

**SQUAXIN ISLAND TRIBAL COUNCIL  
MEETING MINUTES  
November 12, 2015**

**Attendance:**

<b>Tribal Council</b>	<b>Dave Lopeman</b>	<b>Chairman</b> ( <i>arrived at 11:00 a.m.</i> )
	<b>Arnold Cooper</b>	<b>Vice Chairman</b>
	<b>Vicki Kruger</b>	<b>Treasurer</b>
	<b>Charlene Krise</b>	<b>Secretary</b>
	<b>Whitney Jones</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> ( <i>absent</i> )
<b>Operations Director</b>	<b>Kathy Block</b>	
<b>Legal Counsel</b>	<b>Kevin Lyon</b>	
<b>Tribal Liaison</b>	<b>Ray Peters</b>	
<b>Recording Secretary</b>	<b>Melissa Puhn</b>	

Whitney Jones offered the opening prayer. Arnold Cooper called the meeting to order at 9:10 a.m. Arnold reminded that the agenda is full and Council needs to be at the Elevation Grand Opening at 4:00 today.

**APPROVAL OF AGENDA**

Charlene Krise moved to approve the November 12<sup>th</sup> Council Agenda. Jim Peters seconded the motion. The motion carried four (4) in favor and zero (0) against.

**APPROVAL OF MINUTES**

Jim moved to approve the September 10, 2015 Minutes, September 11, 2015 Phone Poll and the September 24, 2015 Minutes. Charlene seconded the motion. The motion carried four (4) in favor and zero (0) against.

**TRAVEL REPORTS & PLANS**

**November 13: Tribe re-acquiring State Parks Land Celebration**, noon, Collier House.

**November 13: Fall NW Tribal Council / Navy Meeting**, Stillaguamish Tribe.

**November 19: Meeting with Nisqually**, Tribal Center, 9am in the Training Room.

**November 21: NW Indian College Natural Resources & Tribal Sovereignty Dinner**, Silver Reef Casino. Arnold, Jim, Charlene & Vicki will attend. Vicki stated that she has to cancel. Jim will be reaching out to tribal youth who are attending WWU and see if they would like to attend.

**November 30 – December 3: Council Strategic Planning Session:** Collier House. Vicki stated that she really wants all of Council attend, and knows that not all of Council will be available. Jim and Whitney will both be gone. Charlene moved to change the calendar to accommodate all of Council. Two missing is too much. Arnold does not want to change the date until Dave is here. Tabled for now.

**December 1-6: Treaty Rights at Risk**, Washington DC. Jim

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Joe Seymour was in to share that the City of Olympia has declared October 12<sup>th</sup> as Indigenous Peoples Day. Joe read the proclamation to Council and wanted to give the proclamation to them for their keeping. Council shared that they were very appreciative that Joe was able to be there and appreciated the representation that Joe gives for the Tribe. Charlene added that Joe is a highly recognized Salish artists. Council greatly appreciates what Joe does and what he attends. Charlene would like to recognize that day also, and give staff that day off, but that is a discussion for later. Ray suggested a letter acknowledge the creation of the date. Charlene made the motion to have Ray start that letter.

### CHAIRMAN'S UPDATE

**DNR firefighting resource request:** Jim Peters presented a letter requesting additional funding for the forest service as well as grants to train tribal members for their certification to fight forest fires. Jim suggested having this cover letter for the Chairman's signature. Arnold wanted to ensure that the eastern tribes are supportive of this. Yes, Jim stated that this came out of the DNR summit. Jim asked Ray to prepare the letter for Dave's signature. Council approved.

**TESC 20<sup>th</sup> Anniversary Celebration Donation:** Charlene Krise would like to make sure that Squaxin supports the Longhouse, including the studios they have been working on. They are requesting \$1500. Either 1% or donation. Council would like it to come from 1% (*Don, Vince, Arnold and Vicki were present, who also serve on the 1% Commission*).

Charlene also brought up the Collier House and how tribal members would like to rent it out. Ray added that there is a need to get that building up to code and revisit doing an assessment on that house, getting it up to date. Whitney stated that she spoke with Mark and LCCR is working on a policy to rent the house out for tribal members, state agencies and tribal functions. Ray suggested getting an assessment and making an allocation out of unbudgeted reserve or sharing the costs from IEI and LCCR. Vicki really wants to discuss what to do with the \$1.2M that the tribe recently got.

Kathy suggested to discuss this at the Strategic Planning Session.

**NCAI Donation:** Whitney stated that while she was at the Tribal Nations Conference, which is hosted by NCAI, they put out a request for donations for their Tribal Nations Conference. Jim stated that he is a huge supported of NCAI but some of their planning is not good. They get themselves in this predicament because they don't plan things very well. This event in particular is planned very last minute. He would like to see more coordination with this event. Jim would like to send a strong message that they need to plan better. Ray suggested that 1% can make a donation to NCAI, through ATNI or WIGA. Vicki suggested \$2500. Ray added that the annual Conference will be in Spokane next year, so they will be asking for funding for that as well.

### GUEST: SIERRA PACIFIC

Andy Whitener, Jeff Dickison and Scott Steltzner were present. Scott introduced Curt Adcock, Scott North and Lisa Perry from Sierra Pacific. Sierra Pacific is the company that recently purchased the Simpson Mill downtown, as well as Mill 5 in Matlock. Lisa explained their plans on renovating the Mill downtown. The only buildings that are going to stay is the truck stop which will be cleaned up and painted, and the boiler and fuel house, which will be refurbished. Everything else is coming down so they will start from scratch and will be new and refurbished. The log yard will be removed and shipping and trucking will be there. They anticipate 200 stable jobs as they will not do layoffs. These will be long term manufacturing jobs. Simpson retained the round house and tidelands. They will do significant improvements on the existing infrastructure. They stated that they will make a really nice mill and it will be one of the nicest in the country. Arnold asked for the thoughts of our Natural Resource employees. Jeff stated that NR is already working with them closely since there is a significant project on the

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waterfront there. Scott has been working directly on it. Scott agreed with Jeff, the cooperation has been seamless and the response from SP has been good. It took years to get to the relationship point with Simpson, and now they'll just continue working as they were. This will be way better than it was. Vicki echoed what Arnold just said and appreciated that SP has environmental concerns to address and thanked them for coming. Squaxin has a long history with Simpson, a lot of our people worked and retired out of Simpson. Jim thanked them for coming. He added that as the Forest & Fish Policy worker at NWIFC he works closely with DFW and as SP has moved in to WA, they bought up some wetlands. Jim was pleased with the track record and history, he would like to see land in timber production.

There will be 200 jobs at the mill, starting in 2017. Vicki appreciated hearing that they have worked with other tribes, and knows that SP does not own land in Mason County, but would like to look at the other counties they own land in to allow hunting. Lisa stated that the land they do own, they allow full non-motorized access for all, including tribal members. Charlene stated that Squaxin is a good neighbor and has a long history of environmental concerns and wanted to say she is glad to see them here today to hear of their future plans.

### **GUEST: ARMY CORPS OF ENGINEERS**

Jeff introduced the Army Corps and what they're doing. After their presentation here, they along with Jim will step out for a more detailed discussion.

Colonel John Buck introduced himself, he commands the Seattle area. Lori Morris is his tribal liaison. This is the first time in a long time that they've met with a tribe. It's good to take this time to reestablish a bond between his agency and tribes.

John stated that they are a regulatory agency of the rivers and waterways. They work closely with tribes on any waterway permitting. He mentioned that they also have an emergency management function for floods or any natural disaster that they assist with the local communities. The final mention is their operating projects and the treaty rights at risk discussions. They take tribal treaty rights and trust land issues quite seriously. Jim appreciated them coming in and likes the open discussion of what the corps trust responsibility is. Jim added that Squaxin has a good emergency management program and wondered if John Taylor should have a connection with the Corps to make sure nothing gets crossed and everything runs smoothly during an emergency. Council thanked them for coming and for taking trust land issues responsibly. Arnold appreciated our NR staff for working together with them.

They discussed a grant that requires a match, which they will be working with NR staff on. Lori stated that a lot of times the tribe does their cost share with work in kind.

### **ENROLLMENT**

Tammy Ford presented three new enrollment resolutions:

**Resolution #15-69** enrolls Barrett Warren Coble

**Resolution #15-70** enrolls Serenity H. Masoner

**Resolution #15-71** enrolls Bichsel Stephan Set

Tammy shared that these three were approved for recommendation by the Enrollment Committee. Arnold moved to approve the three new enrollments. Jim seconded the motion. The motion carried five (5) in favor and zero (0) against.

Jim stepped out to attend the meeting with the Army Corps of Engineers.

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Vicki asked for an update on the moratorium. Tammy stated that in order to be enrolled now, you must be a new baby as of one year. There was a recent application that failed that deadline by three months. The applicant is not enrolled due to the moratorium. Vicki shared that Tammy notified the tribal parent numerous times, to get their application in and wanted to make sure Council was aware since it will come up. The fact that the applicant mother filed three months late, she is aware that the child is not eligible. Kevin stated that the moratorium does not affect the eligibility for enrollment; only eligibility to be enrolled. The child is still eligible if the moratorium is to change. Arnold asked if this could be brought back to Council to discuss the moratorium at the next Council Meeting. Glen asked the purpose of the moratorium is. Kevin stated that in 2009 Council adopted the moratorium since there was a significant number of enrollments due to “reservation shopping” and the growth rate exceeded to beyond normal. This was adopted as a measure to slow down the rate. The enrollment committee set a date for February to present to Council. In October, Tammy presented to the Enrollment Committee an educational presentation pertaining to future projections. Arnold would like 2-3 hours to discuss this at a future Council Meeting.

### ELDERS

Glen and Rose & Don Brownfield and Steve Bloomfield were here to thank Council for the help Council gave them to purchase salmon for Oysterfest and all the other things Council has assisted with. Vicki thanked them for coming in to thank Council since Council never gets thanks.

### LEGAL

Kevin handed out the November 2, 2015 United States Department of Justice letter informing that the Tribe has substantially implemented the provision of the Sex Offender Registration and Notification Act (SORNA) commonly known as Adam Walsh.

Kevin presented the service agreement with the Chehalis Tribe for the Squaxin Special Diabetes Prevention Program. Arnold moved to approve **Resolution #15-72** which authorizes this agreement. Vicki seconded. The motion carried four (4) in favor and zero (0) against.

Kevin stated that in 2001 Council adopted the Labor Ordinance to make clear that there is a tribal Right to Work Policy. September 2015 the tribe adopted the Labor and Employment Code, which is more thorough and will repeal the Right to Work Ordinance. Vicki moved to approve **Resolution #15-74** which repeals the Squaxin Labor Organization Ordinance (Resolution #01-06). Whitney seconded the motion, the motion carried unanimously.

Kevin presented an amended Labor and Employment Code that the Tribe recently adopted the amendment includes training requirements for managers and supervisors. The Legal Department seeks approval for specific direction for the Human Resources Departments to implement training. The Human Resources Directors will be holding these trainings starting in January, but they tend to run in to resistance. This resolution directs the Tribal Administrator, CEO of the Casino and IEI together with their Human Resources Directors, to provide and implement any and all training requirements as required by the Squaxin Labor and Employment Code. Arnold moved to approve. Charlene seconded. Motion carried unanimously.

Kevin presented the amended Gaming Ordinance, as approved by the Gaming Commission. The Council previously approved amendments (Resolution 14-40) disapproved by NIGC. The amendments address the new requirements provided by NIGC. Arnold moved to approve **Resolution 15-75**. Vicki seconded the motion. The motion carried unanimously.

Kevin and Dave Babcock presented Green Diamond access agreement.

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Nate presented the LCCR Oracle contract for review and approval which has a standard waiver of sovereign immunity. Oracle is a point of sale contractor for LCCR. Arnold moved to approve **Resolution #15-76**. Whitney seconded. The motion carried unanimously.

Kevin presented the fee-to-trust property issue with the Ogg Property. As of now, there is not an easement but there are power lines through the property. This easement was created to resolve the uncertainty and to enable the Tribe finish the fee to trust process. Vicki moved to approve the easement **Resolution #15-77**. Charlene seconded the motion. The motion carried unanimously.

Kevin stated that Mason County has a surplus 29 acres of tideland on the Island. He will be working on acquiring the surplus. Mason County obtained in tax foreclosure action in 1913, and since 1915 it's been on Mason Counties books.

Davey Whitener Jr. as a Gaming Commissioner came by. He wanted to let Council know that he is always available for questions regarding the letters he has sent to Council. He also wants to let Council know that the TGA Commission thinks that he is no longer a Commissioner. He believes that until he is replaced, he is still on the Commission. He is asking that Council let him or the Commission know whether he serves until replaced (if that is the case) or is he off the Commission for now. There hasn't been any notice. He will be serving as a commissioner until he is told otherwise. Vicki stated that his term expired and Council will be doing appointments soon. She appreciates the time that he has dedicated to the TGA. The Chairman stated that he remains in that the position until he is replaced.

### LITTLE CREEK CASINO

Mark West and Sean Sadeghi were in to go over the Financials. They are currently in an audit and has a new audit firm.

Mark brought up the South Sound Senior Games. They utilized the Event Center for a weekend each year at no cost. If Council is fine with that LCCR will continue donating the use of the Event Center. It depends on the weekend and if it's booked or not. Whitney suggested that if it's sitting empty fine, but if not then no they should pay for its use. Mark will check the dates and see what the true value is to donating the use of the space.

The Chairman asked about the Collier House. Mark stated that he heard a consensus that Council wants to make the property available to tribal members. Mark Allen reached out to help design a rental agreement which would include a liability waiver, deposit and minimum fees. LCCR incurs costs for the labor and fuel and time for delivering anything including tables, chairs, food, etc. There are a lot of electrical hazards and building code hazards. The house needs safety updates and sewer system updates that could really open up to liabilities depending on who they rent it out to. Vicki would like to see the costs of renovating the building including updating the electrical, roof and sewer. Mark will continue along those lines to make it available to tribal members only. Vicki suggested adding cost savings such as having the renter provide their own tables and chairs. Jim wanted to make sure that if there is an underage party there must be an adult supervisor present. Mark will put together a budget, including increments, showing what each improvement will cost. Kathy suggested a facility assessment survey.

Mark asked for a short term direction. In the past it has been free to tribal members, but it's a cost to LCCR. Mark stated that truly there is a minimum of \$500 cost to LCCR. Council doesn't want LCCR to incur those costs. There is a cost to clean the house and the Casino should not be absorbing that cost. LCCR can include a price list of the rental of any equipment that is not there. Mark will come back to Council with a solid list of minimum fees for use. He will include a separate list for equipment.

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### ISLAND ENTERPRISES

Travis Nabahe, Cameron Goodwin, Richard Sweeney and Dave Johns were present. Travis stated that they are preparing for a public grand opening today in a couple of hours. He asked if they can leave the financial report and look to discuss further at the work session coming up. He would like to be excused at this time to get ready for the grand opening.

Handed out the current fiscal year and monthly report.

Cameron handed out his report. He shared he is working on a potential joint venture that could create sales in 30-50 states. Cameron and Nate have both been meeting with this company researching the possibilities. Council would like to discuss this further at the work session.

Nate stated that he will be attending a meeting at the Capital next Friday regarding the marijuana tax compact.

### LIAISON UPDATE

Ray shared that the Maria Cantwell annual fundraiser will be next week. Ray will attend unless two Council members would like to attend. Charlene and Vicki will attend.

Ray reported on a tourism session that he recently attended that Leslie Johnson ran. He stated that she did a really good job. Jim asked that Council be notified of Tourism Meetings so Council can attend and support her. Ray added that Leslie is quite respected in the community, and Charlene added that she garners a lot of respect for Squaxin Island Tribe.

Ray stated that the dinner tonight with the Tumwater City Council he brought up the Deschutes Estuary.

Ray gave an update on McDonald Land Property. Ray is still strategizing with BOA on how to make this happen.

### OPERATIONS DIRECTOR UPDATE

**Community Garden Proposal:** Kathy shared that she has worked on a proposal for a Community Garden and concept on how to make that happen. She has been working with Aleta Poste, is very passionate about this.

This project would propose a one acre start with a one acre plan with the potential to grow to five acres. This would cover traditional foods, veggies, berries, nuts and one of the things that takes a lot of space and money is trees. She thinks they could get a productive fruit harvest just off the existing trees on tribally owned properties. During the first year, she believes that pruning the existing trees to get those trees into production with low cost.

The proposed area is near the cemetery. The reason this site is attractive is there is a well and a shed already there for the cemetery. The well records indicate that it produces enough water to irrigate two acres. Anything beyond that they will have to look at storage tanks. The other good thing is they can utilize the tools and equipment that is stored in the maintenance shed right there, as well as the restroom and parking. The land is already showing signs of traditional plants growing there. There needs to be a soil analysis, and that can be done through the Extension Office in Mason County.

Kathy handed out a budget proposal. The budget she handed out used to be the Records Management Budget. She would like to reprogram the funding from the Records Management Program. When

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Council allocated funds for the RMP, along with that Deb Meisner was hired and an intern, Aleta. The Records Management Program concluded that there doesn't need to be an actual Records Management Program. So writing into the RMP Policy, the responsibility to follow the RMP is turned back onto the individual departments. Each department takes care of its own records management. Reprogramming that here, then Aleta can be reassigned to the garden project, which she is more qualified in anyway.

She is requesting to reprogram the Record Management Program to the Community Garden Program. Kathy also is requesting a 1% allocation of \$10k/year. Working with the planners, there are quite a bit of grants out there for community gardens. Ray asked about there could be some grants for the construction costs as well. Kathy stated that she hasn't done a lot of research until Council approves this.

She would like to get staff and community members together to create a steering committee to look for grants and plan this. Her hopes is to fill the seasonal workers using the SPIPA Voc Rehab funds, WWIETP, TANF workers, Stepping Stones and Summer Youth.

Jim would like to make a motion, but wanted to know where she plans to find the funds for her budget shortfall. Jim moved to approve this plan, and would like Kathy to make a request from the budget commission for the \$19,000 shortfall.

Kathy asked Elevation could fund a portion of the garden. Or LCCR distribution. Whitney seconded. Motion carried unanimously.

### **ICW: EXECUTIVE SESSION**

Deanna Warren and Dave Babcock presented Case # SQI-CW-2014-1412-03296 and SQI-CW-\*2014-1412-0330 and Council recommended supporting the guardianship of both cases.

### **SHAKER CHURCH**

**Land Lease Agreement:** Rose & Mike Davis and Rich Wells shared that they are planning on putting a caretaker house at the property of the Shaker Church using a section 184 loan. They are asking for a 50 year property lease to Rose & Mike. Vicki moved to approve the ground lease and authorized the Chairman to sign. Charlene seconded. Motion carried unanimously.

Vicki would like an update on the LCCR CEO position. Arnold would like it to stay status quo for now. Jim reiterated that Davey is still on TGA until other action is taken. Until the position is appointed, he is still on the Board.

Legal work session will be next Thursday after the Nisqually Meeting.

The meeting adjourned at 3:57 p.m.

### **ACTION ITEMS**

1. Creation of an Indigenous Peoples Day at Squaxin. Ray. (pg. 2)
2. DNR firefighting resource funding letter. Ray. (pg. 2)
3. TESC Longhouse 1% Donation. Melissa. (pg. 2)
4. Kennedy Creek Signage. Legal. (pg. 5)
5. Collier House upgrade budget & Use Agreement. Mark West & Mark Allen. (pg. 6)