



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 11- 71

of the

### SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

**WHEREAS**, by Resolution No. 94-78 the Squaxin Island Tribal Council adopted a Gaming Ordinance.

**WHEREAS**, the Squaxin Island Tribal Council finds that it would be in the best interests of the Tribe to amend Section 6.08.090 of the Gaming Ordinance so that (1) the Gaming Commission is expanded to seven; (2) training is required of the Commissioners; and (3) unexcused absences from Commission meetings shall result in a Commissioner being terminated from the Commission; and

**WHEREAS**, with the amendment to Section 6.08.090, and due to the expiration of the terms for two Commissioners, it is necessary to appoint four Commissioners to the Commission.

**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council hereby adopts the amendments made to Section 6.08.090 of the Gaming Ordinance, as set out in the attached materials; and

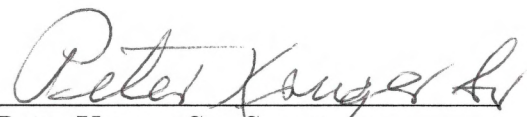
**BE IT FURTHER RESOLVED**; Joanne Decicio and Kris Peters are hereby appointed to three year terms on the Gaming Commission, to fill the two positions that most recently expired; and

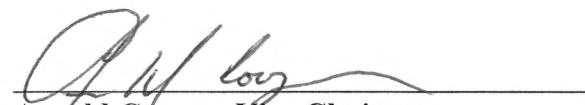
**BE IT FURTHER RESOLVED**; that Ray Peters and Dave Whitener, Jr., are hereby appointed to an initial one year term on the Gaming Commission, to fill the two new positions being created by the amended Gaming Ordinance, thereafter these positions being appointed to a full three year term.

#### CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 13 day of October, 2011, at which time a quorum was present and was passed by a vote of 4 for and 0 against, with 0 abstentions.

  
\_\_\_\_\_  
David Lopeman, Chairman

Attested by:   
\_\_\_\_\_  
Peter Kruger Sr., Secretary

  
\_\_\_\_\_  
Arnold Cooper, Vice Chairman

#### **6.08.090 The Squaxin Island Gaming Commission.**

A Squaxin Island Gaming Commission shall be established as follows:

- A. **Membership.** The Commission shall consist of seven members of the General Council of the Squaxin Island Tribe. One member shall be a member of the Squaxin Island Tribal Council, and shall serve at the pleasure of Tribal Council. The remaining six members shall be appointed by the Squaxin Island Tribal Council. Members shall be appointed for three-year terms, however, initial appointments may be for a shorter time period, and staggered, so that in time the terms of two members shall terminate each year. If a Commission is not appointed, the Squaxin Island Tribal Council will be appointed and serve as the Commission. Members may not have a direct or indirect financial interest in the Class II or Class III gaming activities. The Commission shall establish minimum training standards for the Commissioners, and each new Commissioner to the Commission must complete such training within six months of being appointed to the Commission.
- B. **Meetings.** The Commission shall meet monthly or at the request of the Chairperson, the Council or four members of the Commission. A quorum shall be four members. Voting shall be by majority unless only four members are present in which case a unanimous vote is required. Notice of the meetings is to be given to the Commission members and to the Tribe five days prior to the meeting except in the case of an emergency meeting. An agenda shall be established; minutes shall be recorded, maintained and filed. Any Commissioner having three unexcused absences from regularly scheduled Commission meetings, during the course of any calendar year, shall have his or her appointment to the Commission automatically terminated. Such conduct and the automatic termination shall be communicated to the Tribal Council by the Commission, at which time Tribal Council shall appoint a new Commissioner to complete the term of the Commissioner removed from the Commission.
- C. **Compensation.** The members of the Commission may be compensated in an amount and pursuant to a schedule adopted by the Tribal Council. Compensation and expenses shall be paid from taxes or profits paid to the Tribe from the Class II and Class III gaming activities.
- D. **Staff.** The Commission is authorized to hire or contract for staff.
- E. **Powers and Duties.**



1. The Commission shall supervise the administration of this section and may adopt, amend and repeal rules and regulations governing the holding, operating and conducting of Class II and Class III gaming, including establishing accounting and audit procedures and requirements, background investigations, licensing and enforcement, and dispute resolution which shall be in accordance with, and shall not violate the provisions of this chapter and, in the case of Class III gaming, the tribal-state compact.
  2. The Commission may provide for the rental of the premises and equipment required for the operation of such Class II and Class III gaming.
  3. The Commission shall provide that gaming activities shall be held, operated and conducted in conformity with the provisions of this chapter and, in the case of Class III gaming, the tribal-state compact.
- F. Purpose and Responsibility. The Commission shall be guided by this chapter and in the case of Class III gaming, the tribal-state compact and shall cause the development of and approve and supervise the implementation of policies for the operation of the business, personnel policies and procedures, training and operations procedures, all budgets, the record keeping and accounting methods, selection of federally insured financial institutions for business accounts, a cash management system and shall rate the performance of any management company with whom the Tribe has an approved contract and will submit any recommendations for enlargement or additional construction of the Class II or Class III gaming facilities to the Council. The members of the Commission shall not interfere with or become involved in the day-to-day operations of the business.
- G. Reporting. The Commission shall cause a report, approved by the Commission, to be submitted each month by the fifteenth of the following month to the Council to include information on each of the Commission's responsibilities. The monthly report shall include a financial statement for the month just ended and a cumulative statement for the then current fiscal year with comparisons to relevant budgets. The Commission shall report to the Council twice annually on the performance of any approved management company with whom the Tribe has an approved contract.

(Res. 11- 71, Res. 04-48 (part); Res. 94-78 (part))