

**SQUAXIN ISLAND TRIBAL COUNCIL  
VIRTUAL MEETING MINUTES  
September 10, 2020**

**Attendance:**

<b>Tribal Council</b>	<b>Kristopher Peters</b>	<b>Chairman</b>
	<b>Charlene Krise</b>	<b>Vice Chair</b>
	<b>Vicki Kruger</b>	<b>Treasurer</b>
	<b>Jeremie Walls</b>	<b>Secretary</b>
	<b>Andy Whitener</b>	<b>1st Council Member</b>
	<b>David Whitener, Jr.</b>	<b>2nd Council Member</b>
	<b>Vince Henry, Sr.</b>	<b>3rd Council Member</b>
<b>Tribal Administrator</b>	<b>Marvin Campbell</b>	
<b>Tribal Liaison</b>	<b>Ray Peters</b>	
<b>Recording Secretary</b>	<b>Melissa Puhn</b>	

Kris Peters called the meeting to order at 11:05 a.m.

**APPROVAL OF AGENDA**

Vicki Kruger asked to discuss the IEI audit and moving Economic Development Funds from IEI to the Tribal Government budget. Vince added that he would like to see quad roads built as well as a place for people to ride their off road vehicles. Vicki moved to approve the agenda. Vince seconded the motion. Motion carried six (6) in favor and zero (0) against.

**APPROVAL OF MINUTES**

Ray Peters made some modifications to the August 6<sup>th</sup> Council Minutes. Vicki moved to approve the minutes. Vince seconded the motion. Motion carried six (6) in favor and zero (0) against.

Kris shared that he is keeping track of Work Session discussion topics. He asked that Council send their ideas to him, Marvin or Melissa.

Charlene asked for a report on long term debt. Jeremie would like to discuss long term energy planning for the community.

**TRAVEL REPORTS & PLANS**

September 11:	WIGA Golf Tournament, Sequim
September 14:	MLRC Golf Tournament, Salish Cliffs
September 16:	IEI Work Session, Collier House
September 17:	LCCR Work Session - Virtual
September 18:	Gov't Work Session - Virtual
September 28:	Chairman's Challenge Golf Tournament, Salish
October 5-9:	NAFOA Virtual Fall Conference, Vicki, Ray, Marvin, Erika

## COUNCIL DISCUSSION

**Island Enterprise Board:** Kris shared that having Council serve as the IEI Board, is a dysfunction for the tribe; IEI board should not be Council. He would like to have a separate board since politics needs to not be part of the decision making. He would like a plan to create that board and get this moving by this fall.

Davey would like to add the enrollment moratorium to the work session list.

Jeremie brought up the need for a seafood broker and a better marketing department for shellfish. Marketing will be discussed at the next Board Meeting.

Kris confirmed that Council agreed to direct Marvin to move forward regarding creating an IEI board separate from Council.

**Community Meeting:** Kris would like to meet with Marvin, DIS and Janita to discuss the best options on how to keep the community informed on what Tribal Government, LCCR and IEI are working on. Something like an online forum, message board, etc. He would like to establish something by this fall to keep the community in the loop. David suggested Virtual "Town Hall" Meetings. This will be discussed and options presented.

**Cunningham House:** Vicki would like to discuss the use of the Cunningham House, but this can be done at a work session. Kris would like to discuss all the tribal properties and their uses.

**Sick / Annual Leave:** Vicki brought up the fact that Council Members who are not employees of the Tribe, do not accrue leave. She feels compelled to work daily, even if she is sick, because she does not have leave. She shared an estimated budget with Kris, on what it would look like to allow Council Members to accrue leave. Jeremie asked if other part time employees accrue leave and was told that they do. So his question is; why is the Council treated differently? Marvin explained that Council is part time, but are salaried and not hourly. If the pay structure changes, allowing Council to accrue leave, it may actually hurt more than help. Since the Council is salary, if they need to take time off, take time off. Marvin added that there are a couple different scenarios that can be considered and will be further discussed at the upcoming work session. He will ask Legal to explain what exactly "exempt employee" means. Jeremie added that he is not looking to give Council a raise, by adding this benefit; but merely looking for dialogue.

**Constitution Amendments:** Vicki shared that there are many parts of the Constitution that need to be updated. She would like to see a committee formed to accomplish this. Marvin suggested hiring a consultant to help the process. He also shared that the committee needs to be made up of all family bands. Vicki would like to ask Marvin to come up with a draft on how

to move forward. It also will need staff help. Council would like to see the committee or commission created and would like to contract with James Mills to help guide the process. Vicki would like to see this done sooner rather than later with hopes to update the election section, before next years election.

**Economic Development Funding:** Vicki stated that these funds are meant to be used tribal wide, and never intended to belong solely to IEI. Currently, the funds are with IEI since they are the economic arm of the Tribe. The concern that came up is how are those funds managed and what is the approval process? Any changes will require a code change to the Budget Ordinance; if the funds were moved to Tribal Government then IEI or LCCR could apply for those funds (which may require a review board). Kris liked the idea of putting the funds into an investment account. Ray suggested talking with IEI on their plans and what has actually been encumbered; if IEI does not have a plan then he suggested taking the balance to invest until they have a plan. That would allow the funds to build in the meantime. He added that IEI should be presenting an annual plan to Council each year for approval. Anything outside of the approved plan, will need special consideration. Kris would like to see IEI provide a regular financial report to Council, similarly to what LCCR does.

Kris asked Nate and Ray to work together to make a plan moving these funds to Tribal Government and present at the next meeting the best way to make that happen. This will be discussed at the next IEI Board Meeting.

Vicki brought up that on March 13th, Council met with Deb Stoehr, Richard Sweeney and Ramon Nunez regarding one auditor for all three entities for FY20. It was discussed later that the Casino is already in a contract with an auditor this year, and Council does not have the authority to direct them. However, at that time Marvin was directed to move forward with one audit for tribal government and Island Enterprises, for FY20.

This year Moss Adams will do the audit, and an RFP will need to go out for next year. Marvin stated that he spoke with Richard and he stated that he understands he's supposed to use the same auditor as tribal government. For FY21 an RFP and cost share will be done for one auditor for all three entities.

Kris asked Marvin to work out a plan to carry this out. Marvin will talk with Richard to get this taken care of this fiscal year.

**Review of investment RFP:** Ray shared that he has created a Request for Proposal (RFP) and would like to get that out by next week. Council directed Ray to move forward for the 401K and investments RFP. The benefits committee went over a draft RFP drafted by Legal, it was reviewed by the committee and concurred with some minor changes.

**Non-compete form for Heritage Distillery:** Jeremie and David met with Heritage Distillery on the tribal beverage network proposal. Kris shared that he liked the idea of checking out what they have to offer, but asked what the investment and return is, and at what point does that start coming back? Kris suggested discussing this further with IEI at the next work session.

**Mohegan Renewable project slated for Mason County:** David shared that there is discussion for a pellet plant opening in Mason County. Ray added that he has been engaged with Mohegan Renewable Energy for some time. Mohegan has contracts for a pellet plant where they use slash from logging companies. They have offered tours of their plants to see the emissions and footprint of their plants. Extensive discussion regarding emissions and financial obligations and requirements. Kris asked Ray and David to keep researching this possible opportunity. Ray will set up a meeting with their representative.

Vicki wanted to note that she has received a complaint from a tribal member regarding funds being taken from clam digs. She stated that the only way this could happen is if the fish tickets were forged. She asked if NR could compare fish tickets to make sure it matches the number of clam diggers.

Kris brought up the quad roads and the possibility of providing space for ORV's. He asked Marvin to work with DCD on looking into that idea and to clean up the trail to the campground. If there is a space available that is not being used, look into allowing ORV's in the area.

Vince asked about DCD purchasing a water truck, he's been asking for a long time.

## **LITTLE CREEK CASINO UPDATE**

Ramon Nunez provided an update from Little Creek Casino. He shared that they have extended their operating hours on Friday and Saturday nights. Island Grill started serving breakfast again. With the removal of the buffet area and re-organization of nonsmoking, by the end of this week, they will have 591 games on the gaming floor.

They are on a schedule to replace games every seven years. Games that are newer than seven years old are being brought out of storage (games that were removed due to COVID) and are being brought back in. Andy asked what their plan is to increase play and bring people in.

Ramon stated that since they cannot do concerts, banquets or the buffet, they are limited on options to bring players to the floor. Ramon shared the marketing tactics they are doing.

They still are looking to hire a Marketing Director and provided an update on that process. After that he will look to hire a Chief Financial Officer, then will start looking to hire an Chief Operations Officer. He invited Council to participate in the hiring process.

Ramon shared the current financial report. Ramon shared his plan for increasing the tipped staff to minimum wage.

Ramon shared the contract with I-5 Design to renovate the gaming floor, which has not been done in 10 years. Charlene asked about incorporating tribal member artwork. Andy asked about updating the “Live a little” slogan. The marketing team is going through rebranding and they have been conducting customer and employee surveys.

## **TRIBAL ADMINISTRATOR UPDATE**

**FY21 Budget:** Deb Stoehr presented the draft FY21 budget. Marvin shared the staffing moves that will be happening as well as the Child Development Center will become its own department.

Deb will be presenting the final budget at the meeting on the 24th. She added that she would like to transfer \$198,550 from hotel occupancy carryover tax to the 001 account to offset the revenue loss for FY20. This will save the general fund balance. Council had an extensive discussion. Vicki moved to approve the draft budgets and to move the \$198,550 as discussed. Vince seconded the motion. The motion carried five (5) in favor and zero (0) against. (*Jeremie was absent*).

Kris added that if anyone has any questions pertaining to the budget, to reach out to Deb before the 24th.

**Health Clinic Charter Resolution:** Dave Babcock presented a contract that included an arbitration clause that is similar to a limited waiver, and he felt like it wasn't a good idea. In the contract now they got rid of that clause, and reworded it that there is a limited waiver of sovereign immunity only up to the tribes limited insurance. Vicki moved to approve the resolution. Vince seconded the motion. Vicki moved. Vince seconded. The motion carried five (5) in favor and zero (0) against. (*Jeremie was absent*).

**Tribal Membership Resolutions:** Vicki moved to approve the following tribal membership resolutions, Andy seconded the motion. The motion carried five (5) in favor and zero (0) against. (*Jeremie was absent*).

**National Congress of American Indians (NCAI) 2020-2021 Membership**, costing \$6,500/year. Kris will serve as the delegate; Jeremie and David will serve as alternates.

**Affiliated Tribes of Northwest Indians (ATNI) 2020-2021 Membership**, costing \$7,500/year. Andy will serve as the delegate; Jeremie and David will serve as alternates.

**American Indian Health Commission (AIHC) 2020-2021 Membership**, costing \$5,000/year. Connie Whitener and June O'Brien will serve as delegates, Charlene and Vicki will serve as alternates..

Vicki shared that the Child Development Center has shared their Early Head Start Report to Council via email on September 8th.

Charlene wanted to make sure that staff are allowed to attend the virtual conferences. Kris agreed that the directors should be watching conference agendas and allow staff to attend.

## **TRIBAL GAMING UPDATE**

Dallas Burnett and Patti Puhn presented the TGA Quarterly Report.

**Staffing:** Their staffing levels have been decreasing to make sure their budgets are not out of control. Currently their workforce is 40% tribal and 22% Squaxin.

**Budgeting:** Tribal Gaming is funded by contributions from Little Creek Casino Resort and licensing fees. Tribal Gaming has experienced an impact on funding sources and adjusted their budget for the remaining of the fiscal year trimming over \$280,000.00. In addition, the 2021 Fiscal year budget was reworked to trim \$80,000.00 from LCCR yearly contributions and decreased expenditures from last year's budget of nearly \$500,000.00, approximately 10%.

**COVID Response and Reopening:** Tribal Gaming implemented regulations for the enforcement of safety protocols and established a phase-in opening plan considering financial impacts and staffing requirements as well as communicating safety guidelines to State and Federal agencies. They established audits of safety protocols for the compliance of implemented regulations and have completed over 75 inspection audits in 54 days as of July 9, 2020. Tribal Gaming has worked with State and Federal agencies to ensure licensing renewals and license expirations were taken care of to allow employees to come back to work. Tribal Gaming maintained 911 and security services throughout the casino shut down.

**Strategic Plan:** Strategic plan was updated for the loss of time dealing with impacts from the pandemic. Projects requiring financial contributions were suspended.

**Enforcement:** Implementation of ID verification on the entrance of the resort has prevented over 50 identified barred individuals from entering the facility within 54 days of opening. Crime patterns are lower in all categories.

Internal Audits are rounding completion for the 2020 Year. Tribal Gaming is now working with external auditors to provide the annual gaming audit for the NIGC.

Dallas shared that they have two Commission positions that have expired, and his recommendation is to re-appoint both individuals. Council agreed by consensus to re-appoint both Liz Kuntz and Joanne Decicio.

Ray asked Dallas to report on the audit process and what is included. Dallas stated the audits they conduct are required by the NIGC. The internal auditors go through a checklist that is certified by the NIGC. This reflects any variances. It is then forwarded to the NIGC for final determinations. This year they had one minor finding, which will be corrected before submission. They will have a final report early December.

Kris commended Dallas and his staff for being so proactive with the Covid issues and ensuring the Casino is a safe place. He recognizes the work that they have done on the internal controls.

### **SPIPA TANF UPDATE**

Whitney Jones was present to update on the 477 Program. She stated that they are requiring an updated resolution, which she presented. Vicki moved to approve the updated resolution and would like to change the program to include serving descendants. In a previous Council meeting, Council approved adding to the negotiations the ability to serve descendants. Today, Whitney shared that in order to serve descendants the Tribe needs to have a resolution that defines descendants.

Kris would like to discuss defining descendants at a work session; that change will require further discussion. Vicki amended her motion to approve the updated 477 Program Resolution only. Andy seconded the motion. The motion carried unanimously. Vicki mentioned that she has shared 477 information in the past with Council and asked if a 477 representative meet with Council again.

Whitney shared that she has been working on revising the 477 plan and reminded that the portion of the 477 that will serve Squaxin is the childcare, Employment Works and TANF.

Whitney added that SPIPA is getting good information from the Child Development Center and really appreciates the work of Savanna. They are getting prepared to submit funds directly to the CDC for the CCDF eligible kids to help support costs.

Whitney reported that TANF is doing well. There is space to serve more people, if that is the Council's wish. They have an abundance of childcare funding and have been looking at new playgrounds and potential remodeling. With the 477 Program, carry over funds do not go away at the end of the year, so they are working on spending down 2019-2020 funds. Kris

would like to look into upgrades on the buildings; there are some maintenance issues that building needs. Whitney warned that there are parameters on repairs versus renovations. They can do lots of repairs and replacements. Now is a great time to do that since the kids are not there.

Marvin stated that he is looking into changing the testing policy for positive COVID cases to match the most current recommendations from the Center for Disease Control. Their requirement is one negative test is all that is needed for a clean bill of health.

### **TRIBAL LIAISON UPDATE**

Ray shared that he is prepared to send off the RFP for the tribal investment management. The Benefits Committee recently met and approved the RFP. Any specific questions let him know. Council approved Ray to get the RFP sent out and will meet the 45 day deadline set by Council.

Next week he will be sending out the General Election voting guide to tribal members.

Ray moved forward with the appraisal of the Dorsey Property, and the cost has increased on appraisals. The site visit for the Clam Fresh Property has gone well, and will go into the public comment phase of the Fee to Trust process.

Ray provided an update on the Reller Property, he is continuing conversations with him.

Charlene offered the closing prayer. Andy moved to adjourn the meeting at 4:53 p.m. Vince seconded the motion. The motion carried unanimously.