topic of a full time paid Council and asked everyone to think about it. Arnold would like to see Ray's proposal on this. Andy suggested to look at the number of hours currently generated by Council and see what the average is. Charlene would like to revisit this later.

There being no further business, the November 11th Council meeting adjourned at 5:08 p.m.