



# SQUAXIN ISLAND TRIBE

RESOLUTION NO. 05-105

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;

**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 the tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe;

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

**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;

**WHEREAS**, consistent with the State Tribal Gaming Compact, the Little Creek Casino Resort (LCCR) withholds and distributes two percent of the net win from table game stations, with certain limited exceptions, and delivers the monies to General Government on behalf of the Community Contribution Committee;

**WHEREAS**, thereafter, the monies are distributed by the Community Contribution Committee to those non-tribal local agencies adversely and materially affected by the operation of the Class III gaming and who have entered into memoranda of agreement with the Tribe;

**WHEREAS**, the Tribe has entered into a Memorandum of Agreement, including a Special Commission Agreement, with the Mason County Sheriff's Office (MCSO), for, among other matters, payment of \$13,260.00, per quarter to the MCSO;

**WHEREAS**, the Tribe has also entered into a Memorandum of Agreement with the Mason County Fire District #4, for, among other matters, payment of \$10,000.00 per quarter to the MCFD #4;

**WHEREAS**, no provision is made in the Compact for those monies withheld in excess of the amounts claimed for adverse impacts and/or the amounts necessary to be paid pursuant to the Memoranda of Agreement with MCSO and MCFD #4;

**WHEREAS**, several tribes have obtained letters or memoranda of agreement addressing the excess withholding. Various approaches include: (a) the monies withheld were not due, and returned to the gaming facility (Suquamish); (b) excess monies were allocated to tribal programs and initiatives (Puyallup); (c) excess monies were allocated to tribal programs and problem gaming initiatives (Kalispel); and (d) allocated to various local entities (Jamestown S'Klallam);

**WHEREAS**, the Compact limits eligibility for distributions from the Community Contribution Committee to non-tribal and local service agencies adversely affected by Class III gaming; and

**WHEREAS**, tribal service agencies, including police, public safety, justice and treatment programs are directly and significantly affected by Class III gaming but without access to those funds.

**NOW THEREFORE BE IT RESOLVED**, that monies held by General Government from the two percent distributions in excess of those amounts necessary to fully perform the Tribe's obligation under the agreements with the MCSO and MCFD #4 through the end of Fiscal Year 2005, and in excess of those amounts necessary to perform the Tribe's continuing obligations under the agreements with the MCSO and MCFD #4, as now written or hereafter amended or superseded, shall be distributed to the General Government for purposes of funding tribal police, fire, and treatment enhancement programs, including problem gambling, adversely affected by Class III gaming.

#### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 20<sup>th</sup> day of October 2005 at which time a quorum was present and was passed by a vote of 5 for and 0 against with 0 abstentions.

  
James L. Peters, Chairman

Attested by:   
Vince Henry, Sr., Secretary

  
Andy Whitener, Vice Chairman