

SQUAXIN ISLAND TRIBAL COUNCIL
June 28, 2001 Meeting
Minutes

Attendance:

Council Members:	David Lopeman, Chairman Andy Whitener, Vice Chairman Pete Kruger, Sr., Secretary Steve Sigo, Treasurer Sue McFarlane, 1 st Council Member Herb Johns, 2 nd Council Member Charlene Krise, 3 rd Council Member
Executive Director:	Robert Whitener, Jr.
Deputy Executive Director:	Ray Peters
LCC:	Mary Ann Garfield, Bruce Johnson, Dennis Wisner, Mike Peters
Legal:	Kevin Lyon, Kelly Croman
DCD:	Mike Poier
Cultural Resource Man. Office:	Rhonda Foster,
NWITC:	June O'Brien
Education:	Kim Cooper
Social and Health Services:	Whitney Jones
Office of Planning:	David Frey, David Whitener, Sr., and Tracy Parker
Recording Secretary:	Patti Puhn
Also present:	Glen Parker, Cal Peters, Meloney Hause, Tyrone Seymour, Nikie Fox

Chairman Dave Lopeman called the meeting to order at 9:20 a.m. Herb Johns said the opening prayer in Lushootseed.

APPROVAL OF MINUTES

After review of the minutes for the Council meeting held **June 14, 2001**, and the Special Meetings held on **May 29, 200**, **June 1, 2001** and **June 19, 2001**, Steve made a motion to approve the minutes, Pete seconded the motion and the motion carried.

TRAVEL REPORTS AND PLANS

- ✓ The WIGA meeting is scheduled for **July 11th** in Yakima; Andy plans to attend.
- ✓ The Centennial Accord meeting work session will be held **July 30th**; the Council may send a representative
- ✓ A NIGA meeting will be held in early **August** in Milwaukee; Andy plans to attend.
- ✓ Joe Dela Cruz memorial will be held at Quinault on **July 14th**; the entire Council showed an interest in attending, the secretary will notify Council members of room availability.
- ✓ The Museum Library and Research Center Building Dedication will be held **July 20th** at 2:00 p.m. A reception will follow the ceremony.

TRAVEL REPORTS (*Continued*)

Cal provided the Council with a report on the meeting he attended on behalf of the Council for the planning of the NCAI Conference. He reported that they didn't accept the Council's letter to keep him on the committee; however he could attend and voice his opinion, without a voting privilege. Charlene was appointed at an earlier Council meeting to serve as the alternate if Cal was not allowed to continue serving on the committee. Cal reported that the next meeting would be held in Portland at the Sheraton on **August 6th** from 10:00 a.m. to 4:00 p.m.

CHAIRMAN'S UPDATE

Donation Request: The Tribal Council reviewed a letter received from Tom Cushman requesting our support with a 2 – 3 year project for a Native Medicinal Identification and Use Project with the Kiowa Tribe and members of the Caddo, Choctaw, Comanche and Wichita Tribes. After discussion, the Council agreed by consensus that a letter of support would be sent.

Donation Request for financial assistance for medical for non-tribal: The Council took no action on this request.

Men's Gathering: The Chairman reported that the Men's gathering is scheduled to take place **July 19 – 22nd** at Wynoochee Lake near Coho Campground; donations are still needed.

Artist's Forum: Charlene's reported that there were 60 Pacific Rim artists who attended the dinner hosted by Squaxin Island Tribe last night. She also reported that six items were collected for the Art Auction fundraiser, which is scheduled for October.

Fireworks Update: Ray reported that seven stands had been set up on the Mayte property and that so far things are going well. He also reported that he had received a request from one of the stand owners regarding the possibility of selling food from his stand. After discussion, the Council agreed by consensus that they would support this if a food handlers permit was attained.

EXECUTIVE DIRECTOR UPDATE

Executive Transition Plan: Robert presented potential options for the transition in the Executive Department with his departure. Council will discuss options later in the day. (Andy reported that there is a need to have someone in WA DC right now representing us on some important issues.)

Cession Boundary Line: Kevin provided the Council with an update on the Cession Boundary line case. The line was established very close to our original assumptions with an unexpected shift to the east near Mt. Rainier, which is in our favor.

Legal Office lease: Kevin briefed The Council regarding the work being done on the new office arrangements in the "Wood" house. He also requested the Council's support to keep an office in the Chambers Building in Olympia. This item was tabled for discussion later in the day.

EXECUTIVE DIRECTOR UPDATE *(Continued)*

Jerry Ehrlich letter: Kevin reported that the letter to Jerry Ehrlich has not been sent but he has received comments and is ready to send the letter. The Council asked Kevin to begin a legislative process to help resolve the ATF license process. Robert Whitener was directed to begin to develop a strategy for this activity.

Youth Activities Update: The Tribal Council discussed the need for evening and weekend activities for the youth. The need for additional staff and outdoor recreational equipment was identified as a high priority for the future.

Baseball Tournament funding request: Two tribal youth requested that the Tribal Council assist them with tournament fees for an upcoming baseball tournament. The Council agreed to fund \$300.00 toward expenses of attending the tournament with proof of adequate chaperoning.

Adjacent Property: There was a discussion of properties that are for sale adjacent to tribal lands. The Tribal Council decided that these are important and work should be started on all properties identified.

Political donation: Robert presented an invitation and request for a donation to the Council for consideration. This legislator had assisted the tribe in this year's legislative process. After discussion, it was agreed that \$200 would be paid from the political donation account.

Northwest Indian College Foundation request: This request was denied.

LITTLE CREEK CASINO/LCOB UPDATE

Financials: Dennis discussed the May and June financial statements, which have continued strong and on budget. There is and will be continued efforts to improve our hold percentages in table games.

Clarey property: There was discussion regarding whether or not to honor Wayne's request for an early payment penalty. The Tribal Council instructed Little Creek Casino to make the payment with the Legal Department drafting an "extinguishing all claims" provision.

NIGA dues: Andy reported that WIGA would be starting the pro-rated dues system as of June 2001.

Cash Distribution Plan: Mary Ann passed out a draft cash distribution system plan for the Tribal Council to review. The plan outlines the required retention of funds required by the bank and options for the Tribal Council to consider for cash distributions. The Tribal Council will review these options and provide a response.

LEGAL – LEGISLATIVE

Kelly Croman presented the Council with a framed replica of ESSB 5372a, the cigarette tax bill that was passed by the legislature this past year.

LITTLE CREEK CASINO

Gaming Commission Update: Bruce presented **Resolution #01 – 47** for approval by Council. The resolution appointed Andy Whitener to the Gaming Commission as Council representative. He reported that Cal also expressed a desire to continue being involved in the Gaming Commission. The Council concurred. Sue expressed a desire to attend the meeting if Andy is not available to attend. Bruce reported that there was no provision for alternates, and the meetings were open, therefore, she could attend. Andy would continue to serve until he is no longer on Council, or no longer desires to serve. Charlene made a motion to appoint Andy Whitener to the Gaming Commission; Sue seconded the motion and the motion carried unanimously; Cal will serve in an ex-officio capacity. **Resolution #01 – 47** was signed.

LCOB UPDATE

LCOB Ordinance Redrafting: Bruce asked the Council if they desired to add the composition of the Little Creek Oversight Board (LCOB) in the redraft of the ordinance, which is being done to increase membership of the commission to seven. The LCOB composition could be included in the Squaxin Island Tribal Code; it could be driven by the GASB 34 code; it could be left at the Tribal Council level, or it could be added to the redraft of the ordinance.) After discussion, it was decided that Bruce would work on it in the ordination process.

BUDGET COMMISSION

Council reviewed the Budget modifications, which were included in their notebooks. Due to the size of the handout and the lateness of the hour, the Council Members were encouraged to review them further on their own time.

TRIBAL MEMBER REQUEST

Tonya Henry requested permission for her husband Leo to dig her clams for her for the month of July; She is due to have her baby mid-July. After discussion, Council agreed by consensus to allow this. A memo will be sent to Department of Natural Resources and to Law Enforcement informing them of the Council's decision.

AQUATICS COMMITTEE

Glen provided the Council with a report of the Aquatics Committee Meeting held on June 27, 2001. He reported that only two committee members and Mike Evans showed up. Upon going over the agenda items at this meeting, it was determined that Law Enforcement is having difficulty enforcing some of the regulations. He shared a list of the exceptions to the annual regulations, which had been approved by the Council. Those in attendance at the Aquatics Committee meeting requested that they no longer be required to be involved in the approving of exceptions to the annual regulations. After discussion, the Council agreed that they (the Council) would listen to all requests for exceptions to the regulations and that all decisions made by the Council would be sent in writing to both Law Enforcement and to Department of Natural

AQUATICS COMMITTEE (Continued): Resources. Otherwise, Law Enforcement will enforce the suspended diver list that Liz Yeahquo publishes. The conducting of phone polls was also discussed; they may not be used to change policy or to waive the law; but may be used for gathering advice or opinions. A meeting must be called with a quorum present in order to act upon changing policy. No signed notes or phone polls are acceptable. Unique requests and safety issues will go before the committee, except if they include an exclusion which is contrary to the regulations, then it must go before the Council. Tax waivers may be granted by the Department during the season for 30 days or less and except not at the end of the year; and disabilities may be granted with proper documentation. The waiver of physicals and UA's are not allowable.

Waiver Request: Glen Parker reported that Steve Sigo has requested assistance with geoduck harvesting for the period of one year and also to maintain his geoduck quota. He requested this exception because of a medical condition, which prevents him from diving without the high risk of a life-threatening reoccurring injury. After discussion, Sue made a motion to approve Steve's request for a temporary waiver, Charlene seconded the motion and the motion carried. 4 voted for, 0 voted against, Andy and Steve abstained. The secretary will notify Law Enforcement in writing of the Council's decision.

DEPARTMENT OF COMMUNITY DEVELOPMENT

IHS scatter-site application: Mike Poier presented **Resolution #01 – 44** for Council's approval. The resolution approved the Memorandum of Agreement for project PO 01-J37A, and designated the Tribal Chairman as the signatory on the project. After discussion, Steve made a motion to approve the resolution; Charlene seconded the motion and the motion carried.

Slocum Ridge: Mike provided the Council with an update on the construction of the Slocum Ridge project; He reported that there were six bids submitted.

Playground: The playground is anticipated to be complete in July.

Arcadia Ramp: Andy thanked Mike for the excellent job his department did cleaning up the boat ramp at Arcadia.

SPIPA (NEW) GRANT

Kim Cooper presented **Resolution #01 – 45** for Council approval. The Resolution supports the submission of a NEW grant implementation plan, which is a renewal. After discussion, Andy made a motion to approve the resolution; Steve seconded the motion and the motion carried.

EDUCATION

Meeting Date Request: Kim inquired about a time when she could meet with the Council about proposed changes with staff in her department. She distributed a list of the proposed changes for the Council's review and requested a time to meet. After discussion, the Council directed her to schedule an hour on the July 12th Meeting.

EDUCATION *(Continued)*

Baseball Tournament: Andy inquired about Mark attending the tournament at Tahola. Kim reported that she is not able to send a staff member. Andy stated that he would like to provide the entrance fee, if adequate supervision is provided. Mark will work on getting chaperones arranged for the tournament. This is not a Tu Ha Buts learning center sanctioned event, but is Tribal Council sponsored.

CULTURAL RESOURCE MANAGEMENT OFFICE

Approval of THPO grant application: Rhonda presented information about the THPO grant proposal, which must be submitted by July 20, 2001. With the submission of this packet, laws that explain how we are going to manage and protect all sites within our traditional territory are required to be included, and needs to draft a protection and management plan for inclusion with the grant application. Rhonda also stated that a committee/commission is needed to guide the department, with an advisory role to the Council. If awarded, THPO would provide funds for providing protection of the Cultural Resources on Tribal and Federal Lands, in order to protect and identify cultural resource sites on these lands. Rhonda will distribute a draft copy of the Cultural Resources Protection and Management Code to the Council for their review prior to the July 12th Council meeting. Charlene reminded the group that Department of Natural Resources already has much of these policies in place. After discussion, Andy made a motion approve the temporary forming of the THPO committee in order to get the grant process going, and directed them to draft up by-laws defining the positions and to bring them back for Council approval in a timely manner; Sue seconded the motion. The proposal and a code will be presented in draft form at the Council Meeting for approval and editing. The motion carried unanimously.

NWITC

Executive Session, No action was taken, no minutes were recorded.

OFFICE OF PLANNING DAVID FREY

David Frey introduced Tracy Parker, the new planner, to the Council.

HEALTH AND HUMAN SERVICES

Tribal Member Concern: Whitney addressed a letter written to the Tribal Council by a Tribal Member regarding the use of space in the Clinic. She will be responding to the letter.

Pharmacy Update: Whitney provided the Council with an update on the pharmacy process. She stated that a name is needed for the pharmacy in order to apply for the needed license. After discussion, the Council approved Squaxin Island Pharmacy.

SPIPA Child Care Grant: Whitney presented **Resolution # 01 – 48** to the Council for approval. The resolution supports the renewal of the SPIPA Childcare Grant. After discussion, Sue made a motion to approve the resolution; Steve seconded the motion and the motion carried. **Resolution #01 – 48** was signed.

OFFICE OF PLANNING

Transportation update: David Frey and Dave Whitener provided the Council with an update on the Transportation Rule Making Committee. He reported that there is a TEA-21 Negotiated Rulemaking meeting anticipated as early as August; the reauthorization of TEA – 21 before 2003 is probably the best vehicle for achieving our transportation goal of sustained ongoing funding at a meaningful level. He reported that a number of tribes have been approached about the forming of a transportation coalition. SENSE is willing to take on the coordination role. Paul Alexander may be willing to provide legal and legislative council to the effort. The estimated cost per tribe is about \$5,000 per year. After discussion, the Council agreed to work with SENSE on this project; also Robert will work with David Frey and Dave Whitener on some strategies.

SPIPA Building: David Frey presented **Resolution #01 – 46** for approval by Council. The resolution supports the establishment of a tribal office park and directs the Executive Director to initiate a master plan for environmental review, facilities, and funding procurement for a tribal office park to be located on the Squaxin Island Reservation or other Tribal site. The resolution also designates the Tribal Chairman, the Executive Director and the Deputy Executive Director as signatories for the duration of the project. After discussion, Andy made a motion to approve the resolution; Pete seconded the motion and the motion carried unanimously.

Land Consolidation plan and survey: David presented the land consolidation strategy to the Council and reported the land consolidation-mapping proposal will be presented to the Tribal Council at the July 12th Council meeting.

HUD consultation policy: David Frey provided the Council with a record of the recommendations he made at a recent housing meeting, regarding the reauthorization of NAHASDA.

LEGAL OFFICE

The Council further discussed whether there is a need for an office in the Chambers Building in Olympia. After discussion, the Council decided by majority vote not to maintain the Olympia Office; the issue may be looked at again in the future. Robert will let the new landlord know of the Council's decision. Council directed Ray to begin the transition of the legal office's move to the Wood house.

EXECUTIVE DIRECTOR UPDATE *(Continued from earlier in the meeting)*

After further discussion of the options for filling the Executive Director position, the Council agreed by consensus to promote Ray from the Deputy Executive Director to the Executive Director position. The Deputy Director position won't be advertised immediately. Robert will continue to work in an advisory role in several issues, including the Tobacco issue; he will also be representing the tribe in WA DC regarding tribal issues. Ray will begin the position effective Monday.

OTHER

Tribal Member request: The Council reviewed the request from a Tribal Member for the Council to provide funding for room and board and gas so that she could attend a Landmark Conference. After discussion, Council decided not to provide the funding.

Fourth of July: After discussion regarding allowing employees to take the 5th of July as a holiday, Council decided that staff could use annual leave if they desired to take the day off.

THERE WAS NO FURTHER BUSINESS; THEREFORE THE MEETING WAS ADJOURNED AT 7:30 PM.