

**SQUAXIN ISLAND TRIBAL  
COUNCIL MEETING  
February 27, 2014**

**Attendance:**

<b>Tribal Council</b>	<b>Dave Lopeman</b>	<b>Chairman</b>
	<b>Arnold Cooper</b>	<b>Vice Chairman</b> ( <i>absent</i> )
	<b>Andy Whitener</b>	<b>Treasurer</b>
	<b>Pete Kruger, Sr.</b>	<b>Secretary</b>
	<b>Ray Peters</b>	<b>1<sup>st</sup> Council Member</b>
	<b>Jim Peters</b>	<b>2<sup>nd</sup> Council Member</b>
	<b>Vince Henry, Sr.</b>	<b>3<sup>rd</sup> Council Member</b>
<b>Legal Counsel</b>	<b>Kevin Lyon</b>	
<b>Tribal Administrator</b>	<b>Don Whitener</b>	
<b>Recording Secretary</b>	<b>Melissa Puhn</b>	

Pete Kruger offered the opening prayer.  
Dave Lopeman called the meeting to order at 9:11 a.m.

**APPROVAL OF AGENDA**

Jim Peters moved to approve the February 27<sup>th</sup> Council agenda. Vince Henry seconded the motion. The motion carried five (5) for and zero (0) against.

**TRAVEL REPORTS AND PLANS**

**March 5: NRCR Building Blessing**, 11am. Korsmo will be providing lunch.

**March 11-13: NCAI Winter Session**, Washington DC. Ray, Jim and Arnold will attend. Jim would like to meet with Anne Mills with NRCS. Don added that the Tribe received a letter from the Interior who is having a special meeting regarding Indirect Cost Issues. Ray will attend and he has been attending the conference calls, as has Deb Stoehr.

Andy added that **March 5** is a **Senate Leadership Dinner** at Anthonys Restaurant in Olympia. Jim will attend.

Ray will be at board training the week of March 3<sup>rd</sup>, with Thurston First Bank.

**March 25: Candidate Forum**, 5:30 p.m. Community Kitchen.

**April 11: NWIC Annual Auction**, Tulalip Resort. Jim and Ray will attend, he went last year and would like to take up some items to add to the auction. Council approved Jim to spend up to \$600.

**April 12: SPIPA Art Auction**, Lucky Eagle Casino. Council will buy two tables again this year, and authorized someone to bid up to \$600.

**April 13-16: NAFOA**, New Orleans. Ray will attend.

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**April 16: Candidate Forum**, 5:30 p.m. Community Kitchen

**April 21-25: Council Work Session**, Skamania Lodge.

**May 3: 2014 General Body Meeting**, LCCR Event Center

**May 5-9: NAFWS**, Pendleton OR. Pete and Andy will attend.

**May 4-8: ATNI Mid-Year**, Great Wolf Lodge.

**May 5-8: Self Governance Conference**, Arlington VA

Andy added that Memorial for Larry Rutter is this Saturday at the Events Center. The family thanked Council for their donation to support the services. Larry has been a friend of Indian Country for a long time.

### TRIBAL CHAIRMAN UPDATE

**ATNI Report:** Jim reported that through the Law Enforcement and Public Safety Committee at ATNI, they passed a resolution opposing the legalization of marijuana and are in favor of public health prevention for youth. Opposing the legalization at all levels of government and schools. The position is based on the findings that marijuana is stronger now than it used to be, and studies have come out linking it to lung cancer. This will be an issue for a while, since many tribal members want to see it legalized on the reservation.

Jim shared that a resolution was passed prohibiting the use of PCB's (toxin) in products. Right now there is a ban in the US on PCB's but there is an allowance in certain products such as clothing and plastic bottles. These toxins are working their way in to our water. So EPA is trying to redo their regulations on that, so any new products coming out have a zero PCB content. This will help with the Fish Consumption Rate.

Jim shared the Lummi Tribe is seeking support for declaring the Frasier River sockeye fishery as a disaster in order to appropriate funds for that area. They've gotten money before, but it's always recognized and needs to be pushed every year. They are trying to make it automatic instead of trying to push for it. They would like to make it so if it reaches a certain number, they can declare a disaster.

Jim was pleased that the Natural Resources Committee is really active now. ATNI is a good organization to deal with these NR issues.

**Agriculture Initiative:** Jim shared that Swinomish did some work on polling, and with salmon recovery, one of the most important things is putting in riparian buffers. One critical piece is bank stabilization, shade and a buffer allowing nutrients can get to the water. Right now the Ag Community is pushing back and does not want to put in proper buffers that everyone else has to abide by. Swinomish did a poll and Jim showed the outcome of that poll. They are asking for donation, Ray would like to see Swinomish come down and do a presentation to Council at the March 27<sup>th</sup> Meeting.

### TRIBAL ADMINISTRATOR UPDATE

**General Assistance Policy:** Tabled.

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**First Stewards Donation:** Council asked to have them come and present at the March 27<sup>th</sup> Meeting.

### WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

Kevin Lyon introduced Michelle and John from DNR and they are here to provide an update on the Woodard Bay site project. Squaxin participation included the design of two canoes, last fall Kevin suggested that Council increase the approval to three canoes. Now they are here with an updated design plan to share. They have been working with both Charlene Krise and Rhonda Foster.

Rhonda shared that the land is beautiful and she has enjoyed working with John and Michelle. Charlene shared that as a fisher, she has always been interested in that area. She admires the beauty of the land.

Michelle thanked Council for their time and the opportunity to present this project. The project has received permits from Thurston County. She showed the plans which include an interpretive shelter that would tell the story of the Native Americans, Pioneers and Weyerhaeuser History of the area.

John explained that there will be a circle with seating, and a story will be told in the paving. They would like funding to create two authentic Squaxin canoes out of concrete. They have built several before and they are beautiful and withstand weather very well.

They also would like to include the Squaxin logo in the concrete as well as the salmon-backbone weave pattern. They will plant madronas and seedlings from the Medicine Creek Tree.

John went over the central site which details and design is still being worked on.

Kevin handed out their scope of work. Following previous approval for three canoes (approximately \$63,000), discussions began with the staff to contract for the design and construction portion of the DNR project. The contract for the design and construction is \$100,000 of which 80% of that is the cost of construction elements (primarily canoes and rocks). The balance is the design and contract reserve.

Construction is slated to begin this summer and be completed by fall. Kevin stated that if Council has any questions, Michele and John are available to answer further questions. Otherwise they can be excused at Rhonda's request so that Council can discuss this further. Council thanked John and Michelle for their time.

Council thinks this is a great idea and will need to find the money. Rhonda strongly encouraged Council to make a visit to the site. Charlene added that there are shell ruminants deep under the sand.

Kevin can arrange for Council and CRD to go out there. Charlene would like to open the field trip up to anyone who would like to attend. Council agreed. Council would like Kevin to coordinate for March 14<sup>th</sup>.

The Resolution will be considered later in the day.

### LEGAL

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Kevin handed out a report on how Squaxin defines “spouse.” Note that spouse is defined in various ways across campus. No action today, for review only. This will be discussed further at the next Council meeting.

Andy asked that Legal evaluate and present in the future a change in the one-year wait provision for the exercise of treaty rights by a spouse.

Kevin presented **Resolution #14-10** which authorizes the Legal Department to present the Tribal Logo for Federal Copyright protection at the UW Law School. They have a short window with the attorneys at the law clinic to do this work for free. Ray wanted to make sure Charlene and Rhonda were both involved; they are. Sharon met with the UW and the Tribe is being well represented. Jim moved to approve the resolution. Ray seconded the motion. The motion carried four (4) in favor and zero (0) against (*Vince was out of the room*).

Kevin presented **Resolution #14-11** which amends the liquor code to read consistently “Indian Country” instead of “Reservation.” Jim moved to approve the resolution. Vince seconded the motion. The motion carried five (5) in favor and zero (0) against.

Kevin presented **Resolution #14-12** which authorizes a Participation Agreement with Bally Technologies for the rental of gaming machines, including a limited waiver of sovereign immunity. Jim moved to approve the resolution. Vince seconded the motion. The motion carried five (5) in favor and zero (0) against.

Kevin presented **Resolution #14-13** which approves the Woodard Bay Scope of Work and approves a \$100,000 commitment from the Tribe towards this project. Ray moved to approve. Jim seconded the motion. The motion carried five (5) in favor and zero (0) against. Don will find the funds.

Ray brought up the tribal preference policy for contracts. Don explained that there are cases that the contractors are using federal funds which have more stipulations than tribal money. If federal funds are used, some cases cannot be tribal preference. Legal was asked to look in to the policy regarding Squaxin owned businesses receiving contracts from the Tribe.

Kevin handed out a spreadsheet showing the current financial participation in the hunting litigation.

Kevin handed out the draft annual Q&A of the general body meeting elections that he prepared for the Election Committee. When the Election Committee comes in, they will share some proposed Electoral Code revisions. If there are particular questions that need to be answered regarding the election process and included in the final Q&A, let him know.

Andy stated March 6<sup>th</sup> is WIGA Mtg. Kevin discussed that the Tribe is in a position to share its additional proposal. Council approved Kevin to prepare something for Andy to bring to the WIGA meeting.

### TRIBAL LIAISON UPDATE

Ray gave an update on a housing issue. He also has been working with a tribal member regarding a geoduck request; he referred the tribal member to the Aquatics Committee.

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Jaime Lewis has asked for a donation for her son's memorial. Council approved \$500.

Ray gave an update on the trust accounts.

### PLANNING

Margaret Foley presented **Resolution #14-14** which authorizes SPIPA to submit a proposal to the US Department of Health & Human Services, Center for Disease Control and Prevention, Integrating Colorectal Cancer Screening within Chronic Disease Programs for an amount not to exceed \$700,000 on behalf of SPIPA and the Squaxin Island Tribe for a period of twelve months. Ray moved to approve the resolution. Pete seconded the motion. The motion carried five (5) in favor and zero (0) against.

### LITTLE CREEK CASINO

Michael Starr introduced Franco Strangis, the new CFO for the Casino.

Michael, Franco and Mark West were present to provide their monthly report. Occupancy was discussed and a brief financial update was given.

Kevin shared at the last meeting he provided copies of the Moss Adams report for FY13. Today he wanted to highlight a few points. He drew Council's attention to Note 4 regarding notes receivable from the Tribe (\$1.88m) and Tobacco (\$83k), Note 8 regarding long term debt, primarily the table on p. 19 showing the amounts due under the Series A and B bonds through 2028, with the increases in debt service beginning in 2019 and the related schedule of estimated debt service requirements to maturity, p. 22, with its significant increase in 2018. He commented on the need to plan for those increases. He commented on Note 11 regarding related party transactions (from LCCR to the Tribe, KTP, Salish, Skookum Distributing and IE Construction) with total due to the Tribe of \$4.56m and with KTP, IEI and SIGC added in of \$4.71m, all as of September 30, 2013, and that amount showed a decrease from \$6.4m to \$4.7m from 2012 to 2013. See also the total transfers in 2013 from the Casino to the Tribe of \$17.97m and to Salish Cliffs LLC of \$1.34m.

Franco discussed the changes in the accounting system that they are working on in order to automate their system. Discussed the processes that will be changed. Council supported the changes discussed.

### ISLAND ENTERPRISES

Kelly Croman was present and shared that IEI also has been working on automation in their Finance Department as well. Once they were automated, everything was much faster and easier. It's a large investment and her accounting staff is embracing the system.

Kelly gave an update on the KTP canopy repair and insurance recoup. She updated on STP and how well that store is doing.

Kelly explained why they had to replace the tribal member discount cards.

The deli at KTP has had challenges with consistency and quality. They sold a lot of food, but it is not a large portion of their business. Investing money to upgrade the deli did not make sense. They sent out an RFP to tribal members to have someone run their own business. They received one response from a

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tribal member who after looking further in to it, was not interested. They have decided to work with Los Palmos, a local restaurant, to prepare food offsite, and they will deliver it fresh every day and Los Palmos employees will prepare onsite. Customers will buy and pay for the food to KTP, and KTP will pay Los Palmos for food sold.

Kelly thanked Council for stopping by the Job Fair. 96 people came by the IEI Table. She thought her staff did great. Everyone did a good job planning the event. She was really happy with it for a first time event.

The next Klah-Che-Min will have an article about a new scholarship fund the IEI Board approved. This will be paid from fuel income.

The IEI Board is planning a two day planning session sometime before General Body.

Vince asked about the Child Development Center and the need for maintenance. He feels the Center needs new carpet, paint and cabinet repair. Ray wondered if Kelly could take the lead on having an assessment done to refurbish the Center. Kelly stated that she does not oversee the CDC, but she will ask Bert and offer to assist with this.

### **SOUTH PUGET INTERTRIBAL PLANNING AGENCY (SPIPA)**

Bill Smith and Whitney Jones were present. Bill shared that he feels there has been a disconnect between SPIPA and the Tribal Councils. Bill would like to report to Council on a regular basis in order to keep communication open. They operate on Squaxin Land, but it seems people forget what SPIPA even does. They are here to share their appreciation for Squaxin and invite Council to stop by anytime.

Whitney shared that their ultimate goal is to have TANF programs run by its own tribes, and she has made it clear that their goal is to put TANF back where it belongs. It is not SPIPA's goal to be a regulator. They are there if any issues or problems come up, they are there to help.

### **ELECTIONS COMMITTEE**

Diane Deyette, Tammy Ford, Mitzie Whitener and Sally Brownfield were present. Tammy shared that the committee met on Monday and brought a resolution to Council to appoint members to the committee. **Resolution #14-15** appoints Diane Deyette, Vicki Engle, Tammy Ford, Cassidy Gott, Morningstar Green, Liz Kuntz, Julie Owens and Patti Puhn to the Elections Committee. Andy moved to approve the appointments. Jim seconded the motion. The motion carried five (5) in favor and zero (0) against.

Kevin shared a red-lined Electoral Code. The red-line is a result of the Committee's work on updating the Code to fit the process that is done now. The recommendation from the Committee is to allow Council time to review the Code and ask for final approval at the next meeting. Tammy shared some of the changes. There are no substance changes, only procedural and clarifications. Council felt comfortable with approving the changes today. Pete moved to approve the Electoral Code changes presented by the Elections Committee. Jim seconded the motion. The motion carried five (5) in favor and zero (0) against (**Resolution #14-16**).

Tammy shared that the Committee submitted a One Percent Application and was granted \$2500 for t-shirts. They will be handing out t-shirts this year saying "Your vote is your voice" in order to try and raise interest with the elections. The stats for voter turnout shows a breakdown of voters by age, and

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there is a small turnout with the younger crowd. The committee wants to target that crowd and work on getting their vote.

There being no further business the meeting adjourned at 3:06 p.m.