



Nez Perce Tribe
Fall General Council Minutes
September 22-24, 2011

NEZ PERCE TRIBE GENERAL COUNCIL

MINUTES - Fall Meeting 2011

The Nez Perce Tribe General Council at its meeting on September 22 – 24, 2011 took the following actions:

1. **House Rules** – Motion Connie Watters; Second Julia Davis Wheeler to approve the House Rules. Motion Carried.
2. **Minutes** – Motion Lee Bourgeau; Second Skip Williamson to table the General Council Spring 2011 Minutes until right after lunch; Motion Carried.
3. **Agenda** – Main Motion Wildred Scott; Second Skip Williamson to approve the Agenda by Wilfred Scott. Motion Carried.
 - a. **Subsidiary Motion** – Jennifer Oatman; Second by Constance Watters to remove the Nimiipuu Health Board elections from the agenda based upon the NMPH Board Bylaws.
 - b. **Subsidiary Motion** - Herbert Jackson; Second Robert Kipp to move the Boards and Commission election from Saturday afternoon to Friday morning at 10 am. Motion Carried.
4. **General Council Officer Election results:**
 - a. Chair – Shannon Jackson
 - b. Secretary – Jennifer Oatman
 - c. Resolutions Committee member – Danae Wilson
 - d. Resolutions Committee member – Aqua Greene
 - e. Resolutions Committee member – Marie Arthur
 - f. Resolutions Committee member – Shelley Higheagle
 - g. Election Judge member – Shirley Allman
 - h. Election Judge member – Melissa King
 - i. Election Judge member – Eric Kash Kash.
5. **On-line Surveys.**

Motion Rebecca Miles; Second June Stewart to direct the NPTEC to institute into the annual budget process and policy on-line surveys for feedback regarding the annual budget process.
6. **Reports.** Motion Sara Sedgwick; Second Constance Watters to accept the reports of the NPTEC Chairman and Treasurer. Motion carried.
7. **Oath of Office.** General Council Officers take Oath of Office as administered by Judge Eva White.

8. Ban Plastic Bags.

Motion Mary Arthur; Second Gwen Carter to ban plastic bags throughout the reservation. Motion carried.

9. Resolution to Establish Committee.

Resolution No. NPGC – 11F - 04

Motion Mary TallBull; Second Eric Holt to adopt resolution to establish a committee to review personnel policies and procedures regarding job descriptions, hiring practices, due process and wrongful termination of tribal members. Motion carried.

10. NPTEC Administrative Actions.

Motion Mary TallBull; Second Al Wheeler to research the NPTEC 2010 – 2011 Administrative Actions to identify how many times the NPTEC passed Administrative Actions and given directives to managers and directors and were not complied with and if they answered or not. Motion carried.

11. Enterprise Board Election Results.

- a. Seat 1 – Three (3) year term: Greg Bybee
- b. Seat 2 – Three (3) year term: Albert Barros
- c. Seat 3 - Three (3) year term: Feather Broncheau

12. Fish and Wildlife Commission Election Results.

- a. Seat 1 – Three (3) year term: James Holt
- b. Seat 2 - Three (3) year term: Quintin Ellenwood
- c. Seat 3 - Two (2) year term (alternate position): Timothy Wheeler, Jr.

13. Nez Perce Tribal Housing Authority Election Results.

- a. Seat 1 – Four (4) year term: Nancy Wheeler

14. Amend Agenda. Motion Danae Wilson; Second Marilyn Bowen to amend the agenda to combine the Law and Order and the Human Resources Subcommittees and corresponding Board and Commission Reports together and the Budget and Finance, Land Commission, and Natural Resources Subcommittee and corresponding Board and Commission reports together. Motion carried.

15. Resolution – Coming Home.

Resolution No. NPGC – 11F - 05

Motion Claudia Long; Second David Penney to adopt the resolution that the Nez Perce Tribe recognize the consequences of the breakup of families, communities and tribe resulting in loss of tribal identity, traditional values, customs and beliefs. Motion carried.

16. Resolution - Optical Services.

Resolution No. NPGC – 11F – 06

Motion Danae Wilson; Second Melvin Wheeler to adopt the resolution directing the Nimiipuu Health to prioritize Elders and Diabetics in the provisions of urgent optical services. Motion carried.

17. Resolution - Drug Testing.

Resolution No. NPGC – 11F – 07

Motion Danae Wilson; Second Marilyn Bowen to adopt resolution regarding drug testing of the NPTEC, General Council Officers, and Board and Commission officers and to include the drug testing fees into the budget. Motion carried.

18. Resolution – Youth Affairs / Youth Advisory Board. Resolution No. NPGC – 11F- 08

Motion Danae Wilson; Second Meredith Moffett to adopt resolution directing the NPTEC to re-establish the Youth Affairs Subcommittee and to establish a Youth Advisory Board and that said board will be designated as a standing committee of the General Council. Motion carried.

19. Resolution – Amend Constitution.

Resolution No. NPGC – 11F - 09

Motion Julian Matthews; Second Eric Holt to adopt resolution to set up a vote amend the Nez Perce Tribe constitution and By-Laws residency requirement. Motion Carried.

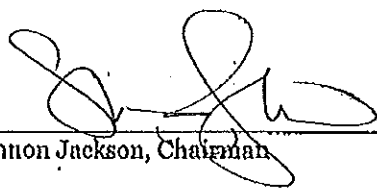
20. Resolution - Gaming Allocation Plan.

Resolution No. NPGC – 11F - 10

Motion Mary Tallbull ; Second Dallan Wheeler to adopt resolution directing the NPTEC in collaboration with the Nez Perce Tribal Enterprise Executive Officer, General Council Chairman, a representative of the Resolutions Committee and a member of the elders Board to create a Gaming Allocation Plan. Motion carried.

21. Adjourn. Motion Julian Matthews; Second Pat Gendreau to excuse panel and adjourn. Meeting adjourned at 6:42 p.m. Motion carried.


Jennifer D. Oatman, Secretary


Shannon Jackson, Chairman

NEZ PERCE TRIBE GENERAL COUNCIL**Registration List****2011 Fall Meeting****September 22 - 24, 2011****Kamiah, Idaho**

1	Jeremy	Allen	40	Hattie	Brown
2	Shirley	Allman	41	Nancy	Buffalo
3	Carolyn	Amerman	42	Veronica	Bulltail
4	Christel	Arthur	43	Robert	Bulltail Jr.
5	Elizabeth	Arthur	44	Allie	Bybee
6	Marie	Arthur	45	Gregory	Bybee
7	Mary	Arthur	46	Kimberly	Bybee
8	Richard	Arthur	47	Estalline	Carter
9	Tracy	Arthur	48	Gwendolyn	Carter
10	Priscilla	Arthur	49	Marcie	Carter
11	William	Arthur	50	Rodney	Carter
12	Etta	Axtell	51	Cecil	Charles
13	Marcella	Bailey	52	Jerry	Chavez
14	Brooklyn	Baptiste	53	Charlotte	Covers Up
15	Michael A.	Barros	54	Elmer	Crow Jr.
16	Albert	Barros	55	Etta	Davis
17	Anita	Bear	56	Florene	Davis
18	David	Bear	57	Deanne	Davis
19	Davis	Bear	58	Julia	Davis-Wheeler
20	Jeanette	Bennett	59	Alexio	Domebo
21	Roberta	Bisbee	60	Antonio	Domebo
22	Michael	Bisbee Jr.	61	Carla	Domebo
23	Bessie	Blackeagle	62	Gary	Dorr
24	Cynthia	Blackeagle	63	Elaine	Ellenwood
25	Leslie	Blackeagle	64	Freida	Ellenwood
26	Mildred	Blackeagle	65	Mary	Ellenwood
27	Carmalita	Bohnee	66	Mollie	Ellenwood
28	Gabriel	Bohnee	67	Quintin	Ellenwood
29	Cecelia	Bourgeau	68	Clarence	Ellenwood Sr.
30	Kamelle	Bourgeau	69	Paul	Eneas
31	Marilyn	Bowen	70	Wilma	Enick
32	Justin	Bredon	71	Lita	Federico
33	Abraham	Broncheau	72	Barbara	Fisher
34	Angela	Broncheau	73	Jamie	Five Crows
35	Anthony	Broncheau	74	Jayson	Five Crows
36	Darryle	Broncheau	75	Alexis	Freouf
37	Feather	Broncheau	76	Shanelle	Freouf
38	Mark	Broncheau	77	Tammy	Gardner
39	Zachary	Broncheau	78	Patricia	Gendreau

79	Lucinda	George	126	Violet	Johnson
80	Samantha	George	127	Dalon	Jones
81	Helen	Goodteacher	128	Kenneth	Jones
82	Jalon	Greene	129	Cecil	Jose
83	Aqua	Greene	130	Fredbert	Jose
84	Larry	Greene Jr.	131	Daniel	Kane
85	Thomas	Gregory	132	Eric	Kash Kash
86	Alan	Guzman	133	Stacey	Kash Kash
87	Lisa	Guzman	134	Harlene	Kidder
88	Melissa	Guzman	135	Melissa	King
89	Chloe	Halfmoon	136	Betty	Kinser (Miller)
90	Dominic	Harrison	137	DelRae	Kipp
91	Vina	Harrison	138	Robert	Kipp
92	Julie	Hart	139	Keith	Kipp Sr.
93	Marjorie	Hayes	140	Jennifer	Konen
94	Patricia	Heavy Runner	141	Teri	Krause
95	Leslie	Hendrick	142	Lou Ann	Lasswell
96	Joshua	Henry	143	Bruce	Lawrence
97	James	Higheagle	144	Roger	Lawrence
98	Nicole	Higheagle	145	Anna	Lawrence
99	Randall	Higheagle	146	Autumn	Lawyer
100	Shelly	Higheagle	147	James	Lawyer
101	Gordon	Higheagle Sr.	148	Marsan	Lawyer
102	Erik	Holt	149	Stephanie	Lawyer
103	Clarice	Holt	150	Preston	Leighton
104	Virgil	Holt Jr.	151	Claudia	Long
105	James	Holt Sr.	152	Donald	Lozon
106	Dorothy	Hudson	153	Laura	Lozon
107	Loretta	Islas	154	Riley	Lozon
108	Sandra	Islas	155	Colleen	Lupe
109	Sergio	Islas	156	Christie	Lussoro
110	Gail	Jackson	157	Laura	Major
111	Herbert	Jackson	158	Diane	Mallickan
112	Katherine	Jackson	159	Joanna	Marek
113	Shannon	Jackson	160	Robert	Mason
114	Darla	Jackson	161	Michael	Mathews
115	Glenyce	Jackson	162	Julian	Matthews II
116	Charles	Jackson Jr.	163	Nancy	McAllaster
117	Roger	Jackson Sr.	164	Jane	McAtty
118	Sanford	James Jr.	165	Marlene	McAtty
119	Andrea	Johns	166	Ann	McCormack
120	Anthony	Johnson	167	Jaci	McCormack
121	Gloria	Johnson	168	Joseph	McCormack
122	Jazmine	Johnson	169	Margaret	McCormack
123	Mary	Johnson	170	Patti	McCormack
124	Richard	Johnson	171	Jerry	McCormack Jr.
125	Vicki	Johnson	172	Jerry	McCormack Sr.

173	Joyce	McFarland	220	Kylie	Pinkham
174	David	Miles	221	Lynnette	Pinkham
175	Rebecca	Miles	222	Josiah	Pinkham
176	Selina	Miles	223	Alene	Powaukee
177	Aaron	Miles Sr.	224	Katherine	Powaukee
178	Sylvia	Mitchell	225	Jennifer	Ramsey
179	Leland	Mitchell Jr.	226	Gary	Reuben
180	Bernice	Moffett	227	Sasha	Reuben
181	Elliott	Moffett	228	Verna	Reuben
182	Meredith	Moffett	229	Marisa	Rickman
183	Tuianna	Moliga	230	Macklin	Rinehart
184	Arthur	Moody	231	Joni	Roberts
185	Bartholomew	Moody	232	Errol	Robinson
186	Paula	Moody	233	John	Rose
187	Georganne	Morrison	234	Sharon	Saez
188	Candace	Moses	235	Bryan	Samuels
189	Lilly	Moses	236	Sonya	Samuels
190	Sapsis	Moses	237	Sybil	Samuels
191	Adeline	Nahsonhoya	238	Sydel	Samuels
192	Christine	Nahsonhoya	239	Robert	Samuels Jr.
193	Alicia	Oatman	240	Darcia	Scarborough
194	Ashley	Oatman	241	Bessie	Scott
195	Bonita	Oatman	242	Dani	Scott
196	Jay	Oatman	243	David	Scott
197	Jennifer	Oatman	244	Harold	Scott
198	Judy	Oatman	245	Virginia	Scott
199	Lois	Oatman	246	Wilfred	Scott
200	Martha	Oatman	247	Sara	Sedgwick
201	McCoy	Oatman	248	Kenneth	Sherwood
202	Michael	Oatman	249	Muriel	Slickpool
203	Ronald C.	Oatman	250	Owen	Slickpool
204	Ryan	Oatman	251	Allen	Slickpool Jr.
205	Terese	Oatman	252	Anthony	Smith
206	John	Oatman Jr.	253	JoAn	Smith
207	Mary	Oatman-WakWak	254	Laurie Ann	Smith
208	Vonda	Osburn	255	Vestal	Smith
209	Patricia	Pablo	256	Woodrow	Smith Sr.
210	Frances	Paisano	257	Angel	Sobotta
211	Ferris	Paisano III	258	Loretta	Sobotta
212	Gia	Paul	259	Kenneth	Sonneck
213	Warren	Paul	260	Vera	Sonneck
214	David	Penney	261	Mary Jane	Souther
215	Farren	Penney	262	Bianca	Spencer
216	Phyllis	Penney	263	James R.	Spencer
217	Mildred	Penney	264	James T.	Spencer Jr.
218	Wayne	Penney Sr.	265	Pamela	Steffy
219	Winfred	Perez	266	David	Steffy Sr.

267	June	Stewart	314	Danae	Wilson
268	Helen	Strombeck	315	Ira	Wilson
269	John	Strombeck	316	Maurice	Wilson
270	Kami	Strombeck	317	Mazie	Wilson
271	Alex	Tall Bull	318	Meredith	Wilson
272	Anotone	Tall Bull	319	Edna	Wright
273	Mary	Tall Bull	320	Verla	Wright
274	Valencia	Tapuro	321	Jack	Yearout
275	Kathy	Taylor	322	Rachel	Zumwalt
276	Carla	Timentwa			
277	Danice	Tom			
278	Geneva	Towner			
279	Keith	TwoHatchet			
280	Manuel	Villalobos Jr.			
281	Orlando	Villvicencio			
282	Barbara	Vulgamore			
283	Alexis	Walker			
284	Christine C.	Walker			
285	Alice	Warden			
286	Diana	Warden			
287	Kayla	Warden			
288	Sandra	Warden			
289	Shane	Warden			
290	William	Warden Sr.			
291	Constance	Watters			
292	Olicutt	Watters			
293	Max	Weaselboy			
294	Agnes	Weaskus			
295	Susie	Weaskus			
296	John	Wheaton			
297	Darrell	Wheeler			
298	Delores	Wheeler			
299	Manny	Wheeler			
300	Melvin	Wheeler			
301	Nancy	Wheeler			
302	Tana	Wheeler			
303	Timothy	Wheeler			
304	Dallon	Wheeler Jr.			
305	Timothy	Wheeler Jr.			
306	Dallon	Wheeler Sr.			
307	Regina	White Eagle			
308	Wayde	White Eagle			
309	Leslie	White Temple			
310	Burnett	Whiteplume			
311	Yvette	Whitman			
312	Harold	Williamson			
313	Delores	Willig			

Nez Perce Tribe General Council - Fall 2011 Minutes

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**Nez Perce Tribe
Fall General Council
September 22, 23, 24, 2011
Kamiah Idaho**

Meeting called to order at 8:58 am, by Chairman Elliott Moffett. Invocation by NPTEC Chaplain Julia Davis-Wheeler. Flag song by Wec't qan. Flags brought in by Steve Reuben, Timothy Wheeler, and James Spencer.

Chairman Moffett: We turn now to the draft agenda. The next order of business is to adopt the house rules. We'll give you a few minutes to read the House Rules and then I'll entertain a motion to adopt the House Rules. Is there a motion to adopt the House Rules?

House Rules – Motion Made by Connie Watters to approve the House Rules; Seconded by Julia Davis Wheeler; Motion Carried

Chairman Moffett: Motion has been made by Connie Watters and seconded by Julia Davis Wheeler to adopt the House Rules as submitted. Motion has been and seconded. Is there any discussion? Any discussion? That motion is in order. We'll vote by voice vote. All those in favor of the motion to adopt the House Rules say "aye." All those opposed to adopting the House Rules say "no." The House Rules are adopted.

Minutes – Motion Made by Lee Bourgeau to table the minutes from Spring 2011 to address them right after lunch; Seconded by Skip Williamson; Motion Carried.

Chairman Moffett: Next we turn to the draft Minutes 2011 Spring General Council meeting.

Mr. Kipp: [inaudible] the General Council Secretary. We haven't seen the Minutes all year and we are just now seeing them today. [inaudible]

Secretary Mazie Wilson: I went through four (4) recorders and the recorders didn't get all of the Minutes so it took me that long to compile all the dates. We finally got a new recorder so hopefully the next Secretary doesn't run into the same problem I did. I apologize for not getting those out.

Chairman Moffett: Knowing that the Chair will also entertain a motion to table the minutes until later in the meeting when we've had time and [inaudible] able to read the minutes. Motion has been made to table the

Lee Bourgeau: So moved.

Chairman Moffett: Motion has been made to table until when? Table the Minutes of the of the Spring General Council. When do you want...tabled until when? What time in the meeting do you want them to be addressed? How about Friday, first thing tomorrow morning? Motion has been made to table the draft Minutes until tomorrow first thing after Registration and Call the Meeting to Order we will address the Minutes and I see a Second.

Skip Williamson: Second

Chairman Moffett: Seconded by Mr. Williamson. Any discussion on the motion to table?

Kay Kidder: I have just a couple questions and a comment. I think in lieu of not having a recorder that works the Secretary's responsibility is to ensure that there is a listing of the actions that the floor of the General Council took and that would be acceptable at least. In the event, who is responsible for making this report [inaudible] tomorrow? Let's say we are having elections today and there is a new chairman seated and a new secretary seated. Does this mean both of your positions are responsible for getting that out and is that with or without pay?

Chairman Moffett: The motion is to table the Minutes until tomorrow unless you are ready to vote on them right now. So that's the motion to either approve the minutes or disapprove them. The motion is to table the minutes. Suggestion has been made to address the minutes right after lunch. Motion maker is that ok? So the motion is to table the minutes until right after lunch today. Is there any further discussion on the motion?

Kay Kidder: Who will have the responsibility in the event we have newly elected Secretary and Chairman? Does that mean you two are responsible for getting that to us [inaudible] out there?

Chairman Moffett: Who's responsible for bringing the minutes..?

Kay Kidder: In the event the Chairman and Secretary's positions have been filled by new people. I'm assuming that this is the Chairman and the Secretary that was at the meeting to meet after the election and take care of business and then come back [inaudible] after lunch, right? This is your responsibility to review and [inaudible]. I just want it understood that so that when we walk away from this motion we know that two key people are in the positions [inaudible] right now to bring it back to us.

Chairman Moffett: Whoever the Chair is will handle business after the election. And that often happens for elected positions that people will have to take that responsibility on after they are elected. And so the responsibility if you were not to run or be elected then our responsibility and our authority in those positions will end at that time. Any further discussion on the motion to table the minutes? We will vote by voice vote again. All those in favor of tabling the minutes for the Spring General Council to right after lunch say "aye." All those opposed say "no." Motion is carried.

Agenda – Motion Made by to approve the Agenda by Wilfred Scott, Seconded by Skip Williamson; Motion Carried.

Chairman Moffett: Our next order of business is to adopt the agenda.

Wilfred Scott: Thank you, Mr. Chairman. I move to adopt the agenda.

Chairman Moffett: Mr. Scott moves to adopt the agenda as presented. Is there a second? Mr. Skip Williamson seconds it. Discussion. Discussion on the motion to adopt the agenda. I have been presented a memorandum from the NPTEC NiMiiPuu Health Board Liaison. It is addressed to the General Council Chair. It concerns the Health Board vacancies. In summation it said on draft agenda for Friday that...I'm sorry, that's on Saturday, the Board and Commission Elections. They have to do with the 3 p.m. Board and Commission elections continue. Seat 1 - three (3) term, Seat 2 – three (3) term and according to this memorandum from the NPTEC NMPH Board Liaison that there is no need to have an election for the

Health Board membership. So the result from this memorandum would be that there would not be a Health Board Election for Seat 1 and 2 until 2013.

Chairman Moffett: Connie Watters.

Connie Watters: Mr. Chairman, as I understood [inaudible] the two members of the board would be filled by people who are interested in serving on the board and they would [inaudible] apply..their reasons why they should be on the board and submit it to the NPTEC [inaudible].

Chairman Moffett: Is there a NPTEC Liaison available this morning or somebody from...

Connie Watters: Two positions will be filled.

Chairman Moffett: Ms. Blackeagle (Shannon Jackson).

Shannon Jackson: [inaudible] minutes from the NMPH Board and according to the NMPH Board Bylaws four members are to be appointed by NPTEC and one by General Council. So right now they are currently in compliance [inaudible] and at this point to maintain compliance with their by-laws two people have to be appointed and apply through the application process. So that is why there is no need to have an election today or Saturday. So that's the only reason. So a memo will be coming out from the NPTEC [inaudible] two vacancies. Anyone who is interested can apply.

Chairman Moffett: Mr. Kipp. Discussion on the motion to approve the agenda.

Robert Kipp – Discussion [inaudible].

Chairman Moffett: That's appropriate because it on the agenda under elections.

Robert Kipp: My question is to the Health Board, Mr. Chairman. Is it usual and custom to do it this way? And if not, does it have to be posted and is there a deadline for people who want to be on the Health Board? Thank you.

Chairman Moffett: Mr. Jackson.

Herb Jackson: Thank you, Mr. Chairman, and all General Council. I would like to see on the agenda here for Fish and Wildlife and all the other elections to be put up here instead of in the back because 140 people elected the Fish and Wildlife commissioners [inaudible]. On Saturday everybody gets tired and leaves. I would like to see the elections moved forward instead of way back. Thank you, Mr. Chairman.

Chairman Moffett: Ms. Marek.

Joanna Marek: Thank you, Mr. Chairman, and good morning, General Council. Mrs. Bisbee is on an important conference call this morning and we are very privileged and feel very honored that the Nez Perce Tribe has been asked to be involved in this health conference call. And it's over, I believe it's over at 10 this morning, she will be up here. We discussed this yesterday with NPTEC members and everybody when we met it was very important for her to be on that conference call. So she'll be up to answer any further questions but the positions for the Health Board are per the bylaws that had been adopted by the tribe.

Chairman Moffett: Clarification. The bylaws had been approved by NPTEC, correct? And not the General Council, is that correct? With that then we will entertain a motion to correct the agenda so that the, deleting the Saturday Health Board elections.

Jennifer Oatman: Motion.

Chairman Moffett: Motion by Jenny Oatman to change the...and delete the Saturday afternoon NMPH Board elections. And is there a second?

Connie Watters: Second.

Chairman Moffett: Seconded by Connie Watters. Discussion on that motion to change the agenda to delete the Health Board elections. Any further discussion? The Question has been called for. The motion on the floor is to delete the elections of the NMPH Board based on the bylaws of the Health Board. That there is only one elected position from General Council to the Health Board and we will vote by voice. All those in favor of the motion say "aye." All those opposed to this motion say "no." Motion is carried.

Subsidiary Motion by Jennifer Oatman to remove the Nimiipuu Health Board elections of the agenda based on the bylaws of the Health Board, Seconded by Connie Watters. Motion Carried.

Chairman Moffett: We are still on our agenda. Mr. Jackson. A member from the floor has suggested that the board and commission elections be moved up. Is that the motion, Mr. Jackson?

Herb Jackson: Yes, it is.

Chairman Moffett: When would you like to have those elections?

Herb Jackson: Tomorrow morning at 10.

Chairman Moffett: Friday morning at 10. The motion made by Mr. Jackson to move the board and commission elections from Saturday to Friday morning at 10. Is there a second to that motion? Seconded by Mr. Kipp. Discussion on the motion. Is there any discussion on this motion? Question has been called for. All those in favor of moving the board and commission elections from Saturday to Friday morning at 10 say "aye." All those opposed to the motion to move the board and commission [elections] up to Friday say "no." Motion has been carried.

Subsidiary Motion by Herbert Jackson to move the Boards and Commission election from Saturday afternoon to Friday morning at 10 am, Seconded by Robert Kipp; Motion Carried.

Chairman Moffett: Is there any further discussion to accept the agenda? Is there any other discussion on the motion to adopt the agenda? Seeing none, we will now vote on the adoption of the motion to approve the agenda with those changes. We will vote by voice. All those in favor of adopting the agenda as changed, say "aye." All those opposed to adopting the agenda as changed, say "no." Motion is carried.

Chairman Moffett: According to the agenda the Resolutions Committee now has the floor.

Resolutions Committee Report – Danae Wilson, Chair; Marie Arthur, Vice Chair; Stacey Kash Kash, Secretary; & Betty Kinser, Member.

Dane Wilson: Thank you, Mr. Chairman. Taac may wii, General Council. I would like to introduce our Resolution Committee Members. Marie Arthur is the Vice-Chair, Stacey Kash Kash, Secretary; & Betty Kinser, Member at Large. I would like to apologize as photocopies of our report to General Council is not at the back table. They are being transported from Lapwai so hopefully by noon that report will be here. We do have our binders in the back if you would like to go through them. It has all over our minutes and all of the activities that we did throughout the year. And we will be passing one of these binders on to the [new] Resolutions Committee [inaudible]. I would like to state that the [inaudible] for the Resolutions Committee is that the Budget and Finance Subcommittee has been very appreciative and aware of General Council's wishes to have a feasibility study done. At the last General Council this Board passed a feasibility study to be done on reducing our NPTEC from 9 to 5, on absentee ballots, and also on having the General Council elect the NPTEC officers. They heard it loud and clear, they understand that it is an important thing for the people and they included that in the General Council budget. So we, hopefully before next year we'll have the funding to begin that feasibility study whether it is this committee or whoever we elect will carry that task. Does any of the Resolutions Committee want to address the General Council? I would like to say that it has been a privilege serving on this committee. We have had a very good year, we've been very aggressive. We have seen resolutions that this committee has done on the floor. I would also like to thank the NPTEC for their response to the Resolutions Committee. They worked with us very, very well on any issue that we had that we forward and they were very responsive. The Executive Officers as well, NMPH, Enterprises, Housing and Law Enforcement. We had a lot of questions about law enforcement. The Executive Director and the Law Enforcement Chief Hendricks were responsive to us every time we had issues brought to us we took it right to them and they responded in a very timely manner. So I would like to applaud the staff for recognizing that the Resolutions is a very important committee for the Nez Perce Tribe General Council. Mr. Chairman, that is our report and our printed report will be here this afternoon.

Q & A Chairman Moffett: Nancy Wheeler.

Nancy Wheeler: Thank you, Mr. Chair. I have come to many of these meetings so I do know [inaudible]. My concern to Ms. Kinser and she forwarded it on to the rest of the board. I wasn't satisfied with the reply back. And it was in regards to the NMPH Optical department. And I was asking to get some kind of resolution or answer back because awhile back my mom had lost her glasses and so I called NMPH to see if they could get her in to get it [inaudible]. They said that they were [inaudible] out of three months and she would have to go in in February. Well this was back in the summer time but she would have to go back in [inaudible] to get her glasses. And since she is an elder she got to get in there and she needs her glasses. I said don't you have a list for elders who are diabetics for emergencies? No, we don't. [inaudible]. Why is the optical department open only two times per week when there is such a backlog for three months to [inaudible]? And why isn't there a list for emergencies for diabetics and elders to get their glasses if they lose them? I know there is a lack of funding issues but we are in priority one. This is a priority one concern. So I would like some kind of answers to these questions because they really need to be addressed and not put on the back burner. Thank you.

Danae Wilson: Thank you, Nancy. We did get in contact with NMPH and asked about eye glasses procedures. And I did respond to your email [inaudible]. They had mentioned to us that eye glasses that [inaudible] able to get a prescription outside and they can fill it for you. So they gave us a lot of different avenues of addressing the problem with eye glasses but they didn't commit to making a priority for elders at

that time. We can bring it up again and also the health board can bring it up to address the issue to have a priority list for people with diabetes could be put right to the very top because [inaudible] so we can request it again and bring it up again.

Chairman Moffett: Ms. Powaukee.

Alene Powaukee: Thank you. The NPTEC did provide in one of their line items from the gaming allocation program for the NMPH clinic. It shows \$100,000 in there for that so if nobody knew that especially our elders, I think that where that money should go into [inaudible]. The gaming allocation has allotted 100,000 to the Nimiipuu budget. Every tribal member should have knowledge that there is funding there for these situations.

Chairman Moffett: Mr. Kipp.

Robert Kipp – Thank you, Mr. Chairman. I see on the Resolutions Committee last May to adopt a resolution regarding trespassing on tribal land. Could you provide, the General Council, what the status of that is and other resolutions?

Danae Wilson – Thank you, Mr. Kipp for your comments. The resolutions that were passed at the last General Council there were four. The four that we had were the trespass, the feasibility study, the Indian preference, and there was another resolution that passed that I believe Eric Holt sponsored and it was on the SRBA water funds. We submitted those initially. We were told that the minutes had to be, the General Council minutes had to be attached and that those resolutions needed to be signed by the Chairman and the Secretary of the General Council. And to my knowledge those haven't been signed or taken forward to NPTEC. But we did present them, NPTEC did recognize the request for funding for the feasibility study. And I apologize I do not know the current status of the trespass or SRBA. I don't know if there is anybody in here that worked with Eric on the SRBA..on the SRBA paying the water bills. That didn't come through resolutions committee that came through the General Council floor and did pass here at General Council floor. But to my knowledge, and the Chairman can correct me if I'm wrong, I do not believe that those have been presented. I haven't seen the signed copies myself yet. Mr. Ken Jones has been in my office every week asking for a signed copy of the resolutions.

Chairman Moffett: Mr. Kipp, I've not seen those resolutions that were passed by the General Council. Secretary wrote the resolutions from the last General Council.

Danae Wilson: Sorry, Mazie, those resolutions were provided here at General Council and after. Stacey delivered resolution copies but to my knowledge the resolutions themselves have not been signed. And we do have them here and we can print copies today and they could be signed at anytime.

Shelly Higheagle: Good morning, tribal members. I was wondering where do you guys post your meetings? We need something done about this enrollment stuff. We need to do something about our grandkids because my granddaughter is not going anywhere and that's my concern. As grandparents we should be able to stand up for our grandchildren to be enrolled. That's my main concern. I am trying to get my granddaughter enrolled and we need to do something about our laws or something..get something done. Thank you.

Danae Wilson: Thank you. We did post our meetings in the Taac Titoqen. They are posted on the website under current events on the Nez Perce Tribe website and also they are mass emailed out to anybody or tribal employee that are on the listserv. So if you are not the listserv just give us your email address. The tribe also has a text service that comes right to your cell phone. And all you need to do is provide your cell phone number [to receive notices].

Chairman Moffett: Further questions for the resolutions committee. Kay Kidder.

Kay Kidder: I'm really concerned about your comment about the process that, really, people want to believe in. We want a resolutions process that works. And that work requires teamwork. The resolutions committee needs the cooperation of the chairman and the secretary [inaudible]. I guess I am really disappointed to see that [inaudible] are not pulling out apparently. I encourage those individuals that are elected to those seats understand the responsibility. What is the process of a recall for people that are not doing their job duties for their positions?

Danae Wilson: Thank you, Ms. Kidder. We have received several concerns and complaints about resolutions not being [inaudible] not getting signed copies to the NPTEC. And there was discussion about what's the process for recall and there were emails that were sent out. I have whole list of emails that resolutions committee for all of our meetings, for all of the discussion items that we shared with each other. We forwarded that information onto the election judges and to the General Council officers as a whole. After the last General Council we didn't have an officer's meeting for follow-up so we made an effort to provide what was required of Resolutions Committee and I apologize. Also related to the resolution that passed even though it was not signed they took it into consideration for Universal HRM. So both the NPTEC and the Executive Officers recognized that is what the people wanted and they took that into consideration even though they have not been officially presented to the NPTEC as signed resolutions.

Chairman Moffett: Any further questions for the Resolutions Committee? Ms. Arthur.

Mary Arthur: This recall should include not only NPTEC, General Council officers, Boards & Commissions, but managers and bosses who are not doing their jobs. Because there are some students that wanted to go to school and their application was put aside [inaudible]. These things should be [inaudible] to all entities of the tribe.

Chairman Moffett: Any further questions?

Delores Wheeler: I wanted to get glasses. And I told them I wanted these tinted. I found out my reading glasses were tinted and not these. So I was wondering if I could go down have that changed for my reading glasses and my regular glasses.

Danae Wilson: Thank you, Delores. I believe there is staff from NMPH here in the audience. The resolutions committee can definitely forward your concern and we can address it with the Executive Officer and we can share with Health and Human Service subcommittee. I don't know that corrections for lenses come to Resolutions Committee but we can help in any way possible.

June Stewart: You need read more into the concerns that people are bringing. But if you go and talk to them those managers take up for their organization and department and I think you need to go beyond that..talking. Especially meet law enforcement. I did submit a letter against the cops here and Leslie

reviewed it and of course she is going to take up for the cops. I just think that we need to dig more into the requests that are coming because there must be a reason why people are submitting to Resolutions Committee.

Danae Wilson: Thank you, June. We also did send copies of those emails to the NPTEC and the results that we received were sent back to the people who brought their issues to us.

Chairman Moffett: Any further questions for the Resolutions Committee? If not, the Chair will entertain a motion to accept the oral report of the Resolutions Committee. Connie Watters makes the motion to accept the report of Resolutions Committee and seconded by Mr. Scott. Any discussion on this motion? Seeing none, we will entertain the motion to accept the report of the Resolutions Committee. All those in favor say "aye." All those opposed say "no." Resolutions Committee is excused.

Motion Connie Watters / Second Wilfred Scott to accept and excuse the Resolutions Committee, Motion Carried.

Chairman Moffett: On our agenda next we have General Council officer elections. And the floor is now open for position of Chairman.

General Council Chairman Election

Herbert Jackson nominates Shannon Jackson. Shannon Jackson accepts.

Timothy Wheeler nominates Jennifer Oatman. Jennifer Oatman accepts.

Sandra Davis nominates Mary Tallbull. Mary Tallbull accepts.

Motion by Skip Williamson that nominations cease, Seconded by Timothy Wheeler; Motion carried.

Results

Shannon Jackson - 46

Jennifer Oatman - 38

Mary Tallbull – 42

Invalid - 1

Run off between Shannon Jackson and Mary Tallbull.

Results

Mary Tallbull –

Shannon Jackson -

Invalid – 0

Shannon Jackson elected as the General Council Chairman.

Chairman Jackson: Motion by Danae Wilson to make all the elections plurality for this election and the boards and commission tomorrow. Seconded by Stephanie Lawyer. All those in favor of this motion please signify by saying "aye." Those opposed. Okay. We'll do this one more time. All those in favor of making all the elections plurality including tomorrow's elections, please signify by saying 'aye." Opposed. Can we get a hand vote please by the tellers? Tellers please get in your positions. Can the sergeant at arms please call the house? Elections by plurality please raise your hand. Tellers report back to the election judges. Tellers

report back to your positions. Okay, all those against the motion, please raise your hand. Tellers report back to the election judges. Yes – 68; No – 41. Motion carried.

General Council Secretary Election

Sara Sedgwick nominates Danae Wilson, Danae Wilson accepts.

Chairman Jackson: It has been recommended that the remaining elections the candidates introduce themselves.

Sonya Samuels nominates Jennifer Oatman, Jennifer Oatman accepts.

Angela Broncheau nominates Aqua Greene, Aqua Green accepts.

Motion by Robert Kipp that nomination cease, seconded by Nancy Wheeler; Motion carried.

Results

Danae Wilson – 45

Jennifer Oatman – 53

Aqua Greene – 39

Jennifer Oatman elected as the General Council Secretary.

General Council Resolutions Committee Seat 1

Motion Julia Davis-Wheeler / Second Trish HeavyRunner to cease nominations. Motion carried.

Results:

Danae Wilson - 67

Betty Kinser - 23

Shelley Higheagle - 41

Dane Wilson elected to General Council Resolutions Committee Seat 1.

General Council Resolutions Committee Seat 2

Chairman: Floor is open for nominations for Resolutions Committee Seat 2.

Skip Williamson nominates Mary Tall Bull. Ms. Tall Bull accepts.

Carla Domebo nominates Shelley Higheagle. Ms. Higheagle accepts.

Nancy Wheeler nominates Betty Kinser. Ms. Kinser accepts.

Angie Broncheau nominates Aqua Greene. Ms Greene accepts

Motion Mazie Wilson / Second Allen Slickpoo, Jr. to cease nominations. Motion carried

Results General Council Resolutions Committee Seat 2:

Mary Tall Bull - 31
Shelley Higheagle - 22
Betty Kinser - 15
Aqua Greene - 48

Aqua Greene elected to the General Council Resolutions Committee Seat 2.

Motion Olicutt Watters / Second Marilyn Bowen to recess for lunch at 11:58 a.m. Motion carried.

Chairman Jackson: Return at 1:15pm. We will return at 1:15 p.m. and continue with Resolution Committee elections for Seat 3.

Chairman called meeting back to order at 1:15 pm.

Chairman Jackson: I am taking this time to call the meeting back to order and recognize and honor the previous motion by Lee Bourgeau and seconded by Harold Williamson to bring back to the table the minutes. Hopefully, everyone had enough time to review the minutes for action. I would like to entertain a motion to bring the minutes off the table.

Chairman Jackson: Motion by Rebecca Miles. Is there a second? Second Carla Domebo. Any discussion? Any discussion? Is there any discussion? The motion is to lift minutes from the table. All those in favor please signify by saying "aye." All those opposed same sign. Motion carried.

Chairman Jackson: Now I will take this time to entertain a motion to approve the Spring 2011 General Council Minutes. Motion Julia Davis-Wheeler. Is there a second? Second by Constance Watters to approve the General Council May 2011 meeting minutes. Is there any discussion? Any discussion? Any discussion? Question has been called. All those in favor of the motion please signify by saying "aye." All those opposed same sign. Motion carried.

Chairman Jackson: The Spring 2011 General Council Minutes have been approved. And we will proceed with Seat # 3 on the Resolutions Committee.

General Council Resolutions Committee Seat 3

Chairman: Floor is now open for nominations for General Council Resolutions Committee Seat 3.

Betty Kinser nominated Marie Arthur. Ms. Arthur accepts.
Carla Domebo nominated Shelley Higheagle. Ms. Higheagle accepts.
Robert Kipp nominated Mary TallBull. Ms. TallBull accepts.

Motion Mazie Wilson / Second Lucinda George to cease nominations. Motion carried.

Results Resolutions Committee Seat 3:

Election Judge Melissa King: There were 121 votes cast, 3 invalid.

Marie Arthur - 64
Shelley Higheagle - 22
Mary Tall Bull - 32

Marie Arthur is elected to the General Council Resolutions Committee Seat 3.

General Council Resolutions Committee Seat 4

Chairman: Floor is now open for nominations for Resolutions Committee Seat 4.

Nancy Wheeler nominates Betty Kinser. Ms. Kinser accepts.
Carla Domebo nominates Shelley Higheagle. Ms. Higheagle accepts
Mollie Harris nominates Mary TallBull. Ms. TallBull accepts

Motion Al Wheeler / Second Melvin Wheeler to cease nominations. Motion carried.

Results:

Betty Kinser –
Shelley Higheagle –
Mary TallBull -

Shelley Higheagle is elected to the General Council Resolutions Committee Seat 4.

General Council Election Judge Elections.

General Council Election Judge Seat 1

Chairman: Floor is open for nominations for Election Judge Seat 1.

Sara Sedgwick nominates Shirley Allman. Ms. Allman accepts
Mazie Wilson nominates Alexis Walker. Ms. Walker declines.
Laurie Ann Smith nominates DelRae Kipp. Ms. Kipp accepts.

Motion Robert Kipp / Second Mazie Wilson to cease nominations. Motion carried.

Results:

Election Judge Melissa King: There was a total of 151 votes cast.

Shirley Allman – 86
DelRae Kipp - 62
Invalid 3

Shirley Allman is elected to the General Council Election Judge Seat 1

General Council Election Judge Seat 2

Chairman: Floor is open for nominations for Election Judge Seat 2.

Mary Jane Souther nominates Feather Broncheau. Ms. Broncheau accepts

Trish Heavyrunner nominates Melissa King. Ms. King accepts.

Robert Kipp nominates DelRae Kipp. Ms. Kipp accepts.

Motion Mazie Wilson / Second Mary Jane Souther to cease nominations. Motion carried.

Results:

Election Judge Shirley Allman: There was a total of 164 votes cast.

Feather Broncheau – 47

Melissa King – 80

DelRae Kipp – 34

Invalid - 3

Melissa King is elected to the General Council Election Judge Seat 2.

General Council Election Judge Seat 3

Chairman: Floor is open for nominations for Election Judge Seat 3.

Mary Jane Souther nominates Feather Broncheau. Ms. Broncheau accepts.

Mary TallBull nominates Eric Kash Kash. Mr. Kash Kash accepts

Motion Mary Johnson / Second Mary TallBull to cease nominations. Motion carried.

Results:

Election Judge Melissa King:

Feather Broncheau – 69

Eric Kash Kash - 94

Erik Kash Kash is elected to the General Council Election Judge Seat 3.

2:55 pm

NPTEC Chairman and Treasurer Reports
Mr. Brooklyn Baptiste, Chairman
Mr. Joel Moffett, Treasurer

Mr. Baptiste: I serve as chairman of the Executive for the past few months. It's definitely an honor to represent the Nez Perce Tribe. It's been an honor to serve and represent at that level. It's also an honor to serve with the eight other members. They do a great job, hard work and diligence. It is not an easy thing to serve on council. I appreciate the hard work they do and sacrifices they have made. Want to say thank you to the other 8 members. My brother here has a newborn. It's definitely a hard job. Mention the NPTEC and everyone else who had losses this past year. Keep in mind the relatives you all have lost. I want to be mindful of ones who are still out there struggling, trying to make it through the loss of a loved one. Continue to keep everyone in prayer. Lastly, thank everyone who volunteered to fill these positions. Thank you for the ones who have served in General Council, new chair and secretary and all the ones who have served in the past.

Since the last General Council the tribe has been involved in a lot of ongoing issues. I'm grateful for the assistance with the per capita payment. A resolution that came forward from the people. We have a plan in place and are starting to build upon that. Hopefully we will be able to continue with this as time goes on. It will be tough to maintain the casino nationwide we are hoping to diversify our economy and bring in new business and stabilize our economy not only bring money but create jobs. Appreciate the General Council for bringing forward the per capita payment but also to develop a plan.

I would like to speak to the Snake River Basin Adjudication. SRBA settlement agreement, it has been a long learning experience with SRBA but also implementing is just as hard.

[inaudible] for the SRBA to kick down to protect some of our water that we needed for our fisheries. It is always difficult. We had to give up a few things to retain our rights forever. Those type of water settlements although they happen, I don't see those happening so much in the future because of the scarcity of funding. With an agreement the water settlement is funded. That has definitely started to dry up. [inaudible]. We have an implementation team. They continue to work on recommendations on how to spend a portion of the SRBA funding each year.

Tribal trust mismanagement. It's kind of similar to the Cobell case. The fiduciary responsibility of the federal government was mismanaged not only for individual tribal members but for tribes as well. The tribe was lead plaintiff on it. In December of 2006 the tribe filed two complaints against the United States. Represented by NARF, the Native American Rights Fund.

Obama administration is making some headway to settle the Cobell case and settle this as well. We are still working on it. If Obama doesn't get back in it will be tough for the tribes to work collaboratively with the federal government. Mary Wak Wak Oatman is a shining example of how the administration is utilizing tribes. If the Obama administration doesn't get back in it will be extremely hard to fill those positions and we will go back to kind of how it was before. To continue that trust responsibility. It will be tougher for us as tribes so it is important for us to work collaboratively with other tribes. We can exercise our sovereignty. Nez Perce Tribe vs Salazar.

NMPH contract support costs. Tribe filed against IHS. We have to persevere in this case. We have such a hard time with IHS. The ability to provide health care through that trust responsibility with the federal government getting appropriations for this .. trying to mitigate for the loss

Judge Redding decision that came out. BiOp with the state of Oregon. The Nez Perce Tribe filed against the operations for the dam system. The Nez Perce Tribe is one of the strongest and largest tribal fisheries in the United States and Alaska . We put more salmon back in the river, habitat restoration. But operations of the dam do not provide good flow to the ocean and back. The BiOp was not suitable for fish to survive. It was not a very good plan. It was a tumultuous case. Our staff did a very good job. It provided the best possible benefits [inaudible] in this situation.

Bonneville Power Administration runs and operates the hydro systems and they wanted the tribe to sign an accord. We couldn't quite come to an agreement on that. It was difficult. There were several other tribes and states who signed an accord with BPA. We have been arguing against that. Other tribes ostracized us. We had to kind of bear that burden. It gave us an opportunity to go back to the table. It is going to be hard. We can give the best sound science in the end but it is dictated by politics of the situation. It is an uphill battle.

Long House – Another issue that is paramount and is hard to try to find one common resolution to is the Long House. We are trying to build a Long House for the tribe. We had a spot picked out, look for funding and also recommendations [inaudible]. We have to re-evaluate [inaudible]. We definitely need a facility.

Travel for the policy members here. Sit at the table where the decisions are made. It's imperative to have a balance of the welfare. If you're not at the table you are on the table. They will make the decision for you if you're not there. We have met with a lot of members of congress to discuss issues that we have. It's important we have key people that the tribe can access. Especially with salmon recovery it is hard. It's important to maintain that continuity. We have a lot of contacts out there.

We have had issues with our own fisheries. Sometimes the fish commission had to make decisions and close fisheries so they could maintain that broodstock. Those are different parts to that [inaudible]. I know a lot of people that utilize the fish as income. [inaudible] there is a balance between ceremonial and subsistence [inaudible]. Members have the ability to go fish. We are working on that and also trying to maintain the broodstock that need to continue that lifecycle. Fish are now coming back to the tributaries, that is something that I'm proud of. People from other parts of the country and northwest no longer have a fisheries. It has also been a part of our culture and it is important that we continue that. We have encroachments by other tribes. The Sho-Bans. We are working on that issue as well. Umatillas, right next to us. Sometimes we have fierce competition trying to catch fish. We have a lot of relationship issues and we are trying to protect that. It is not an easy fix. Worried about our children years from now down the road. It is important.

Big Sheep Restoration - It doesn't seem like a big thing but it follows the salmon issue as well. We use the bows from their horns, bones, hides, horns. We work with the federal government; we work with the forest service. They are the ones who protect and manage the federal land system. We kind of pushed them a little bit. What happens is the big horn sheep they migrate [inaudible]. Idaho is not an easy state to get along with. The Tribe depends on its [inaudible] protection area through the treaty of 1855. That doesn't always go along with the rights of you and me. We are trying to protect it at the same time it is an uphill battle.

Chairman Jackson: Thank you, Chairman Baptiste. Next we will hear from Treasurer Moffett.

NPTEC Treasurer Joel Moffett. Good afternoon. I would like to tell everyone that I am glad to be back here for General Council. The fall meeting. It was a quick four and a half months. I hope everyone had a good summer. Mine flew by having a little one at home. All the events are rapidly flying by. Trying to take them all in and take stock and make time for family and friends. I hope everyone had the time to do that as well.

First off before I get to the PowerPoint. I am proud to say that we completed our fiscal year 2010 audit this summer. We submitted our 2010 indirect cost rate and got that approved by the National Business Center. So we are completely caught up. We are current and are in compliance with all federal requirements. We have our auditors here [inaudible] and after my presentation, I'd like to give some time to them as well as we have our investment firm, Merrill Lynch, who will be going over in more detail on the SRBA investments. So I would like to give some time to both entities. We have an approved resolution by the Nez Perce Tribe that requires the annual audit to be presented to the General Council. And our contract with Merrill Lynch also stipulates that they will present at General Council the investment earnings report. As I said before, it's been a quick four months, but there have a series of substantial developments within the Tribe's financials that I would like to inform you about. First, the revenues and the expenditures are something that we have been dealing with for quite some time and we have hoped our presentation of the financials last General Council is the first time that we seen the newly revised Treasurer's report. And again, it is on page 104 in your General Council booklet. I hope that everyone has found the new format a lot easier to understand. It's user friendly, a lot clearer. We want to be transparent and detailed. All of the revenues that come into the tribe. Where they come from and where they are expended. How programs utilize all the revenues. This Treasurer's report is the month ending July 31. So this ten months of financials and there is a lot of information to go through and I hope that everyone has a chance to look at it, to develop some questions or comments and I will be happy to address those after the presentation. This goes through all of our hard dollar budgets. How much we budgeted for for fiscal year 2011 and expenditures that have occurred through July 31st. It also details our BIA trust funds, our investments, and our debt. It's a lot of information. The format is extremely useful to NPTEC, Budget and Finance. It allows us to focus in on the issues that need attention. It is a lot easier to track expenditures and to focus in on the programs that either are not expending in a fashion that is appropriate or that are overspending. So every month we receive this Treasurer's report and we analyze it and go over it in detail with the Executive Director and Finance Manager and we make corrections as necessary. I wanted to point that out. It starts on page 104. This revenue and flow chart together on one page. As you can see on the left that is all of the revenue sources and those are detailed in the Treasurer's report. And we have a whole series of programs and services that we provide. The Executive Director will into more detail about that. We have a whole host of categories that run the whole spectrum from elders to community to cultural preservation. Our enterprise revenue, now our gaming revenue. This flow chart is 2011 and we currently working on the 2012 budget. The enterprise revenue goes to all those programs and services. The tobacco tax program in 2011 fund strictly law and justice programs. The fuel tax revenue under the fuel tax agreement go to law and justice and transportation and transit programs. The other revenue sources that we have these are interests off our accounts, lottery proceeds, permits and fines, those revenue sources go to the general fund. The general fund the expenditures for the general fund half go to NPTEC operations and three-quarters of the office of legal counsel as well as property taxes that we pay annually on our fee land. We have a number of grants and those in addition to all the other programs pay indirect cost approved rate in 2010 and that rate. is 22.5%. And all those programs pay indirect cost rate which goes into a pool which funds our administrative programs and support programs: Executive Direction, Finance department, Human Resource department,

we pay the light bills, housekeeping and so on. Next is a series of trend reports over the last six years. This one is for our enterprise allocation. The new [inaudible] for 2012 adheres to the revenue allocation plan that was approved. At the last General Council I presented details of the revenue allocation plan that was submitted to the BIA office of Indian Gaming [inaudible]. It was finally approved in June on the 15th. The gaming revenue from now and here on forward adheres to the revenue allocation plan, the formula which breaks out the annual net revenue. For fiscal year 2012 which is coming up here starting October 1 [inaudible] utilizing \$3.815 million for gaming [inaudible]. The indirect as you can see over the years has fluctuated and has changed pretty much with the enterprises. And this year the amount is \$600,000 for a total of \$4.415 million in revenue from the enterprises. As you can see the trend report has fluctuated. Earlier in the 2000's to mid 2000's there was a resolution that stipulating the amount of enterprise revenue that would be transferred to the government side and programs. For 2010 the resolution had expired and was not in effect and there was no cap. In 2012 we do have a revenue allocation plan, a set form of that we adhere to every year. Sixty-five percent of the net revenue, the net profit that we generate to pay for facilities every year. From now on we have a roadmap that is clear and we know where the money is going every year. This slide is a refresher of where the gaming dollars are going to this year, fiscal year 2011. All those categories that I talked about run the full spectrum from paying our debts, to paying our loans, to helping assist with scholarships for college students, helping to preserve our culture by funding the language programs and helping fund our senior programs. So they run the whole gamut. It's something that I'm proud of that the majority of the, about 70% of our gaming funds move to direct services for tribal members. The next slide is our tax revenue. If you look at 2011 we had budgeted, we had projected that we would collect \$565,000. We are about one week away from fiscal year end so it looks like that we are not going to meet that target. It looks like we are going to be more than \$10,000 short. We are going to collect about \$550,000 this year. We took that into account in 2012. You can see that the 2012 draft budget is well above \$550,000 but that is because we have a proposal to the tobacco tax and I will talk about that in a future slide. That tobacco tax does raise cigarette tax but it's charging a tax on smokeless tobacco, cigarettes, and [inaudible], cigars. We have done that in the past. That's why you see that figure much larger than what is reflected this year. The next trend report on is on fuel tax revenue. For 2011 we had projected to collect \$1.1 million in fuel tax revenue and that is based on gallons sold, 25 cents per gallon. Because of the economy, gas prices, it looks like we are not going to reach that \$1.1 million item. So we estimate that we are going to collect about \$1 million off our gasoline sales this year from our two gas stations. And so to be conservative next year, the draft budget is \$1 million that we will collect. So we are not anticipating that the sales are going to pick up as gas prices are going to stay very high. But we are firmly hoping that the new Camas Express a year from now will dramatically improve gallons sold up there with the agreement with the state of Idaho to make that a rest area / truck stop. I have high hopes that that will increase gallons sold in 2013. We hope to increase the revenue generated from our fuels tax. These are the two to three proposed new revenue sources. We talked about at the last General Council that we need to fill the gap. We have dwindling timber revenue. Again this year we are not, do not anticipate to cut any trees to generate any stumpage, timber revenue. We are under a new formula, a new revenue allocation plan whereby we are held to this [percentage] of net profit for [inaudible] operations. And there are more and more needs in here and we have to look for more revenue sources, revenue and exercise our sovereignty. The three proposed revenue streams are currently right now being considered by NPTEC. They were posted through Law and Order Subcommittee for public comment and they entail as referred to earlier, a tobacco tax on chewing tobacco, loose leaf and cigars. And that's a 15% wholesale tax for those tobacco items. In the consideration of this new legislation we have had an analysis that was performed by our enterprises, the Enterprise Executive Officer and managers based on last year's audited financials. So we looked at the sales, the sales figures from our audit last year and we applied a 15% wholesale tax to those new items. And it is actually pretty [inaudible] the whole sales figures for tobacco products come from

25%, about a quarter of all tobacco sales fall into this category, fall into the non-cigarette category. So it was a significant amount. Just like targeting 15% which is less than half of what the state of Idaho charges on its tobacco products. So we will still want to enjoy our tribal enterprises, the price advantage over non-Indian stores. So we proposed a 15% wholesale tax on these new tobacco products, projected to generate \$225,000. That's based on last year's audited sales. In the proposed 2012 draft budget that we recently held public meetings on in August and September at the three communities in Kamiah, Orofino, and Lapwai. We presented these new budgets and new proposed revenue sources and the proposed 2012 draft budget expenses the new tobacco tax revenue in this fashion. A little over \$106,000 would be utilized for the current tobacco tax programs and those are the law and justice programs. A little under \$65,000 would be proposed to be utilized for our general fund. As I mentioned earlier that is used to fund government operations, half of NPTEC, and 75% of legal counsel, and property taxes. The next two proposed revenue sources are code amendments as well. They were posted through Laws and Order Subcommittee for a 30-day comment period for tribal members and they are a sales tax of 6% that would not apply to tribal members. The sales would only be levied at our tribal enterprises. Our gas stations, our restaurants, our gift shops and in addition to that there is a proposed hotel tax that was also put out for public comment. That hotel tax is proposed at 8%. There was an analysis done on these two items as well based on last year's audited sales figures. We had to project an amount of tribal member sales in comparison to non-tribal member sales because we don't keep track of that. So we had to make an estimate on what, how much percentage of the sales come from tribal members because we are going to exempt them so we need to back that out of the anticipated revenue. We came up with a conservative figure of 35% of all sales generated at the enterprises would come from tribal members. So we backed that out and so the figure that we arrived at for projected revenue when we applied the 6% sales tax and the 8% hotel tax would be \$477,000. As you can see from the pie chart the 2012 draft budget proposes to dedicate those funds to fuels tax programs in the amount of \$358,000, and the general fund in the amount of \$118,000. The fuels tax programs as we saw from the revenue. The revenue has been on a slow downturn because of the economy and people aren't travelling as much. The price of gas is up and, but our commitment to our law enforcement and transit program still remain the same. And so there is a gap there. We don't generate enough fuels tax revenue in order to fund our conservation enforcement, our law enforcement and our transit program. So we need some supplemental funds and so we proposing to fill the gap with the new sales and hotel tax. The comment period has closed. We wanted to put it out for a full month but we also wanted to be able to take action at NPTEC in the month of September so that these taxes can be applied for a full twelve months next year. So that's what the proposed revenue figures were generated were based 12 months. This next trend report is the general fund revenue comparison. As you can see the 2011 budget was almost \$2.3 million. And the draft budget for 2012 is \$2.95 million. For those of you who haven't attended the budget meetings or gone into more depth in all these budgets, the reason for the increase is because we are looking seriously at the problem of our indirect cost deficit and historical debt. I have been reporting to the General Council in all my Treasurer's report the fact that historically and annually we have encountered an indirect cost deficit. We get a series of grants and contracts every year and we have a series of hard dollar programs that we all charge an approved indirect cost rate. For a whole host of reasons we don't collect fully on the amount that we project. One of the most notable reason is that we miscalculated our indirect cost rate in 2005. We submitted a rate that was too high and when everything settles up at the end of the year and the Nation Business Center receives our expenditures and the amount of grants that we collect and the amount of expenditures we utilize for our indirect cost programs. Then they calculate how close we were to our indirect cost rate. And we were way off for 2005. Well, when that happens, we basically over-collected. We charged these grants and contracts too high of an indirect cost rate. The federal government doesn't make you pay back that. It doesn't make you write a check to pay back that money you over charged these federal grants and contracts. What they do is the next year they

penalize you. They say you have to reduce your rate next year and you will pay it back by getting less. And so we are still paying on that mistake in 2005. So every year we are encountering an indirect deficit. Another reason is some grant agencies they cap the rate that can be charged. So even though we have an approved rate of 22.5% for certain federal departments we can only charge 15%. That gap of 7.5% is a significant amount of money when you are talking about million dollar grants. But the bills still have to be paid. And so who pays for that? The Tribe pays for that. The general fund pays for that. So we get a deficit every year. There is a lot of factors that make up this problem that has built up over the years. Over ten years. And we have a significant debt and it's in our audited financials every year and I think it's significant. It's in the millions and it's built up over the years so we wanted to tackle this problem and try to solve it. We have hired an indirect cost consultant for the last two years to help us draft our indirect cost rate proposal. He understands the ins and outs and the details and now our staff who have had a training with this individual which we required in his contract. We have had over 70 staff and NPTEC and managers and directors there and we are starting to wrap our heads around and fully understand indirect cost programs and rate and how that is generated. And looking at strategies to pay down that debt and to alleviate the annual deficit and so that is what this increase is for. Is to dedicate \$600,000 to bring down the debt and the deficit. \$200,000 will be utilized to pay down the debt. The one that has built up over ten years. The problem was caused over a long time. It's going to get solved over a long time unless we win the lottery. So we want to dedicate \$200,000 a year. And if it takes 20 years, it takes 20 years but we'll pay off our debt. And it's basically an IOU to ourselves because we haven't paid for the indirect deficit. \$400,000 is going towards this next year's annual deficit so we are not digging ourselves more into the hole. We are paying off our debt that was built up over the years and we are paying the annual deficit so the problem doesn't get any bigger. That's the main reason for this increase in this general fund. An update on the gaming revenue allocation plan I referred to earlier. It was approved on June 15th and immediately NPTEC acted and implemented that revenue allocation plan because we knew people have been waiting for years and years in order to receive some monetary benefit dividend from their gaming enterprises. Just to refresh your memory there was an initial plan that stipulates an initial million dollars seed money invested from prior year's revenue from the enterprises and that was done and put into an account. Then once the account reaches or exceeds \$1.5 million then a distribution is made. The distribution was made immediately because with the \$1 million seed money and the way that the formula applied to the unaudited net gaming profit of \$5.8 million. This is how the budget is going to play out in 2012. In the per capita fund the 15% was a positive into that fund. Fifteen percent is going to be utilized for economic development to re-invest back into our enterprises and 5% is being utilized for our local education fund programs. That is part of our state compact. The per capita turned out to be \$534.32. It's not a flat thing number but it was exactly 15% of the net profits for gaming plus that million dollar seed money and we divided evenly between 3,519 members. How many members we had on January 31, 2011. And that was through the revenue allocation fund. It was a long time coming. There were a lot of people who worked on this plan. A lot of people deserve credit for that plan being written and approve. I think it was a huge success. We done a lot of pre-planning after the plan was approved and were working on the per capita distribution. A lot went into that and a lot of people to thank to get those checks out on September 1. At the rate we are generating profit at the casinos it looks like it will be every two years. I know \$534 is not at the level some of the I-5 corridor tribes and other tribes receive but it is significant. This is truly an historical moment. First per capita payment from gaming for the Nez Perce Tribe people. I hope we can deliver that every two years to our people. A total of 3,227 distributions were mailed out. So if you recall we have 3,519 eligible tribal members. There is still a lot of people out there that have yet to turn in their form. You have 120 days to fill out that form from the date of distribution which is September 1. Encourage your family to get their form in so they can receive that check in the mail. The total amount disbursed is a little over \$1.7 million. The minors we must put extra protection on the their money and so the plan stipulated that the parent/guardian can access half of the per capita for

the needs of their child. But there is also an option for the parent to put the full amount into trust for their child. The delinquency garnishments under the revenue allocation plan allow up to 15% of the per capita to be garnished if you have a delinquency with a tribal program. A total of over \$50,000 was garnished from per capita checks to pay off these debts. The SRBA settlement funds. So we received, so you can see that over a series of years we are going to receive all of our settlement monies from SRBA. We have gone through a majority of the payments from 2007 – 2011. We finally received the 2011 payment just a month ago. From fiscal year 2007 – 2011 we have received \$77 million in principal payments through the SRBA settlement. Next year we are due a little over \$9.4 million and the final year 2013 the last \$9 million. And in total that will be over \$95,700,000. That was the exact figure that it was settled for and the SRBA term sheet and we are fully committed to holding the federal government to that responsibility and commitment. Because if we don't receive that full money then the SRBA agreement is null and void and they know that. The total expenditures to date since we started receiving the SRBA dollars is \$1.9 million. Thank you for listening to my report. If you have any questions after the SRBA investment presentation and the 2010 audit report, I will definitely be here to answer any questions.

Chairman Jackson: Thank you, Mr. Moffett and Mr. Baptiste.

Motion Susie Weaskus / Second Mary Jane Souther to go into executive session for the SRBA and 2010 audit report. Motion carried.

Motion Julia Davis-Wheeler / Second Rebecca Miles to come out of executive session at 5:21 p.m. . Motion carried.

Q & A

Chairman Jackson: Robert Kipp.

Robert Kipp: Thank you. For the Treasurer, as far as the public meeting in Lapwai, correct me if I am wrong, but the deadline says the 19th and only gave 2 days to comment. Didn't you say that we would have these public comments on these budgets at General Council today this week? And if that is the case are you extending the public comment period?

Joel Moffett: Your right we had a meeting on Friday and it only gave until Tuesday to provide comment. Had to reschedule a couple of times. I can make copies of the draft budget. The comment period has closed. We have a deadline of September 30. It is coming up on a very tight timeline.

Mary Tallbull: In regards to the public hearings on the gaming allocation. I don't think it was appropriate. A lot of tribal members missed out because it wasn't advertised. If you don't work here or at the tribal offices in Lapwai you don't know about the meetings. They should have been posted in the newspapers and we were just not notified. You are mandated by resolution to have those meetings in August of each year. So year after year we are going with the budget not being approved until after 9/30. The lack of communication should not be held against the people, we should be allowed to look at that budget, we should be able to have some say. We were also informed the indirect program the tribe has had to bail them out. And right now the Indirect programs are indebt 400k, correct?

Joel Moffett: yes

Mary Tallbull: We were told we have been up to a million dollars in debt. Who's picking that up? The Nez Perce Tribe and the gaming is picking that up. I don't think that is right. All management should be responsible for their budgets. We were promised that there would be a budgetary meeting on indirect. The NPTEC should follow their own promise and have that meeting on the indirect budgets. It was not handled right in all fairness you should give them a longer comment period. Most of the people in this didn't get to attend because they didn't know.

Joel Moffett: I believe the notification for the budget meetings was a tight turnaround because they were postponed twice due to unfortunate circumstances. It was advertised in the paper and mass email and posters were made up by the front office staff. The effort was made to get the word out but it was less than a week. The indirect program budgets. Part of the work budgets that were handed out at the budget meetings does contain the indirect cost budgets in the draft 2012. The indirect program budgets were discussed at the budget mtgs. The reason there is an indirect cost budget deficit. It's not the case that the indirect cost programs are overspending. In fact, historically, they do not spend all their budgets. We are still being penalized for overcharging indirect cost in 2005. The national business center said you cannot charge the full indirect cost rate next year and next year. We have a deficit that has been built up over the years.

Darcy Scarborough: I also want to agree with her on notifying tribal members of the events that are going on here. A lot of our tribal members that are not on the rez they don't hear anything about what is going on here.

Rebecca Miles: Thank you, Chairman Moffett of Budget and Finance. For clarification: the indirect programs do not put the tribe in the hole \$400,000 each year. We will be under budget significantly. I have been involved in General Council since I was about 20 or 21 and I haven't missed since I was 18 years old. I have seen very little involvement even if there is very good communication. We got three times the response with survey monkey on SRBA from our tribal citizens than we did with a paper survey or if you did a meeting. It shows that we need to get more information from all tribal members. I'm talking less than 20 people. Sometimes we have more staff. We do need to hear from everybody not just a small group. I very much appreciate the tribal members who go to meetings.

Motion Rebecca Miles / Second June Greene that the NPTEC begin to institute on-line surveys for feedback regarding the annual budget process / policy.

Chairman Jackson: Discussion on the motion.

Robert Kipp: How is that going to affect the budget for October 1?

Rebecca Miles: It is not intended to do this when we have to do a budget. The annual budget process is approved by NPTEC action. It is a booklet. What I'm asking is that they institute this into their policy for future years. I want to make a correction that it is not year after year we go past October 1. Last year was the first year since 2004. It's not every year. It is very important the General Council get accurate information. Survey Monkey is very beneficial to get feedback from tribal members. We can create them that they only go to tribal members.

Susie Weaskus: I guess I don't understand. Is the tribe's budget going to be out there for everyone to see online?

Chairman Jackson: Ms. Miles said that they could set it up on Survey Monkey to punch in your enrollment number so it's only tribal members that are allowed to get in there and only for a certain amount of time. It is not for the whole world to see.

Susie Weaskus: So anybody can just punch in their tribal number?

Rebecca Miles: We just completed the SRBA survey. You have to utilize tribal membership number and you can't use it again. We could have a default if someone knew your tribal ID number, they could probably do it. We would know if you wanted to do a survey and someone already used your tribal number. That would be an error and we would need to do something about it. But generally it's been very successful for us to get feedback from tribal members that really have busy lives. They can't be at meetings. Really we have meetings for everything, listening sessions.

Chairman Jackson: Okay, this is just a survey for feedback.

Point of privilege: Ollicut Watters: Do we have a quorum?

Chairman Jackson: We have a motion. Can we have the tellers in their positions to count their sections, please. That is a valid question, so we'll have the tellers take their positions.

Election Judges: There is a quorum.

Chairman Jackson: The motion is that the NPTEC begin to institute on-line surveys for feedback regarding the annual budget process / policy. All those in favor of the motion please signify by saying "aye." Those against same sign. Motion carried.

Motion Sara Sedgwick / Second Constance Watters to accept the reports of the Chairman and Treasurer and excuse them. Motion carried.

Chairman Jackson: Is there any discussion (3x)? Question has been called. All those in favor of the motion to accept their reports and excuse the NPTEC please signify by saying "aye." Those opposed same sign. Motion carried.

Brooklyn Baptiste: Joel was elected Secretary/Treasurer of the ATNI Executive Board.

Chairman Jackson: At this time I would like to recognize Sara Sedgwick's motion to recess until tomorrow at 8:30. Is there a second? Al Wheeler.

Sara Sedgwick motion to recess; second Al Wheeler. Motion carried.

Recess for the day at 5:42 p.m.

General Council Officers take Oath of Office administered by Judge Eva White.

Friday, September 23, 2011

Chairman Jackson: Good morning, General Council, and welcome to the second day of our General Council meetings. We do have a quorum as confirmed by the Election Judges. Therefore, I would like to call the meeting order at 8:45 am. I would like to call our NPTEC Chaplain, Julia Davis Wheeler, to open our meeting with a prayer.

Chaplain Julia Davis Wheeler: Opened meeting with prayer.

Chairman Jackson: Thank you, Julia. Okay, on the agenda we are continuing from yesterday's schedule. We will start out with Public and Private Sector Reports with Rebecca Miles, Executive Director of the Public Entity, and Jamie Olson, Executive Officer of the Enterprise.

EXECUTIVE REPORTS

Rebecca Miles, Executive Director: Taac may wii, General Council. I have a power point for you and I also have an important video. Natural Resources has been overlooked and they have requested to have some time on my agenda. It's an eight minute video. It's certainly is an honor and a privilege to serve as the Nez Perce Tribe's Executive Director of governmental operations.

Chairman Jackson: Can we have a member of facilities please dim the lights for the power point?

Ms. Miles: I can tell you it has been a very busy summer with most people are doing vacation since school is out. That is actually a very busy time for the NPT. Our annual budget process begins, we have a lot of field workers come back on, and so we have over 600 employees on the government side. So it becomes a very busy time for us and it's a very quick time from the May General Council to the Fall General Council. It's not like halfway in between; it's only a little over four months. So I am definitely very honored to be in this position. I always start my first three slides out with our mission. And right now the NPTEC is in the process of redoing or updating their Strategic Plan. And right now the Strategic Plan from March of 2009 says that together we will protect and advance Nez Perce Culture and Sovereignty. And so when I see that mission I take that as every single employee of the Nez Perce Tribe, that is our directive, that is what we have to believe in, our leadership has set the mission and this what they are requiring their staff to accomplish.

Their vision at the time and looking forward to their new updated plan is to improve social, cultural and economic prosperity for Nez Perce people, to preserve and maintain the land and water rights of the Nez Perce people, and to provide services and opportunities to our people. I always like to include the role of the Executive Director up here so you can understand how our organization operates. It's essentially top-down when the NPTEC says this is what my role is and in my class description. I administer all the tribal direct services programs. I serve as a conduit and liaison to the NPTEC in all the government side. I align any policies and processes to ensure that that policy is funneled down. We also administer tax compliance for the Tribe which is now becoming a major operation for the Tribe. The government has to bring in some revenue to be able cover its expenses and exist as a government ... I oversee all the financial operations of the Tribe and meet all the financial goals in terms of competitive grants, contracts, and other opportunities. We hope all of this when everybody is doing their role, government does their role as policy, I do my job as an administrator, and everybody on down does

what is required in their class description you hope to accomplish that highly effective, performing and healthy organization. I always put these as how the inner workings are required in my role. They are not separate at all. They require a great deal of working together in order to make those things work. I am required to implement the strategic plan and I can tell you all of the he executives of the Tribe, there are four of us that are anxiously waiting NPTEC's final draft plan. I have to ensure that whatever that plans says that also department program plan goals are achieved. And if they are not, why aren't they? Our universal human resource department and what I mean by that is we submitted a final draft to the NPTEC, it went out for employee comment and I believe I have the booklet that is about this thick with employee comments. I believe it will take NPTEC a little while to let those comments soak in and determine does that change any of the draft language in our draft plan or does it leave it the same, does it support what we had submitted. Organizational development and infrastructure over this next year you are to see some changes we submitted...NPTEC already has prioritized their organizational changes but over the last two years we have been unable to fund those changes. And those include key positions that really separate the powers of the Nez Perce Tribal government. However, within the Executive Director's role, there is some major growth in information systems and we are going to look to elevate that to an entire department. It is absolutely essential to how we do business and it has become absolutely essential to how the government will even grow economically. So we are very anxious and you will see that on our organizational chart. Finally, I can tell you there was a question yesterday about funding. I was reading yesterday House Speaker Boehner's comments on another potential shut down. So all of these threats in congress very much affect how the government operates. If you do not have your federal funding or your funding reauthorized or extended or whate4ver even for a few months until we get to the next budget year. That is also indirect money that we can't capture so you can see how the inner workings of the Tribe and how your government operates is very much tied to congress. We will be watching it very closely. I can tell you the last time we had the threat of a shutdown, I was anxious to report that our programs were doing very well. For example, if we had a program that was authorized for funding and let's say they have to report back to the federal agency. They were able to withdraw all of their funding for the entire year. So there were so many programs that we thought we were going to have to furlough and they already had their funding here at the Nez Perce Tribe to operate. That's just very good efficiency. At this point, the Water Resources Department, let me just talk quickly about what's going on in Water Resources. I think right now it's been the most physical program. Not the most important but I think what everybody does is important. But the Nez Perce Tribe and the NPTEC have taken some big steps in enhancing our utility. And one of those is replacing a forty year old outdated lagoon system. And when I say forty year old outdated I don't mean it's forty years old, I mean forty years ago it was out of compliance. And it was continuing to get from the state a permit and when I said the economics of it, we literally could not provide the Nez Perce Tribe had no room to grow and neither did the City. And literally we did not have room for one person to flush the toilet. And so fourteen years ago the Nez Perce Tribe in partnership with the city began planning a new waste water treatment facility. It was the Nez Perce Tribe water resources staff that recommended the state of the art facility that we have now. That we have recently completed. We will be watching a grand opening and tour to that facility in conjunction with NPTEC in October, I believe, if you can find some time we would be, we had some time this week but obviously it is not a good week of General Council. And finally, in talking about, we think about fisheries, is protecting watersheds and those types of things. But we also have another function under Water Resources does this as well and I would like to show this video now. Hopefully you will be able to see it. I know Helen text me this morning and I don't know if she can be here this morning but it was something their staff feels like the General Council...Oh!! There you are!! Great, Great! Awesome, she's here.

9:00 a.m. – Water Resources video

Rebecca Miles: If you can't hear the [video], it essentially, this is talking about the mud bogging that happens on our reserves and federal national forests that have also considered our usual and accustomed territory and gathering.

Rebecca Miles: Congratulations, Helen [Goodteacher]. We have a touch screen, a flat screen out there and you are more than welcome to watch it as well during the weekend. Some of the comments made had a big push this year to hire Nez Perce interns from high school and college. And two of those interns, I read these yesterday, Zachary Terry said I learned about the effects of mud bogging and how wetlands can be severely damaged. It was kind of disappointing that so much could be ruined from mud bogging. I learned so much about water and how important it is to our people. And that was NPTEC to get us to hire a lot of our own people and this is the kind impression we are leaving with them and it is a very good investment in our future. Sierra Higheagle says one thing that surprised me was how people treated the land. I have seen things like mud bogging on Nez Perce land. This really disappoints me and makes me want to try and help our Tribe with these problems.

Moving on to economic development and economic development team under Ann McCormack and we also share the staff under the Enterprises. However, you were just able to receive your the first per capita from gaming revenue ever. That deadline for turning in that survey, of course, has already passed and they are going to draw the names today. But I can tell you that they had a goal of getting 1,000 back and for a paper survey that's actually really good. And I don't know if it's letting the cat out of the bag but they did not reach their goal. They reached I believe a little over 900 which is still fantastic. So we are going to do a drawing today but you can still turn in your survey because we still want to reach that goal of 1,000. And that is very important...how decisions and goals are made by your NPTEC. So I just wanted to add that. Also this summer we had 22 U of I Architecture department students and two professors from the community architecture and planning class that are conducting a business hub zone and visioning this semester for us on our behalf. And we'll see those results soon. The Tribe does not have a current comprehensive plan or a sub-comp plan so I can see how frustrating it is to NPTEC and anybody who wants to develop or build new houses. We don't have our land prioritized in those ways. And so it's very important that we start this process. And because of funding we have to go to the universities because it is a lot more inexpensive.

I am very proud of information systems. I know you have all seen how visible they have become. We have now and I noticed last night at the casino, Meredith Moffett pointed out that we are now listening to our own radio station in the casino. But as you are aware we now have a radio station owned and operated solely by the Nez Perce Tribe right here in the Wa-a'yas Community Building. This is a new station it's the first public radio service to over 13,000 people an additional service to over 7,000 people. Because it is a public service and it is not profit-oriented like your KMOK or you know 105.1 station. It is not the type of revenue driver that you would see. You can run public service announcements, which is exceptional for the Nez Perce Tribe to get information out and volunteerism. So really for the tribe to target our communications majors or people who are currently transitioning to start begin to volunteer in the program. I am very excited because not only is that a statement about the Tribe but I know you've heard our language, I have seen people's comments on Facebook, from other places that say we have our language, we hear stories. Its brought a lot of pride to our people to be able to have that type of communication here. It has definitely improved communication and will continue to improve communication on the reservation that is considered very rural. Further, in information systems, we are one of the very few tribes that received the broadband grant which I have reported to you the last, I believe, three or four General Councils. 1.5 million in equipment to build the infrastructure for broadband. Our project will become best practices for all other awardees. I can't tell you what kind of investment this does for the tribe when you are talking about

economic development, when you're talking about quick communications. You have to have that infrastructure. I went to an NCAI a year ago and there are no longer any grants given. Now tribes have to actually get a loan for these types of broadband grants. And they get a very good loan interest loan. But we were able to strike while the iron was hot and get the grant funding while it existed. That just says everything about how well we are doing in information systems. It's not limited to economic development for new businesses to grow, our education, our culture, and e-government. We are currently constructing more towers. We are not complete. I know that broadband exists in Lapwai so you get your internet services through the Nez Perce Tribe. You'll have seen if you were on the old system and now you're on the...you didn't have to do anything. Now you are on broadband. You'll notice the increase in speed in your internet. And soon this will be...is offered in the Lapwai area. It will be in the Cherrylane area and soon to be Culatesac and Peck areas where you really don't have any communication at all. I know one of my best friends lives in that area and once she crosses a certain area we don't see her until the next day at work. We don't know what she's doing. And we will have a map in the Wa-a'yas lobby [inaudible.]

I was honored to be able to attend ATNI annual conference and I can tell you it was extremely beneficial. And I will say I supported our Information Systems director to attend as well. I can tell we are very much a leader and I will continue to support our staff to attend those. To tell how we are doing. We were at the Tulalip tribes this year and so Jamie and I were actually able to go tour facilities and look at other things the tribe is doing outside of the meetings. This is a three year old building right here that is their new administrative buildings. You all know the Umatilla have built their new administrative building they call it their government center. If you see the picture over to the right that was the view from the first floor but if you go up to the third floor that is where the council chambers are. They are able to overlook their gathering and fishing areas right there from their offices. So what happens when everybody goes in one building is it improves communication between departments. Right now we have little islands in the Nez Perce Tribe. And one of my battles is that we sometimes can get on our island and think that I work for the island and for the rest of the people. No, we all work for the Nez Perce Tribe. Nobody works for just the department of Fisheries or ERWM or the E/D's office. We all work for the Nez Perce Tribe and it's very important that we are reminded of that every day. The other thing that I think it more importantly improves, it improves the services to tribal members. Anybody that has been a student knows that in years previous you had to go to three different places to apply for a scholarship. Anybody knows that if you want to get a fish permit you go to a different office. There is burning permits...there is all these areas that need to come together in order to be a better service to our tribal citizens. And also it would bring our costs down. Right now we are paying very expensive costs in utilities and set up. Every time we get a new building we have to set people up and put the wiring in the buildings, their phone up and their internet. And it's very expensive if you have to do that when it's not already existing and plan for a new building. I had to take a [inaudible] of this because when I started as the E/D, I was almost like I was speaking a foreign language when I came in and I said customer service has to be the most important thing to anybody who works in the Nez Perce Tribe. And no, we are not revenue driven on our side but we serve the people. And it's very important that we understand that when we are there 8 – 4:30 we are not tribal members, we are serving tribal members. And so this is the very first floor right when you walk in at the Tulalip center and it says customer service centers. You can't see it very well but they are little, almost like you are in a bank and there's tellers right there. And they are all tribal members and they are there to serve anybody who walks through that door with any of their needs. And that says everything. Right when you walk through the door the tribe is saying Tulalip tribe we are here to serve you, what can we do for you. And that is exactly what was stated to me when I asked the lady if I could take pictures of the sign. She is called a customer service representative. I think that is fantastic and we have got to make that jump; we have got to understand that we are here to serve you all and improve those services and may be...those always need to be worked on. You can never accomplish

great customer service and think it's achieve it's something you always have to work on. Next slide. Our Social Service department is making great strides in our elder and senior citizens services. We had a wonderful elder day with over 350 registered participants. I believe we had more than that actually attending...additional folks. Tribal departments donated in mass all these gift bags that I don't think we've ever seen before. We had to keep having drawing after drawing to get rid of all these great baskets for elders. Of course Mr. Wally Wheeler and Ms. Betty Corbett were honored as both elder of the year. So congratulations to both of those elders. We have increased our elder travel this year and our policy has been fairly flexible to allow people to go to these locations. The elders this year have gone to Nespelem, Muckleshoot, Tulalip, Pendleton, Grand Ronde, Northern Quest, and the final trip of the year will be a jet boat tour up to Dug bar, the old Nez Perce crossing, and also to Worley this year. That sign up went out and I had an update a few weeks with our Social Service manager and asked well how many people have signed up because our boat could fit 40. And at that point we had over 60. So I am very excited that we are going to do everything that we can do to meet the need of our seniors. Someone said over there at Tulalip, boy, your seniors are sure spoiled and I was hoping that some time we would be able to say that here. Boy, we are spoiling our seniors. They are sure spoiled. And I know you don't feel that right now but I can tell that it's on our staff's mind. The late in life program hosted a kick-off event in May. This program is geared to address and facilitate support services for victims of elder abuse and the team will be training local law enforcement agencies in February on elder abuse issues and response...how to respond. The team includes our law enforcement, prosecution, judicial, social services, the YWCA, and Area Agency on Aging. We've developed a Senior Citizens newsletter now and that newsletter is available at the Senior booth here at General. And please let us know what you think of that newsletter. Give us some feedback. The wheelchair accessible handicap mini-van was purchased for the Kamiah and Orofino area senior citizens in August. That is a wonderful van that meets all of our requirements. Of course, the Women's Outreach Program was awarded over half-million dollars from DOJ [Dept. of Justice] – the office of violence against women. Our program director has done an exceptional job, Sydel Samuels who wrote that grant. Social Services will be expanding hours at the Wa-a'yas effective October 1. Hours will be Tuesday through Thursday, 9:30 a.m. – 3:00 p.m. Anybody who lives up here knows that it's very hard to get services. You have to fax, you have to count on staff being here. It very much could seem very secluded and that's not what we want to have happen. I appreciate the departments responding to how we can improve services to the whole reservation. Not just at the headquarters of the Nez Perce Tribe. Next slide. Our Indian Child Welfare department has provided positive Indian parenting classes both here in Kamiah and in Lapwai. Our next one will be held in Kamiah. Our Outreach has shared with and done quarterly meeting with other tribal departments. We have hired a part-time Indian Child Welfare Parent Education coordinator to focus on foster home recruitment and retention. And if you understand...each year after year the tribe was always trying to recruit native foster parents. As you are aware, all of our child protection workers are tribal members and they are MSWs which is outstanding. We now have two MSW interns working in our program. And finally in this report, we submitted a grant Cultivating Life's Garden in July which integrates TANF, Child welfare services for children and families who are eligible to receive TANF and are striving to reunifying and preserving their family unit. The project includes gardening, harvesting and preserving traditional foods, preventative health care and grandparents as caregivers. The selected recipients of this grant have not been announced. Finally for TANF I was very honored at ATNI, I felt like we were just working around the clock. I was able to be included on behalf of the Nez Perce Tribe one of three tribal TANF programs that able to testify or speak with the TANF administrator to the assistant secretary of Human Health and Services. Under Secretary Sebelius which is assistant Secretary Sheldon. We were able to talk about our TANF and the successes we have had. There was an overwhelming response of how many cases that were seemed impossible walking through the door that became possible because of what we are doing in TANF. So we can see up here with the amount of funding over \$42,000 has been

expended on eight single parent families, ten two parent families, and 10 child [inaudible] cases. There is a lot of... a growing number of child only cases as grandparents or other relatives are taking responsibility for caring for their children. Next slide. Real quickly, our department of Education, our Voc-Rehab department has also increased their impact on ex-offenders after they have been released from prison so they have seen a growth in those numbers. This is also through the Voc-Rehab program has been able to help them get on their feet and reach their employment outcomes but it has also helped them transition back in to their home life after spending many years in prison. Our students for success program and NMPH community health program are getting national recognition this year under the CDC.

Congratulations, our Students for Success [program]. It's due to their work with schools on the reservation. They will be featured in the upcoming federal success story publication. As you are aware we have not seen a lot of movement under our education and workforce development center. As congressional monies start to tighten as we are still in this war, and you start to see future presidential budgets decrease in funding to tribes and infrastructure. We are re-aligning our focus on our feasibility study. We have contracted with Washington State University to cut costs to be able to give us a better focus. In order for us to accomplish this state of the art facility it has been very difficult and we are completing that. If were a key staff or if you were a NPTEC you might be interviewed in the next couple weeks or you have already been interviewed by that facility team. Strategic planning I already mentioned this just briefly but NPTEC has contracted with Ted Strong. These were the goals that were laid out a year ago for myself is in NPTEC's desire to separate powers especially when it comes to law and justice. And eliminate the majority of the positions that the NPTEC Chair supervises. A draft organizational chart was also worked on in three NPTEC sessions over a year ago. We haven't worked on it since but I have requested that in the budget. Last year I increased my budget by \$90. This year I have requested because it was an action at General Council to develop an EEOC position. We want to have a law and justice executive director at some point that will help separate those kinds of things. So those are still important and I do not see them happening this year with our indirect short fall and indirect deficit. Our correctional facility feasibility study grant was \$150,000. Our biggest goal right now and I understand NPTEC is very busy but our biggest goal is getting NPTEC involvement. The feasibility does not mean the Nez Perce Tribe will build a correctional facility. It's only going to tell us if it's even feasible to do so and if so what kind of facility would it be. Is it a juvenile or an adult or is it a combination of both. And part of the goals in that grant when it was written is to make sure the tribe was able to control our education and cultural practices of people who are incarcerated. Anybody who knows or who has family or has been incarcerated or as a juvenile knows it's almost like their education stops. By the time a facility gets your education plan you may be being released and so you are missing all this time of getting properly educated.

Department of Finance. I can't even tell you how proud I am of our finance department audits. And your Treasurer reported this and I can say it has everything to do with our leadership of our finance manager Ed Brown. Our audits and indirect cost rates are current for the first time in years. And it's a matter of fact in just over a year's time Ed was able to ensure we had three audits done: 2008, 2009 and 2010. Our auditors will be in here in November to start the closeout of 2011 and that says everything about our financial well-being. Springbrook conversion is very expensive and difficult software is starting to be converted. If you notice..., if you are on the tribe's payroll you will have a different type of payroll. This will increase communication to some extent. Where people who manage a budget will be able to see how their budget is doing at leisure. They will be able to log on as opposed to overloading the accounting staff and wanting a printout request and all that. They will be able to be almost like their own [inaudible] accountant. All the requirements of policy and approval will still be in place but at least they will be able to see their operating budget. And this year it was phenomenal to see what was going on with these audits, our indirect cost

proposal, our Springbrook conversion, and the finance staff also distributed your per captiat check. On the first roll was over 2,700 checks. And so it was outstanding to see the amount of work they were able to do at the same time within the same two weeks they also distributed the school clothes assistance as well as get payroll and everything on time. I really believe the finance department and Ed Brown deserve a round of applause. Thank you.

I have two topics left. One that's very dear to my heart and in the NPTEC's current strategic plan is the Longhouse. And it has been two years of planning and we've had setbacks and we've had challenges. And right now we have accomplished many things including what has been the most controversial is picking a land site. Now NPTEC has authorized a land exchange with the Nez Perce National Historical Park. However, we have all these things in place, we received a grant fund for site-ing, we approved a land site we already selected a contractor that has already met with TERO to establish the wage rates. We are all systems go so to speak but because we have taken over a year-and-a-half to get to this point, construction costs have increased. And so we have that challenge that NPTEC is a little hesitant right now to approve those costs. They are estimated costs. We hope that when we actually bid that maybe we will see those costs come down. NPTEC is going to be informed within the next few weeks of other construction projects that now have increased costs as well because the cost of lumber and other equipment has increased dramatically over the last year. We are in the high-end of construction. We are kind of skimming down getting over the summer months and so when we take estimates in the summer, of course, you are going to see them high. But we are going to try to navigate through this and it is important the General Council tell their leadership what they would like to see happen. It's a very good investment. SRBA funds will pay for that. Here is a picture of the land exchange and where you see that arrow coming in is currently the boom grounds. What was commonly called the [inaudible] grounds. It's a tribal ground. And then you will see the land right..that's facing north and east, of course, is the river and then right where it says old US highway 12 and in-between the boom grounds that is land we are looking at exchanging with the Park Service. We are actually doing a partial land exchange if we can get approval for to move forward with this. It's going to be beneficial. One of the things that increased the cost by \$300,000 was this site selection because there is so much rock there; the estimated cost of excavating are estimating to be that much greater. So we are going to try to do our best to navigate through this. I think NPTEC would appreciate your opinion on what you think should happen. We don't want to see this goal that NPTEC set out in 2009 and NPTECs 20 years ago set to accomplish for the Nez Perce Tribe. We would hope that we could build this and then look at another location where we could build another longhouse, maybe, preferably, here in the Kamiah area. This is, of course, you see this slide this is final drawing for the longhouse. Next slide. This is just an inside rendering. Next slide. Let me conclude my remarks. I always conclude my remarks with honoring somebody who is very significant to the Nez Perce Tribe as an employee. I can tell you we have an employee that has served 38 years to serve Nez Perce people. Now she's served Nez Perce Elders for so many years and now she will have the sole right to be a Nez Perce Elder and be served. I want to congratulate Geneva Towner. She retired on September 1 with over 38 years of service to the Nez Perce Tribe. For years she has provided meals at the Lapwai Senior Citizens Program. And a reception was held. She did not ask for any honoring or reception and she was very surprised when our staff had set up this surprise reception. I wanted to have her honored today. Is she here? And she is not here today. I was hoping yesterday when she was here we would be able to honor hre. I have a pair of cornhusk earrings for her and a blanket. I think all seniors like these umbrellas. I will give it to Danae [Wilson] to give to her mother. I very much wanted her to be honored by the General Council to show how long she has committed to the Nez Perce Tribe.

Just a couple final things. Very active at ATNI. I was honored to be asked to sponsor a resolution in the Law and Justice subcommittee that's called Indians for Justice. It was a resolution that first ever president woman president of ATNI signed into law that would go to NCAI. It's called Justice for the shooting of John T. Williams. He was the [inaudible] wood carver that was shot down in the streets of Seattle for having his closed knife. We actually got to see the video of that which was so emotional. I can't even tell you. So they are requesting all the Tribes to pass a resolution because the city of Seattle actually did their own investigation and rendered the police officer innocent. The actual law that needs to be changed towards officers is malicious intent. So you have to prove, they have malicious intent. Finally, Jamie and I will be working and will accept any volunteers. You are going to see announcements over the next few weeks over Nimiipuu "get out the Native Vote" campaign. We saw that it was really mostly geared toward Washington tribes. So you are going to see us get more information out to the tribal citizens in order to increase Nez Perce tribe voter registration and actually voting. Thank you very much, General Council. I very much appreciate your time and am very honored to serve all of you and look forward to your questions or concerns. Thank you.

9:40 a.m.

Chairman Jackson: Thank you Ms. Miles. Now we will hear from Ms. Jamie Olsen, Executive Director of Enterprises.

Jamie Olsen, Executive Officer: Good morning, General Council. My name is Jamie Olsen and I am the Executive Director of the Nez Perce Tribal Enterprise. And as always it is an honor and a privilege to serve the Nez Perce people in this capacity. This morning I will be giving you the financial state of the Nez Perce Tribal Enterprise and then will also give a presentation to you on the economic development strategies that is currently in a draft form. And we are seeking from the General Council to approve that. Listening to our Treasurer's report yesterday, there a lot of demands on the Enterprise to be able to perform to meet the financial needs of the Nez Perce Tribe. In going through the Treasurer's report, what the Tribe needs to be able to sustain the level of operations and to provide services to the people they need \$6,602,105. That comes from gaming revenue and also...I'll get into this slide in a second. Anyway that comes from gaming revenue, and also the revenue received from taxes. Sales of fuel and tobacco and now sales tax and retail tax. How are we going to meet that demand? What we are going to do is we are going to meet it by operating a production and performance driven organization. The Nez Perce Tribe is in business and how you be successful at business is you work very, very, very, very hard on improving and growing your revenue and, at the same time, you work very, very, very hard at holding all of your expenses in line so that you are always have in site your bottom line and working every single day to improve that bottom line. We will always be working on improving the operations within the Nez Perce Tribal Enterprise. We are working very hard at right-sizing our businesses. An enterprise is not a government. We are operating completely differently. We are very focused on profitability. We have a lot of revenue centers within the Nez Perce Tribal Enterprise and the Gaming Enterprise and including the C-stores. And every single revenue center within the Enterprise is expected to generate revenue to be able to meet the demands of the Tribe. We also are working very hard on improving our business performance through networking and visibility. We know that in order to grow our revenue we really are going to have to reach out to obtain tourism dollars. Tourism dollars is new money that comes in to our area. We want to be able to access that new money and there is a number of things that happen to...that will allow us to do that. But in order for us to be successful at it, we have to do a much better job of networking amongst business communities on and just outside the reservation and our market, I should say. And we also need to be more visible within our market and

tooting our own horn. And really tuning our [inaudible] with everything that we could provide to the business community and all of the things that we can do to actually make them successful. When we're successful, the business community around us is successful. The economy is successful. And when the communities in our market are successful, we are successful. So it is a win-win if you work together. We have had some successes. We had some successes in bringing some groups to the Clearwater River Casino. You may have noticed that we were kind of the host for the international boat racers who came and raced on the Snake River. We were able to bring in a group of people, they stay at the hotel, they play on the gaming floor, they eat in our restaurant, they utilize the event center. We served a banquet. And that is all very positive. It helps us to grow our revenue. We also recently celebrated our 15 year anniversary at the Clearwater River Casino and we brought in Elaine Miles as an entertainer. She did a fantastic job and we had a huge turnout of folks that wanted to come and see her. [inaudible] We have to do things that get people to come to our business. We also recently hosted an international tour group. They were just here this week. They came in on Monday. Our tourism director helped bring them in, working together with the marketing director and also the hotel director. We were a very, very good host. And again, they stayed in the hotel, they ate in the restaurant, they played in the gaming floor. We entertained them and we had the ability to showcase who we are and what we can do. The best advertising that you can get in the business is word of mouth. So the more that we can treat people to a great experience in our businesses, just doing that in and of itself is going to help us to grow. We also recently hosted an economic summit. The topic was "Where the rubber meets the Road." We also feel we could tell by hosting the summit and we had people on the gaming floor and eating at our restaurant and utilizing the event center. We brought in a lot of high level, high profile people to come in and speak with the Nez Perce people in regards to all of things that are happening in Indian country. To help support economic development and to diversify your businesses away from just the reliance that we have on gaming. So we had folks from the Department of Energy. We had the president of the Native American Contractors Association out of Washington, DC. We had the owners of Sister Sky come down and tell their story, their small business story and share their entrepreneurial spirit with the group in regards how hard it is to run a business but how rewarding it is to run a business. We also had folks from ATNI talk about the salmon marketing program which the Nez Perce Tribe is very involved with. We also recently hosted a Lewis & Clark Valley Chamber business after hours at the Clearwater River Casino. That brings a lot of people out to our property. [inaudible] a chance to showcase who we are and what we can do and what we can provide. So with that I am going to go into kind of a state of where we are right now 11 months into this fiscal year. In your General Council report you do have some company prepared financial statements. You have an income statement and a balance sheet for each of our existing businesses. Those financials are through the month of July. This week the finance department got the August financials completed so this report on the slide is where we are at so far through our fiscal year 2011. I'm going to focus on profitability because that is what we focus on. We focus on the bottom line. I have very good news to share with you. As you can see in 2011, this is a comparison to previous years because I am not going to see the growth.(1:01:43) The Clearwater River Casino, the earnings have grown 35% from 4.6 million dollars to 6.2 million dollars [inaudible] 11 months per this fiscal year. [applause]. Thank you. Itse Ye Ye Casino is kind of flat. We

We have been putting a lot of investment into Itse' Ye Ye Casino. We have implemented an on-line gaming system and switching out the gaming floor. There are a lot of costs associated with that. But in the long run it's best to invest in our business that is going to help us grow the business because with this new on-line system we are going to be able to understand who our customer is because now our customers utilize the players club card. There is a number of statistics and demographics that we can pull and we can do a much better job of marketing to our customers; who they are and what they like. So those are things that are kind of flat. At least we were able to be close to maintaining some level of profitability as previous year. So we

are about \$30,000 down. Thirty thousand dollars of net profit down from the same time last year. The Nez Perce Express has been kind of holding its own as was discussed yesterday by the treasurer. Our gallonage sold has decreased with the price of fuel. There are less people purchasing fuel. We do expect that we will have about a flat year in comparison to the previous year. But I would like General Council to know that if I were to show you a trend report but I do not have a trend report to show you but the Nez Perce Express implemented a lot of changes in about first six months of the fiscal year. So actually most of these earnings that you see occur starting in about February-March of this year. So what it tells me is that we're really on the right track and the Nez Perce Express should have a really good year. [inaudible] the reduction in fuel sales, there is an emphasis in other areas. We do sell a lot of tobacco. We sell snacks and beer and wine and we also have a deli. So the net profitability of that business has actually improved in the last six months. You will be able to see that, you'll really be able to start to see that. The Camas Express, there has been a lot emphasis on Camas Express. It has posted some very large losses in the last two fiscal years. So that was really an area that we put a lot of focus on. We had a strategic development plan that we implemented in about January of 2011. In February we started to see some of the effects of implementing that new plan. We did a lot of things to improve the profitability. We really started to see it starting in February. So that loss has been reduced almost in half. It's 42.29%. And all of that gain is gain just in the last six or seven months. So that business is doing a fantastic job of turn-around. We are basically in a turn-around situation at Camas Express and we've been very successful. So for gaming revenue you can see that with two gaming properties that the Nez Perce Tribe owns and operates, the gaming revenue has grown 31.49% between the two casinos. The Express revenue has grown 66.66%. That's a combination of both properties. So total increase or growth in profitability for your tribal businesses is 32.7% which is about 1.7 million dollars in one year. So I think that is really good. [applause]. The next slide shows you where we project to be at year end. At year end we are projecting to post earnings of \$7.2 million. What does that mean because we implemented the new gaming revenue allocation plan that I think you are aware of that was discussed yesterday. Of that \$7.2 million 65% will go tribal government operations. That's \$4,695,508.35. Fifteen percent of that of those earnings will go into a per capita fund. There per capita fund will receive...these are company prepared financial statements. They are not audited financial statements. The auditor will make some adjustments but our finance department under the direction of Frank Barnes has been doing an awesome job so our company prepared financials are very close to the audited financial statements. So this is a projection. Fifteen percent to the per capita fund we have put in just over a million dollars. Put in just over a million dollars for economic development which gets re-invested back into your business and is also used for other economic fund to be used that we are looking at. And 5% as mandated by the state compact is [inaudible] to the local education fund and disbursed by the Executive Director's office and the Nez Perce Tribal Executive Committee. Which would be around \$360,000. So this is tremendous growth in comparison to where we were when I first came on over two years ago. So the Express [inaudible] we will end up the year about \$329,000. What I would like to do now is go into two of our largest projects that we have going on. I want to talk to you a little about where we are at with the Ahtway Plaza expansion. We completed a geo-archeological assessment by Northwest Archeologists. This was completed on September 6. We do know that that site, I'm very sensitive to the area. It is a historical village site. We know that people camped there and have lived there in that area for tens of thousands of years. We did feel that it was very important that we did complete an archaeological assessment. So under the recommendations of the Nez Perce Tribe's Cultural Resources department we went ahead did kind of the whole type of assessment and that has been completed. And they have not provided us with a report yet but the report is forthcoming. We also purchased some additional property. We purchased 6.88 acres which was now the former S & S Contracting site. The purchase of that land was on September 15. That helps us to grow the land ownership down at Ahtway Plaza. What's kind of the neat thing about that is we now control all of the land on our road which is Nez Perce road. So there is no other

ownership that even bumps up on either side of that road. So we completely control all access, all right of ways, so that's a plus. And we also we will be able to obtain through that purchase a building with two shops. Which is critical in order to facilitate our expansion because we have a lot of buildings, if you notice, and I think it looks terrible. We have all these sheds and modulares and this and that and now we purchased land that we can kind of consolidate that into. The schematic design by Northwest [inaudible] Architect is expected to be completed on October 5. We are very close. The interior design elements are currently in the process and there is still time to provide any input that you have in regards to the interior design. One of the goals through the expansion is to improve the presence of ownership of that casino which is the Nez Perce people. So, if you go down there now and you go into the building...that's really not the feeling that you get. So we have an opportunity to really make this a beautiful property and to showcase who we are. And so the cultural elements of the design are very important. So we do have a booth out there that kind of shows you some of the things, some of the carpet samples they put together. This is all input from the cultural committee. We would have them explain to the interior design folks what colors, type of design and we also got to incorporate language. (1:11:01) We have gone out to the Nez Perce National Historical Park and looked at some of the old beadwork and cornhusking and design patterns from all of the beautiful artifacts that are held there, trying to incorporate that into the interior design of the casino. We are expecting that the civil construction documents will be completed and we'll have a [inaudible] plan of those in October of 2011. The building construction documents will be completed and plan which will be completed for the actual building in December of 2012. Yesterday, construction costs based upon the schematic design is about \$1.5 million. The [inaudible] construction is finalizing the project costs. They need the final schematic design to be able to go out with costs. Every single thing that would go into [inaudible]. We are currently in the process of bringing on Warren Construction management and owner's representative. That has gone out and posts on Monday. We hope to have somebody on board soon because once we get into construction there is going to be a lot stuff going on. We will have subcontracting bidding going on for the site work in October of 2011. We will be working with our TERO department on that. We do, we will be holding job fair for potential employment for the construction of the building which we are looking at in December of 2011. Some of the site work will actually start in October with the construction of the building will be starting in December. We will have a groundbreaking ceremony sometime in the month of October and [inaudible] coming in the last year soon. The expansion construction project is expected to take about 12 to 14 months. We have been working on some other things to for Ahtway Plaza. We did Inland Cellular is leasing a piece of land from the tribe and built a cell phone tower. The cell phone tower is up and is behind the casino up on the hill. They need to find a spot for it t to directly communicate with the other tower that is somewhere over by Potlatch. The only thing that we are waiting on is Clearwater Power to bring the power line to the cell phone tower. Once the power gets installed, it will take about two weeks and then we'll have that cell phone tower. We will be able to go live. And that is going to greatly enhance our profitability. You would be amazed at how many people will not stay in our hotel or in our rv park because they cannot get cell phone service. And I am talking about the traveler who uses those AT&T and some of those premium AT&T services. Because everyone keeps merging..but anyways it is going to be awesome to have cell phone tower in that area because it is a dead spot. We've actually had people check into their hotel room, go to their room, come back down and check out because they cannot use their cell phone. These days people have to conduct business 24/7 or they have to be in contact with their family 24/7. And even in the RV park we have these high end RVs come in and they want to come and stay but as soon as they get out there and they cannot connect they come back in, they want a refund and they leave. And so a cell phone tower might not sound like a big deal but it is huge. The other thing that we are doing is working on our wireless access. Troy Mariano is our MIS Director and he is the person who has kind of been facilitating a lot of these projects, coordinating them and following through to make sure they are being done. He is working on improving wireless to our property because I see everybody has to

check their Facebook. Everybody has to post their Facebook and I'm not talking about employees. I'm talking about guests. Everybody that stays at the hotel they have to work. They have to, if people come and hold business meetings in our event center, they have to work. They are at a meeting and they are participating in a meeting, money never sleeps. Everybody has to be doing their thing 24/7 and we have to be able to accommodate this. This is now the expectation of our society. It's not a plus, it's an expectation so we are trying to get there. We are hoping or I'm hoping that we go live with this also in October of 2011. Here's some other things that we are doing to improve our property. We are re-planning our lounge / sports bar. We are getting more flat screen TVs and get them up on the wall. We are bringing in more satellite TV shows, multiple sporting events [inaudible]. We also have a promotion going on right now. It's a football kiosk. You go into the casino, you put your player's club card, it will automatically give you a pick of five games. There is usually fifteen NFL games that happen every weekend. And so in order to maximize that football promotion we want people to come in and watch those games. And then just tie in so many things that we have people on property [inaudible], feed them, they can visit our gaming floor, they can stay at the hotel and they can [inaudible]. We also are we have gotten a lot of complaints about the beds in the hotel and so we are replacing all those. I think a third of them have been replaced and by the end of October we'll have the rest of the beds replaced. We also will improve the TV in the hotel rooms. Get rid of the old TVs and put in some flat screen TVs. So we are very excited about all of our improvements. It's going to help us achieve our projections, our projected [inaudible]. I think that most of these slides are out there on our display. This is how the [inaudible] and the expansion is going to look. Like I said we are really pretty close to getting the schematic design done. But you can see where the bingo area is going in and where we will have some meeting rooms and the cultural wall. That currently is the smoking section. The gaming floor will be big enough to put in as many machines as allowed under the state gaming compact. The Nez Perce Tribe has never maximized what they were provided and negotiated the gaming compact with the state of Idaho. So the state of Idaho..we are allowed to have 1,044 machines through that compact. We currently have close to 100 at Itse Ye Ye and we have about 600 at the Clearwater River Casino. So we will be increasing our gaming machines with this expansion. We'll have the ability to go to our past gaming compact and so we'll be able to bring in about 200 more machines. You can see there the event center. It's going to be the largest event center in the Lewis-Clark valley. Bigger than the Quality Inn, bigger than the Red Lion. It will be able to seat 600 rounds. We need to be competitive in our market. That is very important to us. If we are going to attract people then we need the property to support it. So that just gives you an idea about how...there is a lots of other [inaudible] in there that you can't really see, I'm not going to go into a lot of detail but this a group of folks that [inaudible]. This is how the property looking from an aerial view. Getting rid of that tent is going to be awesome and it's going to allow us to improve property. A lot of the customers are elders, a lot of our customers are disabled. And it is very difficult for them to get to our property because of our parking. The best parking that we currently have right now is in the fire lane or it's over by the hotel. And so everybody has to walk through...we will have a lot better parking around the casino area. And we will have some expanded parking over in the hotel. We are going to kind of upgrade that RV park area. Some of the initial design we were going to take the RV park out completely but we are trying to keep the costs within a reasonable budget. Asphalt is very expensive. That was a concession that we made is we are going to keep some of the RV park but we are going to upgrade it so we need some hopefully some people that will come and stay and take advantage of our all of our amenities that we offer. This is an aerial view of the, exterior view of the left side. As you can see the west side is probably going to become the primary entrance into the Clearwater River Casino. The exterior is going to look a lot better than what we currently have now. Also as you drive in on both sides of the property it is going to extend out a lot better. So it's not like you drive by and "oh, is that a casino?" You're going to be able to tell driving in that this is the casino. This is the event center. You can see there is a loading dock [inaudible] events in and out. There is also a nice patio area and there isn't..you can enter the events center from that. But one

of the main reasons we want the event center attached to the gaming floor is we want to drive traffic onto the gaming floor. So most often unless it is a family event that access will be utilized for some purposes but we don't want people going straight to the event center without entering the casino [inaudible]. This is a picture of what it might look like, it is going to be really [inaudible] the architecture is going to be really pretty. The [inaudible] is staying, the pond is staying. There was a lot of people that wanted to get rid of that pond and put parking in. We will be clearing out all of that use of the parking there. That's really a lane just to drop off and but we do know that people always park there. There's no other place for them to park. But we do hope to provide some added amenities to the casino. We are going to add valet parking because we do need to cater to the customer. They are coming there, they have made a decision to spend their money there and we need to take good care of them. This is how the gaming floor is going to look. It is going to look more casino-ish. It needs too. When people are coming to our property that is what the expectation is. And in all of design that you see in there are actually driven by things that fall back on the land or the animals or the culture or. And the culture committee has been able to provide input on all aspects of the design including what goes on the ceiling. I just want to let you know that we have done some projections on this expansion because you don't want to invest millions of dollars and not see a return. The whole purpose of this expansion is to grow our revenue. So we did some cash flow projections and some [inaudible] projections for the next four years. We do know during construction our revenue may decrease because people are going to know we are constructing and they are going to think it is a hassle. Even though we have been very clear with the contractor that we do not want our operations interrupted during the expansion. We need to conduct business and they are aware. We do expect it to hit [inaudible] in 2012. And these projections, there is a lot of things that can change these projections. These projections are based on a certain level of play, they are based on a lot of different things. And they probably will be re-worked as we get into it. And have a better idea of how we are going to perform. But there are also projections done by [inaudible] who did a marketing study which first was the first impetus to get us to move forward with this expansion. Because we can improve our [inaudible]. So we were at about 3.9 and then we were at 4.6 and now we are at 7.1. We are projecting a profit at the Clearwater River Casino 2012 around \$3.82 million. And we are very in conservative in that projection. In 2013 we see it growing as high as \$10 million. In 2014 we see it growing as high as \$15 million. And in 2015 up to \$16 million. This is because we will have more machines on site. We will have improved property and we will also will now able to attract more groups like I talked about before, the tourism dollar. Bringing more groups out to the casino. That will also take advantage of all the other things that we have to offer. The next project that we will be working on is the Camas Express. Where we are at with that project is that construction documents are being re-designed by Womer (?) Associates to reduce the cost. Based on the financial performance of Camas Express for the last three years it has been determined the scope of the project and expansion is too expensive. [Inaudible] to recover our investments, so we take a look at it, so we had an architect redesign it, and let him know what is important to us [inaudible] this is the part of the treasurer's report from yesterday, the partnership with the State of Idaho, so that it can be designated as a rest area, which is going to help to drive demand to that business, so the redesign is estimated to be a total project cost ranging from 2.1 to 2.4 million, that is a decrease of about a million dollars. So we have increased the square footage of the building. Currently the State of Idaho is reviewing the redesign to ensure that we are complying with their rest area specifications. We are expecting the architect to complete the redesign of this expansion in October 2011. At that time we will work with TERO, and we will select a contractor. We could start this process and actually break ground on this as early as November. This construction expansion is expected to take five to seven...these are some slides to show how this particular project has changed. [inaudible] Feature about a 4,000 square foot building, it is actually more efficient and we can still achieve the same goals we set out with when we decided to purchase the Camas Express. This is a picture of how it will look; it's a little bit different. The nice thing about this being deemed a rest area [inaudible] this

grassy area, people can stretch their legs. Come in, hopefully purchase fuel, snacks, also there's an island that is just for the truck traffic, so they can get in and around the property. [Inaudible]...to attract truck traffic. I just wanted to give you a quick update on where we are at with Itse'ye ye. We have converted about [inaudible] game machines, we've updated the system, we have to put in wiring for the game conversion, and all this is done [inaudible]. We have additional gaming machine purchases that are in various stages of approval, so we do expect the floor conversion to be completed by November 2011. So we were pretty close, we were hoping to get that done by fiscal year, but it is going to go a little bit into the next fiscal year. We worked on, with Natural Resources and still looking at feasibility of that future limestone quarry. Cass Kipp, working as a development planner for Natural Resources, she is a very good grant writer. She wrote a grant and was able to obtain a \$95,000 grant for us to complete that feasibility study that has been dragging on for the last eighteen months, and so it kind of puts us back in the driving seat, we were working with the office of Energy Development, out in Denver, on setting the limestone, curing the limestone, looking at the mining operation, looking at what we need to get back going again, looking at different product lines. There are a lot of uses for limestone, I learned a lot about limestone quarry, what we have done in the past, and we basically had one customer, and we were purchasing one product. If you lose that customer, you don't have business. If we develop limestone, and process it, and along the way we can diversify the product line, what we use that limestone for, we have a true resource. And so we took that grant process, [inaudible] we will be working with Natural Resources, Our resource and development partner which is Tony Johnson, Lily Kaufman, and myself. I'm used to working in the private sector, I'm not used to [inaudible]. We also are working on [inaudible], directors office, develop a financial institution, and that is where we just submitted another grant application, we ask for technical assistance to be able to understand what financial needs on the reservation are, so that we can work to try to meet the financial needs of our community ourselves, rather than be dependent on commercial financial institutions that maybe not always understand exactly what our needs are. So there could be a number of different outcomes with that individual study, such as we can look at developing funds to provide financing for entrepreneur businesses, we can also look at forming our own credit union, delivering and providing consumer banking services, or consumer financial services to our reservation communities. That also is a very exciting project that we are working on. We recently did a financial literacy seminar, and they had a good turnout, thirty some people showed up. We really want to encourage folk's knowledge in regards to finances. It is so stressful when you don't have a good grasp around finances. It's hard to plan for your future, hard to meet your financial needs, and if we can improve education that way, people will feel so much better, they will be so much more successful. Upcoming projects. [Inaudible] and Associates was retained to do our audits this year, for both the Gaming Enterprise and the Express stores. They have already been on site, they will be back in September, and also November. We are also looking at securing a liquor license, we are working with Office of Legal Council on this, the reason why this is so important is because we don't just want to be out there serving alcohol, but it strengthens our ability to compete with the market with our Clearwater River Casino and our event center. There have been many times when groups have come to us to utilize our event center, but once they find out we don't serve beer or wine they go somewhere else. This is very important to bring larger groups to our project. We are also getting IGT gaming software for free, which will upgrade all our gaming systems [inaudible] we have been on the same program forever, and there has been I don't know how many upgrades since we have put in the system. We have not moved with technology, and that will hurt us, so we took this huge leap from a 2.0 version to an 8. Version. We also are transitioning our health care benefits on the Nez Perce Tribal Enterprises to Pacific Source from Regence Blue Shield of Idaho, this goes into effect next week, this is a huge effort from our Human Resources department to reach out to all of our employees to make them aware their benefits are changing. I think that it is a disservice to only address the tribe twice a year for a very short period of time, like an hour, or however much time you were given to hear from the enterprise. I hope you know that

you are very important to the Nez Perce Tribal Enterprise, and the Nez Perce Tribal Enterprise knows that you are very important to us. I want to move forward with providing membership meetings, shareholder's meeting, it would be like a one day event where tribal members, tribal citizens can come and hear a more in-depth about the performance of the Nez Perce Tribal Enterprise. You would be able to ask questions, we would be able to provide you with detail about how we do things, you would get more detail about our projects, I just think it would help communications, help everybody to understand what we are wanting, and so we do a better job on our delivery. I would like to do that after we receive our audit and financial statement which will be in January of 2012. So we would like to meet in March 2010. We are also working very, very hard at diversifying our tribal enterprises. So we have a document, it is in draft form, it is in the General Council report, it is on economic development strategies. Our research and development manager, Tony Johnson, has been working very hard on this. There is a lot of things the Nez Perce can do to leverage our advantages, we have a lot of advantages. One of the advantages that have been provided to us because we are a sovereign nation [inaudible] inter-tribal trading concepts, working together with other tribes to achieve diversified economies, and I'm going to have him give a report on where we are at with that.

Tony Johnson – First I want to recognize my elders, it is an honor to stand before you, to stand before the general council. In my beginning, I'd like also to thank the staff, they have been very instrumental in assisting in moving this department forward. As I begin, I'm going to gloss over a lot of things, things you have already heard of, so I'm not going to spend much time on them. But I'm going to show you the cover of something that you can look at, it is at our research and development table, after I am done. It was put together and analyzed prior to the economic development strategy, and was analyzed from the concept of power, positional power, tribal power, and our status as a nation. As well as looked at the mission statements of various tribal organizations to fuse them into a direction for research and development, economic development strategies. Some of these projects all came out of an economic analysis of the [inaudible] guide to Indian country. We basically looked at several tribes from the Cascades to the Bitterroots, all the tribes of the interior economic profile, where the Nez Perce Tribe [inaudible]...initiatives that have been added to our document, from the analysis of how we economize and how we maximize our treaty reserve rights. And with that as a precursor, I would like to move into my presentation. I want to first make a statement about the Nez Perce Tribe Enterprise Economic Development Strategy document is to serve as a diversification of our Nez Perce economy. This began in July 2009, the Nez Perce Tribal Executive Committee approved the Nez Perce Enterprises Economic Development Strategies document 2009-2012. There are many projects that we undertook in our desire to analyze potential opportunities to diversify the economy of the Nez Perce Tribe. [Inaudible] Camas Express, tourism, [inaudible] expand our tribal skills, feasibility of biomass, and with that you can see a number of potential diversification projects. [Inaudible] We have been able to achieve the movement in our development projects than we were previous, that operation master plan was completed, and we moved into the [inaudible] stage, working on the Ahtway Plaza expansion project. Camas Express was a property also supported by our market analysis, it was a lot of work, the finances have finally been at a point of breaking even. [Inaudible] the Camas Express project, as you have heard will start in 2011, it is very neat to point out these are potential construction projects, that Nez Perce Enterprise management has embraced tribal member priority with the ground breaking construction, there will be job creations for tribal members, and the TERO ordinance will apply. So the tourism, retail, and lodging will be looked at on many levels. Unfortunately, they did not look at it as a tribal business, they look at it as another type of business, as a department analysis [inaudible] the tourism retail, cigarette. Another property in Orofino for many years has been looked at it as a potential development property for the tribe for many years, we are still looking at it, it is still a priority, but it is an old rail site, so it is in a ground cleanup and the cultural resource department is working on it, we continue to

consider it a priority. Looking at potential businesses that can go there, would be around the fishing industry as well as potential business incubators that tribal members might lease for their own tribal businesses. Energy development. [Inaudible] we continue to work with the natural resource [inaudible] as you heard, and we will continue to assess that potential. Nez Perce transportation wholesale, this project is moving forward, though not as quickly as we had originally planned. We are still [inaudible] the usage of the Spaulding hill site, which the tribe is negotiating the purchase of right now. Because it has rail distribution [inaudible]. We are currently working on the business plan which may entail a partnership or consultant to assist in the startup operations, there have been many people in contact within our organization, that desire to partner with us, or even to serve as a consultant to move projects forward, and this is one of them. I know we once again have examples of successful development progress, Ahtway Plaza Phase 1, Camas Express, Itse' Ye Ye Casino. This ongoing project, as we look at expanding the Itse' Ye Ye Casino also, so this is a precursor to achieving and expanding Itse' Ye Ye Casino, so it is very important. And where we are today, I would like to place a statement somewhere up there to let you know that no man survives first contact, intact. So, in short, our world changes, our progress don't always match up with plans, we must move forward [inaudible] All of this is an analysis of where we stand in our economies in Indian Country, exercising our land power, our treaty reserved rights. As you know we have the right to [inaudible] national forest, or BLM, or any of those lands that were trusts. So there are opportunities for the Nez Perce Tribe to utilize those treaty reserve rights, to graze on those properties, and businesses that may flourish, so this is a list of potential businesses that we might look at the Nez Perce Tribe creditor process [inaudible] increase in credit card processing fees [inaudible] we are going to continue down that process, and see where it all comes out. Looking at the Nez Perce Tribes strengths over the last years, we have developed our fisheries resources, cutting edge science, fisheries restoration, our clean-up efforts at ERWM. We have many high level, scientific technical individuals, we have natural resource, wildlife staff that all participate in our restoration efforts, from ridge top to ridge top, all-encompassing approach to sustaining our natural resources. So what does that mean? Basically, we have a lot of investors, if we play to our strengths developing that to an environmental services business. [Inaudible] The Nez Perce Tribes big game [inaudible] use our horses to do guiding, or use Dworshak litigation lands to provide hunting opportunities. Eventually, we will get to a point where we have enough land to lease to potential businesses coming in. Potential partnership with manufacturers, American manufacturer network actually wants to work with the tribes to become a distributor, or even value added approach on reservation land. Nez Perce Tribal Orchards, that's just an example of potentially utilizing our land base to bring products for the tribe. Once again, harvesting the power of our land base. So our updated economic development strategy, you can see all the ways we have incorporated to kind of infused together to create our completed strategic document. Our updated plan considers our position of power. This document I referenced identifies our research development perspective, our thoughts of where we are in power, consider the basis of power, also considers the tribal comparison to the economic activities of a tribe, considers our mission vision, and our area of operation, it aligns our planning document with the Nez Perce Tribe government, and it was also considered from the perspective of strategic operation, looked at from the [inaudible]. If you want to look at it, our research and development table has our draft report, our analysis, as well as find our strategic action plan for every one of those strategy, is an action plan that weighs out who is responsible, potential completion dates. And I will remind you, our plans must remain fluid, that means some dates might change, but we will move forward. We recently held our 3rd Annual Economic Summit, September 8th and 9th, and it was hosted by the Nez Perce Tribal Enterprises this year. It is very important that we work not only with potential tribal owner businesses, but increase the financial intelligence of our tribal youth, so we did a little bit of that. As the summit ended, as always, we provided opportunities for input recommendations, asked for ideas on moving our tribe forward. You will see in our general council report that that input was considered and infused into our draft. We are looking for input from the tribal public for

the next two weeks, we envision that we will present the updates for approval at the last NPTEC meeting in November. We are asking you to today to take a look at our documents, have an input, please contact myself at tonyj@nezperce.org; Simone Wilson at simonew@nezperce.org; or Lily Kaufman at lilyk@nezperce.org. We will be taking comment input, presenting it to NPTEC, we have presented it at our summit, at general council, and we have considered and adapted our document to include tribal member input, prior to being finalized. Are there any questions?

Chairman Jackson – Thank you Mr. Johnson. This concludes the reports from yesterday’s agenda. Before we begin question and answer, I would ask all general council members to please reference the house rules that were approved yesterday, all questions and responses should be made directly to the point. Please do not reference personnel matters, hiring and firing, salary, etc. and also time is value, so each member will be limited to two minutes. We do not want to assume that you are making a speech, the time now is 10:43, after we are done with question and answer, we will motion to excuse the private and public sector reports, and will proceed with today’s agenda. At this time, I will recognize Nancy Wheeler.

Q & A

Nancy Wheeler – Thank you Madam Chair. I know you just read off the questions we are able to ask. This is a disturbing concern I heard that the managers for the food and bar beverage is advertising positions for the line cooks on craigslist rather than going through Human Resource, doing the proper procedures. And also the culture. I understand he took all the native pictures down and stored them away. Since we stressed about the culture, I think that that was a wrong move. I guess he took down Celilo pictures. I was wondering what is the reasoning behind that? I really would like to find out about the advertisement on craigslist.

Jamie Olsen - When we do recruitments the food and beverage departments requested to be able advertise positions on craigslist. A lot of people are looking for jobs there; they are not particularly paying attention to the newspaper, but are looking online for jobs. Monster.com and even native job listings online. We do need to expand our recruitment. There cannot be any hiring within the Nez Perce Tribal Enterprise outside of what is currently a policy of the Human Resources Manual. We do have a manual and we must abide by that manual and its policy. Depending on the positions and what kind of response are we getting for those newspaper ads. They are very expensive and then we re-post and we do have positions essential to our business, we need them filled right away. The length of time to bring someone on gets larger and larger. We do have to follow the recruitment policy there cannot be any avenue to going around that.

In regards to the pictures in restaurant, I actually for those pictures to come down so they can be re-framed better and then place the pictures back up. That was the reason they were taken down.

Laura Major – I’m glad to see all the plans do you have any projections how long will the plans take. A long time ago I went to the EDA. I said we need to have cattle grain, make our own bread, our own flour, because of the economy of the way things are going on today. We need to plant something to sustain our people. We have all these white people taking our elk and our deer; we’re running short out there. We have all these lands that we own and rent out cheap to white people we should use those for our own so we can sustain this tribe. You don’t see many tribal members on GA and disability to hustle up a few bucks. Our enterprise board needs to think about something to sustain us. We aren’t going to have commodities and food stamps forever. We are poor people. Remember us common people.

Robert Kipp – Good morning general council. To Jamie Olson. In regards to the stick game tourney usually held the weekend after the powwow. I noticed there is no flyer up for the tourney. C'da, Muckelshoot, Tulalip have annual stick game tourneys once or twice a year. It usually brings in thousands of dollars. Why is there no stick game tourney this year?

When you go online and read about Clearwater River Casino some of the comments that are made a lot of them are poor customer service it is not good to read it online and patrons talking about how bad our customer service is.

Jamie Olson – The reason we don't have the stick game tournament the weekend after the powwow, is the person within the enterprise that leads that whole effort was seriously injured in a motorcycle accident. We gave him time to recover from his injuries, and he actually just returned back to work. [Applause] I am talking about Mr. Williams, and he is very passionate about it, and we didn't feel right about moving forward with that without him.

In regards to the poor customer service comments that are online, yes it does raise the hair on the back of our necks when we read those comments. It is Trip Adviser.com website, where people can go online and post their experience anywhere. So if you type in our property, there are a lot of negative customers with this experience. I can tell you for us to improve that enterprise and improve our profitability we really do need to rise to the next level. We don't really want to invest a lot of money into improving our property, if we don't improve. That does include our staffing, and how we do things, and how we communicate with people, and how we communicate with customers.

Pete Wilson – My questions or concern is to Ms. Miles. With the land swap thing for the longhouse I'm wondering how long that is going to take and do we have a projected start and finish date for that. It is overdue that we have needed a long house. I believe a lot of people would have come back to the long house if it was in place. It is a big concern of mine. Do you have a projected date on the land swap?

Rebecca Miles – Thank you so much for raising that concern. If we had an approval on the increased estimate, which is an estimate, the cost of construction has increased. The longer we wait the cost will continue to increase. Just like the Lewiston School Bond, to build a new school. They turned that down, and it's not going to cost 60 million in 10 years, it's going to be double that. That's just the way construction world works and inflation affects our development. If we had had an approval from NPTEC, we had anticipated having a grand opening and blessing with all of our sister tribes, and all of the tribes waiting to make this investment here. Because of the new estimated costs it has kind of halted the project in a major way. With the land exchange it would be approved quickly, what we have learned with the last superintendent it would take a long time, at least two years at best to get it through the secretary. They often can take up to 20 years to do one land exchange, however if we already had the commitment to do it, and our new superintendent, Tammy Brosky is supposed to be on the agenda today, says that we can start building right now because we are doing a partial land exchange we could start building anytime we needed, they would simply give us a permit to construct and then we would still be able to build without having the land exchange finalized. And it is a win-win for the Nez Perce Tribe because the land they are offering is actually a little bit more desirable to be able to get all the way around the building in parking. It also protects the frontage road the tribe owns that would be maintained by the federal government and held in trust. We have some agreements that are waiting to be established, and we have put a lot of work into it. It takes a long time for people to agree on land and they are in support of that land exchange. Our issues with the land are no longer a problem; it's just now the increased costs. There is a settlement fund for 60.1

million under SRBA, and it has several set guide lines it tells the tribe how the tribe can spend it. And one of them is cultural preservation. All the difficulties with the 20 year settlement it tells me it should be in the least an investment that the tribe makes based on what our concessions were in the water rights settlement. I would encourage all of you to let your executive committee know how you feel about this project because it is at that stage right now.

Lynn Pinkham – I will have my children’s memorial on October 13, the Thursday before the powwow. I want to address Jamie about our art work at the casino. I am an artist, I design my outfits, and I addressed this to her earlier. Our family does presentations and displays our art that we do, and it generates money for my kids’ memorial. What kind of policy for things being sold at our casino. We bumped into a lot of problems through our journeys through the United States and Canada where people are selling items that are pretty much sweatshop items but said it is Indian made, but is made down in Peru, Uruguay and South America. I don’t feel it should be sold as our artwork, especially with the upcoming powwow. What kind of things are doing to protect our people and their artwork. Because the Nez Perce people are known for their bead work, and I think it is a strong point for our people, and for us to not let that type of artwork come in.

Jamie Olson –After I spoke with you I did ask to see what criteria we do have for vendors and we really hadn’t had any. I think it would be a good idea to establish something. So that all artisans that are displaying Native American made have a way to qualify. I’m not exactly sure how to do that, we may need some help to come up with some type of criteria or qualification.

Rebecca Miles – I was just going to suggest our arts coordinator.

Lynn Pinkham – We are dominated by Navajo artisans, and I don’t think we should exclude them, but I do think it should be made by their own hands. It shouldn’t be non-Indian people coming in and selling Native American work.

OJ Waters – Years ago, in the last months of her life, Mari had a will, if I could get a copy of it, and she was leaving some land to the Nez Perce Tribe it says to support the construction and maintenance of a tribal longhouse. If there has not been a tribal longhouse yet built, and NPTEC is overseeing the land, is the money just being spent? Is it still just being built up?

Rebecca Miles – Thank you OJ. That is a very good question, and comes up from time to time. I just met with the executor of Mari Watters estate, Rodney Costen. I was updating Rodney about the longhouse, and Harvey, and other Nez Perce that live up there. I was able to introduce Rodney Coston to our treasurer and we are going to be giving those reports. If you look in your booklet, the government side, on page 112 you will see that balance of that estate. Absolutely not one red cent has been spent. It is actually sitting in trust at the BIA. NPTEC just started reporting it on its financials, so we can start seeing how it is doing. When we started planning for the longhouse, because the longhouse is estimated at 2.3 to 2.5 million. The amount of the will for the longhouse, because there is an education component as well for Upward Bound, was actually something that would get absorbed very quickly in the construction, and we did not want to see that lost. We left that alone. We will be working directly working with him. We need his and the family’s input on the best way to go. Working with Rodney Coston, I asked him directly, we need your input, the family’s input on where they would like this to go. And operation and maintenance is probably the best way. We thought that would be acceptable, but we need the family to tell us. This is a person who gave her estate to eventually see this dream come true. That’s a pretty big investment by one individual.

Working with Rodney that we would honor in some way that major contribution. I hope there is no turning back on this longhouse. I hope we can see it built. Thank you.

11:07 am

Herb Jackson – As you know I belong to the Fish & Wildlife Commission. This question is for Jamie Olsen. I have been trying to find a way to sell the soyapo license. Fisheries say they cannot promote or advertise our fishing license. I went down to our station, and they had no fishing license, and they didn't know what I was talking about. Our big horn sheep. The soyapo kill one up there for \$100,000. For a license, we could sell one. The only one who seems to have enthusiasm is Larry Greene; he says we could make money. Every year it seems like we have to beg if there is anyway at all. Something has to be done. You go and try and buy a license and they are not there.

Jamie Olsen – Herb are you talking about the tribal fishing licenses we sell at the c stores?

Herb Jackson – Yes I am.

Jamie Olsen – So it sounds like we need to do a better job educating our staff on selling fishing licenses.

Rebecca Miles – I actually know somewhat of this, because we are working on it on the government side. A few years ago, when I was still on NPTEC, that we should be marketing those in tourism, and I heard that comment made the other night at a public budget meeting. We have seen an increase in the permits, and I believe Jamie Five Crows handles the permits. This last year we were able to give the entire balance back to the Fish and Wildlife Commission. Where can we market it? To where we can market it. We are right on the same page, Herb, we have to increase that revenue, then NPTEC and Fish and Wildlife can figure out what to do with the revenue, but in the very least we should be looking at improving it.

Herb Jackson – Are you going to sell big horn sheep permits?

Rebecca Miles – I'm not a commissioner. If we have approval to do it, if we have an action to do it, we will market it.

Lucinda George – Some of the things for the casino. I looked at the replicas and I don't see the bright neon lights that attract people to the casino. If you go through Indian country you'll see the bright lights and you know there is a casino there. Another thing is trucker space. If you go past Legends or Wildhorse, you'll see a whole football field or bigger, of trucks. They spend a lot of money there, and they will bring a lot of revenue to our tribe. Another thing is I hope you consider the response time for your law enforcement, EMS, your fire people to get in and out of that area once it is developed. If we are going to keep our culture, our tradition we need to have a true blessing before it is opened up. For Rebecca Miles – I'm on the Senior Advisory board. They take taxes out of my stipend that I get for serving on that board. I think it is a stipend and not a salary. I don't really understand. I put in over in and above the hours. I don't think I should be charged taxes for service to our people.

Rebecca Miles – I certainly can share your burden with that, I saw lots of complaints while I was still serving on NPTEC. When the IRS came and did a discovery of how we were doing that, and we had to change policy on stipends and how we treat those employees. We had boards and commissions that because of the amount of hours and money they were receiving, we were treating them as part time employees. We were required to report that. We can relook at that again. The tribe had to settle had to settle with the IRS, and fix the error, and I can tell you it especially made our senior citizens upset, because they are doing a

service, they are teaching our language, we want to compensate them, and yet they are being penalized for it. I totally agree with you. Our finance manager is writing that down.

June Stewart – Lynn's request regarding the beadwork. Three or four years back, the NPTEC said they wanted only to sell the Nimiipuu made items, and I stuck to that. I have a form that you fill out that states you actually made what you are selling. I did have a tribal member come, Nimiipuu, and said she made the item, and then another came and said she made it. So what do you do? I think it is going to be a hard policy to set up

Bernice Moffett – I hope within your plans that you are making I'm all for expansion. Within your planning that you plan for the Wa-a'yas. Your pa system stinks. I'm sitting here and trying to listen to all the comments and all I hear is echoing through the whole thing. Because of my age I have to use a hearing aid. I'm bringing it up that we do something about the PA system. In Indian country today for the past two years we have been cautioned about state taxes. This is the second article in here. What the state is looking at is income off the gaming. They are trying in other states to get every way that they can to tax on these reservations and each time that these go to the Supreme Court the tribes lose their battles there. Even district court. So I am cautioning you to be watching out for state tax. As elders for the tribe and culture they are still taking out money for when we are having classes, and that is the beginning of taxing our reservation. And budget hearing the counties are even taxing some of our tribal property. We have to have some battles here with the county and state, and I'm cautioning everybody about this. With both of you and your expertise you are good resources for the executive committee and enterprise board.

Rebecca Miles – The problem with this building it is right up here. The whole ceiling. Facilities is something that needs to be improved. Mr. Quincy Ellenwood raised 12K to purchase the awesome PA system at the Pi-nee-waas, it did not come out of his budget. And that is one of his directives to do up here. It is on the list to purchase a PA system. We have to do something about the echoing.

Jamie Olsen – I will take your recommendation about trying to tax gaming. In their desperation to shore up their budgets they will be looking at any possible way. Do you remember all the hubbub in the state of California? California is like a country, they are so big. Arnold wanted money from gaming tribes to shore up his budgets. Tribes will have to stand firm, no it's our money and you can't have it, we are a government, a sovereign nation. We will really have to exert our sovereignty as it presents itself.

Patricia Geandreau – Thank you Rebecca. You guys did an awesome job. I want to bring up something that really disturbed me. It happens to do with contracts within the tribe. Contracts being taken out of one contract to pay another contract, then a third one coming in to take care of the second one. When they move money around, because I saw it, what is the justification for the scope of work in the first contract. When they cannot come up with the money what happens? This had happened not too long ago. Another concern I wanted to bring up, sometimes our senior citizens have been running out of food. We have some elders who depend on that, they are home alone. The homebound, God forbid, one day I might be like that.

Rebecca Miles – Very interested in your question about the contract coming out of a contract of a contract. There are many ways, if you are speaking directly to the government side, there are many ways we are tracking that. In the last two years unless NPTEC has authorized it, we have not allowed that. It has been a big change. In the previous years the practice was you could overspend, and then we would use whatever someone else didn't use. That is just no way to manage. You get an approved budget that is your budget, you stay within your budget. And that has been a very strong directive from NPTEC. We have a lot of

different sort of funds. For example, the Appaloosa transit, we have fuel tax monies, FTA funds, recovery act funds, and so sometimes when we do a job, it has to be split up three different ways to go into that scope. There shouldn't be anything, I can talk with you if you do not want to be that specific, I'm hoping to clarify or resolve this if something inappropriate is happening that I need to be aware of. For the most part we have been paying very close attention, making sure people are following their budgets, making sure they don't get in a situation where they have to be bailed out. Because you're right, that is what was happening. We hope those types of practices are not happening anymore. I appreciate your comment about food. We just got our funding this year from USDA. It is actually less than, even though we have had an increase in elders coming in, than the year before. That is going to be a concern we are going to have to work with NPTEC, to meet in order to provide better food for our seniors. There have been a couple of situations in which there is no more food. I contacted Jackie McArthur, social services manager. They were not in dire straits like what I had been hearing, the first thing Jackie documented within her first month was the lack of supplies that our cooks have. We did not have enough supplies for them to even do their job. I appreciate your concern, and I know our manager is writing down, and documenting as well.

11:34 am

Marissa Rickman – I still don't see professional dressing in our casino. Our employees are running around with wrinkled up clothes. They are supposed to be professional. We had white shirts, zip up pants when I could fit them or skirts. We looked pretty nice. We look professional. As the years went by we started dressing Indian style. If we are going to grow more we should get professional within the areas of dressing and customer services. Maybe we need to have a class for our employees on how to treat our customers. I see dirt all around the casino on the edges, it's filthy. That doesn't look good for our public. Other casinos do have bright lights.

11:37

Paul Sherwood - Address Ms. Olsen. Traditional stick game for revenue purposes. I was wondering if that was under consultation with the enterprise board. With all due respect to Mr. Williams and the family, the enterprise board, you must conduct business as usual. I would recommend you conduct a stick game tourney. It did attract many tribes throughout the northwest, it is a way for the Nez Perce Tribe. You pay into the stick game but with a powwow there are other things to support what you pay out.

Mary Oatman – Clarification. The SRBA water issue. Water rights resolution that somehow got lost, miscommunicated, got stifled. Ms. Miles. I appreciate your service. You mentioned something earlier regarding customer service. If you are a tribal employee and a tribal member, based on what I'm hearing, and I want some clarification on this. You lose your voice and freedom of speech as a tribal member, when you decide to become a tribal employee. Now you are a tribal employee before you are a tribal member. I just need clarification that that is what I heard. You no longer have your civil rights of free speech as a tribal member, if you decide to become a tribal employee. Rebecca, could you clarify that? [inaudible]

Rebecca Miles – Yesterday, Madam Chair I have not had the privilege of reading the paper. But yesterday where the heads of government reports, the treasurer and the chairman, and both actually reported on SRBA. I'm not aware of where that resolution exists. I don't think NPTEC or staff were ever given any minutes for general council for May. Who is on tribal payroll of any entity? Who is not? Do those of you here who are not on tribal payroll do you think me as the ED, my job, and my salary, is to voice my tribal member concerns all day, or do you think my job is to do my class description? It's to do what's my class description. When I can tell you it is a dysfunction. You do get tribal preference when you get the job. Otherwise, my argument is we need to pay every tribal member then, and put them on salary. We have a

job to do, for you all. I can't have our senior citizens director, just as an example, not to reflect on Georganne, be political. Her job is to do her job. She has to make sure we get funding, she has to get seniors on the bus, if she's not doing that, then what are we paying her to do? It is the same as the casino. And it is a big, big issue. I have talked to heads of law firms in DC, and they are never coming to work for a tribe again, because it is still in dysfunction. I very much encourage tribal members to voice their concerns, just as I did on the longhouse. I think it is very important for tribal members, and if you are a tribal employee to voice your concern. There is very good employment issue to discuss. That is the way I'm managing. This is not the majority of tribal members. The rest of our tribal members are out, they may be out on the golf course, they may be at their job. They don't have the luxury of getting paid to do their work at Pottlatch Mill or Clearwater Paper, and be a tribal member. They have to do their job for that company. And this body, you should all expect us to do our jobs. It is a dysfunction if we are not doing our jobs. If I'm not doing my job, and I'm just going down to NPTEC complaining about other stuff, and I'm on the payroll, I'm on your payroll, that's not acceptable. I'm using myself as an example. I do care very much for government and for NPTEC to have membership involvement, but I also have a job. I'm very glad you brought that up, and I hope that clarifies my position.

Chairman Jackson – I'm going to recognize Helen Goodteacher. Again I am going to ask all tribal members to recognize all house rules, to be courteous, professional, and let's not have sudden outbursts. We are here to conduct business.

Helen Goodteacher – Two recommendations. First I'd like to thank Rebecca for showing the video, it is really hard to show the tribe what we do in Water Resources. I'd like to recognize the four students who I worked with during spring break. Sierra Higheagle, Zach Terry, [inaudible]. They helped out a lot, and made this a successful project. I am passionate about recycling efforts, and going green. I think it is really important, just as any other effort at Enterprises, or Executive Direction, how important it is to sustain our natural resources. If we are not making those efforts to make our tribal environment green and sustainable, then we won't have those rights to fish or hunt because our game will no longer be able to survive if we are constantly destroying our resources. [Inaudible] My second recommendation is that the Nez Perce Tribe implement a media center. By that I mean we employ our own staff and own printing and publications, video productions, newsletters, etc. We could tie our tribal newsletter into that department. Get three or four people on staff year around, its employment for tribal members.

Erik Holt – 11:50 am. Long term strategic plan. How in the long term do you quantify putting us all in the plan. We have been studying this plan for 5 to 7 years now. What I don't understand is how you as the Executive Director, you are representing the tribal membership, but when we have funds and programs that override the tribal membership when you put the conversation or resource burden on the people before you even talk with them about it. You're making these agreements, talking to your staff, advising them to do this or that. But when you say that you're out there making these determinations for the tribe then we need to understand have everybody involved in this decision making process. The Executive Director, Enterprise, NPTEC goes into executive session, calls in OLC, OLC gives their recommendation. The tribal membership, we're sitting in limbo, sitting outside NPTEC chambers while you go into executive session to discuss our issue. When we should be involved in the process, but we can't be because our tribal programs are overriding our tribal membership. We are the treaty. The program is not the treaty. We have programs that dictate and program manager that discuss our treaty rights. [Inaudible]

Rebecca Miles – This is a very good discussion that is long overdue. I have been involved in general council since I was 18, since I was 21 I was in an actual elected person. Don't make a mistake by moving

me to be above the NPTEC. There is nothing I do that is not authorized for me to do, in my class description, or in our Human Resource manual. Nothing. When I say strategic plan I do not have my own. It is 2009, approved by NPTEC in March of 2009, by resolution. NPTEC sets the directive; that's why you elect them. If you want it to change, those are the people you tell, otherwise, I am already approved to hold people accountable, I am held accountable to that manual. All your ED's are held accountable to that manual. I appreciate the enthusiasm and the passion, but I strongly believe that if you are paying people to do a job, then they need to be doing the job, regardless of their gender, their race, religion, they are to do their job. After that time they are required to be at that workplace doing their job they can do whatever they want. I think our employees have a lot of power in how the tribe operates. Because we are here, we see what is going on all the time, we are real time. How can we get there or where NPTEC expects us to be, if they are allowing everybody to be NPTEC. I mean that is why we elect them, elect them out or elect them in. If you want that to change that is not a discussion for me, I'm not a policy person, I'm not a NPTEC member. I can't approve a budget, I absolutely don't dictate to anybody. I have a tribal administrative action, or a resolution, that authorizes me to do any part of my job.

11:56 Etta Axtell – We are to serve tribal members. That is what I heard. As a tribal employee and a concerned tribal member where do I go who do I go to so that I can get these people to treat me right? I live all the way up here in Kamiah, and when I call down to Lapwai, I get treated wrong, I don't appreciate it. As a tribal member when I enter any tribal building, I expect to be treated with respect. I treat everybody that I come into contact with, with respect. I expect that respect back. I don't expect to be yelled at by a tribal employee. At the store, community building, the casino, NPTEC chambers, I don't expect to be yelled at or degraded by any employee. My other comment is Helen made a good point. We do need recycling. I'm affiliated with Northwest Indian College, we have a sustainability club, and we are working on recycling. We have full recycling bins out here, they have been full since last general council. We talked about people's job. They need to be doing them. Recycling is very important, because if we don't recycle it all goes to the landfill. Recycle down at the casino. I've seen what happens when they have an event at the casino, concerts, fights, all the bottles and stuff, it all goes in the garbage. We need all departments within our tribe to start being conscious of what you're using, and start recycling, to better our environment, for our earth and for our people.

Rebecca Miles – Etta thank you for that comment. That is exactly how you should be treated when you come into any of the buildings. You should have any employee regardless of their job title that greets you and asks how they can assist you. And I can tell you, no we are not there yet. It is a cultural change, not Nez Perce culture, but an organizational culture that we have to overcome to understand the services we need to provide. We have got to do better. It is what we have heard for years, I have heard complaints about departments here. People turned me down for this, or this is the way they spoke to me, or this is what they were doing. That's what we are trying to improve. They are always going to be a tribal member, I'm talking about political activity in the workplace, when they have to do their job, when they have to care for a child. They shouldn't be on the phone talking about what NPTEC did, they have a child they have to take care of in head start. That's what I'm talking about, so I very much appreciate your comment. We need to improve, it just tells you where we are at. That's the second time I got the complaint on recycling. We do need to do a better job in recycling. I don't think the Umatilla's actually got rid of the individual bins at each individual work area, it is not cost effective to have someone remove those from each site, it costs too much, when you can have recycling in a common receptacle in a common area.

Mary Tallbull – 12:01 pm. We are giving a time limit. Responses need a time limit also. Also, according to Roberts Rules of Order, they are to respond through you, Madam Chair. I have a Resolution that is being discussed. I will need get copies, so at this time, I'd like to request a recess for lunch.

Motion Mary Tallbull / Dallan Wheeler recess for lunch. Reconvene at 1:15 p.m. Motion carried.

1:21

Gwen Carter – I think one of the opportunities that we have that we haven't explored are automobile license tags and then also animal tags. I have three dogs and they are not licensed or registered anywhere. They are pretty expensive animals as far as their breeds. And they have been hauled in at different times and I've had to go collect them because they are not tagged anywhere. I can't be identified as their owner. So animal tagging for dogs, cats, horses, I think that is an opportunity that we need to address. And then also along with this as one of the employees that's been terminated by the tribe I think it's real unfair and unjust that a tribal attorney represented the tribe and not me. I'm a full blooded Nez Perce tribal member and I should have had the opportunity to have a tribal attorney represent me as well, and I think that you've done it for Housing, you've done it for Utilities, for Child Support, that that's something that needs to be taken away from a tribal attorney that we all pay for and it needs to be contracted out to somebody else because it's unfair, it's unjust. And then, I guess the other thing that I want to bring out is the Long House. I haven't seen the plans for that, but you know as a Christian person, I don't need the church to make me a Christian. And I don't really think the Long House will make participants of the Long House. I think when you grow something it's better to be grown within. We built our own dining hall with some help from the Tribe. But we did that ourselves. We did that with our own money, our own donations, time and effort, we raised our own money for it, and now it's our own. And we appreciate all the support that we got from everybody, for our raffles, our fundraising things that we did. But I truly think that a Long House should be coming from the Long House group and not the SRBA money, it shouldn't be used for that. And if that's the way it's done, then that money should be provided equally among the churches among the reservation.

Chairman Jackson – Thank you Ms. Carter. Ok, I guess I will refer the license tags, the animal tags to NPTEC Law & Order, and the Dog Commission, or Animal Commission. At this time I will recognize Ms. Arthur. After Ms. Arthur, we will bring Mary Tallbull back to the floor to present her resolution, and at that time I would like to entertain a motion to close out yesterdays' agenda and excuse this panel, and move, because I know a lot of people are here for Boards and Commissions, or Boards & Commissions elections that were supposed to happen today at 10. So I am just bringing that to the General Councils attention. Ms. Arthur.

1:24 pm

Arthur – Thank you Ms. Chairwoman. [Inaudible] For the prisoners, I am highly against letting them use our funds to let them continue education while they are incarcerated. Because it is not our choice that they made wrong choices to get themselves in jail or wherever. I believe it is their responsibility to make the right choice for their own person, good or bad. And if they make the wrong choices, they face consequences, nobody can miss do or make them do what they did, and so I am highly against that. And another question is about this environmental thing. At this time if it's ok with General Council, I would like to make a motion that we ban plastic bags throughout the reservation. I am tired of seeing these things [inaudible] along the fence, along the trees, everywhere. So at this time, thank you.

Chairman Jackson – Thank you Ms. Arthur. Mary Arthur has brought to the floor a motion to ban plastic bags on our reservation, do I have a second? Second by Gwen Carter, is there any discussion on the motion? Any discussion on the motion? Is there any discussion on the motion? If not we'll move right into the vote. All those in favor of the motion to ban plastic bags off of our reservation please signify by saying Aye. Those opposed. Motion carried.

Motion Mary Arthur / Second Gwen Carter to ban plastic bags throughout the reservation. Motion carried.

At this time I will recognize, take this time to wish Bernice Moffett a Happy Belated Birthday. Happy Birthday Bernice. Mary Tallbull if you are ready, if the proposal message is handed out, or distributed.

Mary Tallbull – 1:30 P.M. OK, I have had a few people come up to me to add some tables into this, on the sixth whereas to include Nimiipuu Health, Nez Perce Tribal Programs, Nimiipuu Health and Enterprise both. To add, Be it further resolved this committee will provide the findings at the Fall General Council and recommend appropriate change in job description and hiring practice for tribal members, recommend penalties for tribal contractors, program supervisors who violate Nez Perce policies and procedures, any civil rights acts by abuse of according for tribal members who are tribal employees, #3 wrongful termination, and also add on #4 adopt ordinance into the Nez Perce tribal code to resolve employment labor disputes. I think this is a very good resolution ladies and gentlemen. It did pass here in the General Council last year or maybe it was the year before and then was rejected at the NPTEC table. We need to remind the people that according to our organizational chart that General Council is at the top. So when General Council takes action the table is to look at it they should accept the recommendation of the General Council, otherwise it is insubordination. And we have had people that have been wrongfully terminated, we've had rifts, there is my case, and there is other people that have suffered. [inaudible] I'll give you a for instance, there is one particular area where our tribal managers are sent down to work with one of the Natural Resource Programs and they don't last there very long. And the non-Indians down there [inaudible] I have a son who was working there and from day one he was told that he was going to quit and leave because that is what all the Nez Perce do. [inaudible] This is wrong because this is our tribe, these are our funds that are funding that employee, and they should respect that. There is a lot that happened down there that shouldn't have happened. I did request through the Fish and Wildlife Commission that the fish that are coming from south of McCall, how much have we received in the last five years. Two? Because there are no fish coming there. But when my son was working down there, there was a lot of fish going in there. And the employees, the non-Indian were putting fish in their ice chests and taking them home. He's kind of like Mom, he got tired of being threatened with his job, and trying to put up with them making him miserable, and finally he told them I'm not quitting, I'm going to stay here until I go back to school. And when I come back, I'm going to come back and be your boss. That's the kind of attitude our tribal members should have, stand up for themselves. They shouldn't have to put up with being picked on in the worksite. That's totally wrong. Anyway this is why I'm introducing this because it was mentioned here that people can't speak up for the tribal employee, and that's wrong. This is our time, these three days are ours. We should not be fearful, but we need to speak for what we believe in. Madam Chairman, I present this resolution to you, but I also [inaudible]

Chairman Jackson – So at this time Ms. Tallbull is presenting a motion, is there a second. Any discussion for or against the resolution. Is there any discussion for or against the resolution. Any discussion. It has been recommended that the secretary read the resolution for those who do not have a copy.

Secretary Oatman – Resolution. Whereas the General Council and the Nez Perce Tribal Executive Committee has established constitution by laws, tribal codes, and personnel policies and procedures for employees of the Nez Perce Tribe and Enterprises, whereas the Nez Perce Tribe, exercising its powers of self-government has implemented codes and policies through its executive, legislative, and judicial branches, and whereas the Indian Civil Rights Act of 1968, 25USC Section 1301-1303 states that no tribe in exercising powers of self-government shall deny to any person within its jurisdiction the equal protection of its laws, and they will not deprive any person of liberty and property without due process of law, and whereas the Nez Perce Tribe Executive Committee is compelled by the Indian Civil Rights Act to have due process and equal protection which applies to all criminal, civil and administrative proceedings, and whereas Indian Civil Rights Act due process requires that NPTEC must notify employees of any action that is planned, and shall give opportunity for the employee to be heard and chance to present their side, furthermore, the employee shall be informed fully of the employers position and due process in an administrative proceeding. NPTEC must comply with their own tribal code, constitution, policies and procedures, and shall not be arbitrary or unfair, and the process shall be fair and reasonable, and whereas the Indian Civil Rights Act protects all persons within a tribal jurisdiction from abuse of their civil rights, and Nez Perce Tribal Programs, Enterprise, tribal contractors, Nimiipuu Health, and NPTEC shall not subject any person and/or compel any person by duress, force, discrimination, politics, and/or pressure to resign, be terminated, and/or threaten any person from a job without due process, and whereas history of tribal programs has proven that the Nez Perce Tribe has displayed unfair and unequal treatment towards tribal members for employment purposes and as tribal employees. This includes stringent requirements for employment, and a Nez Perce personnel policies and procedures are not implemented fairly for tribal members, and whereas the Indian Civil Rights Act has been tested in Federal court concerning tribal government employee rights, and after all tribal remedies have been exhausted, said employee has the right to file in federal court against the tribe, and whereas the tribal employees have been forced from employment, or terminated, have suffered undue harm to reputation, non-payment of hours worked, emotional stress, career in jeopardy, not receiving unemployment benefits, unemployed and blacklisting from future employment with programs within the Nez Perce Tribe, and therefore be it resolved, that the General Council shall establish a committee to review personnel policies and procedures regarding job descriptions, hiring practice, due process, and wrongful termination of tribal members. Be it further resolved, this committee will provide their findings at the Fall General Council, and recommend appropriate change in #1 - Job descriptions and hiring practices that eliminate tribal members; #2 – recommend penalties for tribal contractors, program supervisors who violates Nez Perce policies and procedures, and Indian Civil Rights Act by abuse of authority for tribal members who are tribal employees; #3 – wrongful termination; #4 – adopt ordinance of employment labor. Be it further resolved, that all tribal employees whose civil rights have been violated, depriving them of employment, forced to resign, and/or been terminated from employment without good reason, shall have opportunity of due process and equal protection, and finally, be it resolved that tribal members shall have opportunity to have their case heard by this committee, and should their case be in favor of the employee, consideration for employment, monetary damages, and satisfaction from tribal programs, Enterprise, tribal contractors and the NPTEC. The foregoing resolution was duly adopted by the Nez Perce Tribe, tribal Resolutions Committee in regular session on May 2, 2010, at Lapwai, Idaho, with a quorum of its' members present.

Chairman Jackson – Thank you, secretary. Laurie Ann are you speaking for or against the resolution?

Laurie Ann Smith – Clarification. I'm not sure if I'm for or against. My understanding is this was passed by General Council before and then supposedly rejected or not acted on by the NPTEC. I guess what I'm wondering is two things. Can NPTEC provide response to why either they didn't take an action or if they

rejected it, or did they do research? And the second thing I'm wondering is, to form a committee on personnel issues; you have a lot of complex, technical employment law to take into consideration. So to me, a committee can't just be thrown together and expected to read our HR policy and make a determination. It's a lot more complex than that, and I think it's only fair to be [inaudible] and also to the tribe itself. Because these are among the legal issues, so again, I guess I'm wondering if somebody from NPTEC who took this into consideration, did you consult with an employment law attorney, or did you just not act on it, or I guess I want a response from NPTEC why it didn't move the last time.

Larry Greene – Madam Chair? Clarification. This was an action that was taken at the last General Council. Unfortunately, none of the resolution was presented to NPTEC, which was a concern, still a concern, so we haven't had any action brought to NPTEC.

Chairman Jackson – With that being said, there is a motion to approve this resolution, amend it to the Resolutions Committee, and then proceed to the NPTEC table, is that ok with the Resolution maker? For the General Council to approve it and sending it directly to NPTEC. If there is no further discussion we can move into...

Elizabeth Attao – Thank you Madam Chair. General Council, there was a comment about a complex, technical employment law that's involved in something like this. I reviewed, and this may be related somehow to the universal HRM. And that alone shows that there wasn't there is a questionable about employment law and what was taken and put into this. [inaudible] My comment to this something needs to be done. I am a tribal member first then I am a tribal employee. If I see something wrong that is being done with the tribe I will record it. I want that due diligence, and I hope everybody else does. As far as being terminated and not having that due process, that is wrong. Something really needs to be looked at.

Chairman Jackson – Thank you Ms. Attao, she is for the resolution. If there are not any other speakers. Mr. Arthur are you for or against, or clarifying?

Richard Arthur – Thank you Madam Chairman. I'm not sure if I'm for or against it, but I kind of agree with the way it is going because my mother is a good example. She got injured at the store that she worked for, that she loved to work there. And she went through surgeries, it took two straight years, and one of her surgeries, she came back to work and she was treated harshly. They would not work with her, would not help her rehabilitate. Made her stand for hours when the surgery doctor said she couldn't. I went to NPTEC, nothing was done. So there needs to be something for the employees, something to advocate for them because in order for us to get compensation we have to sue the Nez Perce Tribe through federal court. But this resolution says we can go through some committee. I would rather save five thousand dollars on attorney fees and go straight to this committee. My mom has not been compensated, she has not received anything saying thank you for your service. She did a lot for that store since it was just a little drive through to what it is today. I am kind of for it, but I don't know how the attorneys would say it is legit and throw it out or not.

Sandy Davis – 1:46 pm. For the resolution. This resolution is all about protecting our sovereignty. The way it is now, there is no resolution for the employees, it is elevated to the federal level, and we don't want that. We want to let the feds know that we can give fair resolution within our own tribe, and we can deal with these things, we don't have to let it go to the feds. It is all about our sovereignty and protecting our sovereignty. And our employees. Thank you.

Sara Sedgwick – 1:47 pm. Madam Chair this is just for clarification. If this resolution was already passed last General Council, and we already voted on it, then we would just have to reintroduce it, put it back on the table, since no action was taken by NPTEC right?

Chairman Jackson – Right, with amendments, because she included Nimiipuu Health, another entity, and number four to the ordinance, so there are amendments to this resolution, the motion is still on the floor, and everyone is in favor of this, so I would like to proceed if it is ok with the motion maker to go into the vote.

Lisa Guzman – Madam Chair, I am against the motion. I'm against it. I want General Council to think of the hours that all of our HR offices have put into the universal HRM. If NPTEC didn't do anything with it and its coming back? My question is why didn't any individuals, I'd like to see the write-ups of all the individuals who are coming forward, about their making it to the universal HRM discussions that we are revoking. Because we are putting out our HRM managers and our staff to take a look at these documents, and we are paying our staff to do work on behalf of the General Council. And now, we are starting all over again, and not getting anywhere. I would like to see the comments of every individual who just came up and see what their input to the universal HRM discussion. Because NPTEC has been having to put tireless hours into that as well as all the managers and for what I'm hearing right now based upon some of this write-up that there is no accountability. If we have a committee of just peers, and we are talking about legal issues? When it comes to an employee of the Nez Perce Tribe, we would not want, I know you would not want, anybody to take a look at your personnel file. That's huge.

Motion Mary TallBull / Second Eric Holt to adopt resolution NPGC 11 – 01. Motion carried.

Mary Tallbull – 1:50 pm. This question is in regards to payroll. Last year, last August, my family had a dispute with a contractor on the reservation that went on into December, and ended up in January. And in January an administrative action was taken at the NPTEC table [inaudible] that this dispute would be taken care of within a thirty day period. The issue has not been resolved. [inaudible] But other managers how many times have we read the administrative procedures where the NPTEC has given an order to complete some task and bring it back to the table with a full report, or to bring back answers to the NPTEC table. How many times [inaudible] My motion then is to do some research and report this back to the people how many times NPTEC has passed administrative action and given directives to the managers and to the director, and how many times have they given directives and the people have not complied with their request. And with that report to go back to tribal members because when you get up there, and NPTEC counsels you, ok I want you to go see such and such, as an employee you can't just ignore it. If you ignore it, it is insubordination. So that is my motion on that. The other question is I've been hearing rumors for the last two years, and I know what we all saw in the newspaper where a tribal member was charged for an incident at the Nez Perce Express. What happened there, that scared everybody. If what I'm hearing is missing from the store. I'm hearing that it is \$200,000 and something dollars. And this began in 2009. If missing money has been coming up since 2009 how come we didn't get a report from the NPTEC that we're missing money? How come we didn't get a report in 2010? How come we didn't get a report in May this year? Because we have a right to know. That's our money, ladies and gentlemen, that's our money. This one person was charged what about the rest of it? That's 200 and something thousand dollars. [inaudible]

Chairman Jackson – Can I have you repeat the motion that you're proposing?

Mary Tallbull – The motion is to research with the NPTEC as to how many administrative actions from say 2010 and 11 directing managers and directors to comply with whatever and how many times we have actions not complied with and if they answered or not, and that should be considered insubordination.

Chairman Jackson – So a motion to research the Admin Actions of 2010, 2011, that were directed to managers and supervisors, and what is the time line? Rebecca, if you could clarify?

Rebecca Miles – Yes, Madam Chair, you can still cause the motion, but I can have it for you tomorrow. I keep every single admin action and its status including the resolution.

Chairman Jackson – So, Mary Tallbull has put a motion to research NPTEC Admin Actions for 2010, and 11, giving a direction to managers and supervisors, and timelines...

Mary Tallbull – And if they were answered or not, [inaudible]

Chairman Jackson – Ok is there a second to the motion, second by Al Wheeler, is there any discussion on the motion, is there any discussion on the motion. Rebecca Miles.

Rebecca Miles – Just one quick clarification on the TERO issue. There is nothing in the code that allows the ED, nor the NPTEC, to make a determination on that, so that's why you didn't see one, and you're not going to see one because I am not authorized by code to make those determinations.

Chairman Jackson – If there is no further discussion I will proceed with all those in favor of the motion, please signify by saying aye. All those against, same sign. Motion carried. If there are no other comments, we will proceed; I'm going to entertain a motion to excuse the Executive Director and Executive Officer.

Motion Mary Tallbull / Al Wheeler. Research the NPTEC 2010 – 2011 How many times NPTEC passed admin action and given directives to managers and directors and wasn't complied with and if they answered or not. Motion carried.

Mary Tallbull – Madam Chair, we have not gotten a response on the missing money at the Nez Perce Express. Madam Chair if it is the wish of the people, can we go into executive session?

Chairman Jackson – Mary has a motion to go into executive session. Second by Marilyn Bowen. All those in favor to go into executive session at 1:57, please signify by saying aye, all those opposed, same sign. Motion carried, can I have the Sergeant-at-Arms please call the house. Tribal members with badges are the only ones that are allowed in executive session. Please make sure you have your badge on, please go to registration and get your badge on, if you do not have your badge you will have to be excused.

Motion Mary TallBull / Second Marilyn Bowen to go into executive session at 1:57 p.m. Motion carried.

Motion Laurie Ann Smith / Second John Strombeck to come out of executive session at 2:28 pm. Motion carried.

Motion Laurie Ann Smith / Second John Strombeck to excuse the panel. Motion carried.

2:29 p.m.

State and Federal Partners Reports

Motion Carla Timentwa / Second Nancy Wheeler to excuse the state and federal partners' reports.

Allen Slickpoo, Jr: That would be a motion to amend the agenda.

2:35 p.m. **BOARD AND COMMISSION ELECTIONS**

Enterprise Board Seat 1

Chairman: Floor is open for nominations for Enterprise Board Seat 1.

Judy Oatman nominates Greg Bybee. Mr. Bybee accepts.

Motion Lee Bourgeau / Second Susie Weaskus to accept Mr. Bybee by acclamation. Motion carried.

Mr. Greg Bybee is elected to a three (3) year term to the Enterprise Board.

Sara Sedgwick: Clarification on qualifications for enterprise board member.

Enterprise Board Seat # 2

Chairman: Floor is open for nominations for Enterprise Board Seat 2.

Kamelle Bourgeau nominates Albert Barros. Mr. Barros accepts.

Betty Kinser nominates Jamie Five Crowes. Ms. Five Crows accepts.

Motion Gwen Carter / Second Judy Oatman to cease nominations. Motion carried.

Results:

Albert Barros – 117

Jamie Five Crowes – 44

Invalid 5

Albert Barros is elected to a three (3) year term to the Enterprise Board.

Enterprise Board Seat 3

Chairman: Floor is open for nominations for Enterprise Board Seat 3.

Betty Kinser nominates Jamie Five Crows. Ms. Five Crowes accepts.

Marilyn Bowen nominates – Feather Broncheau. Ms. Broncheau accepts.

Motion Robert Kipp / Second Melvin Wheeler to cease nominations. Motion carried.

Results:

Jamie Five Crows – 42
Feather Broncheau – 108
Invalid - 4

Feather Broncheau is elected to a three (3) year term to the Enterprise Board.

Fish and Wildlife Commission Elections

Fish and Wildlife Commission Seat 1 – Three (3) year term

Chairman: Floor is open for nominations for Fish and Wildlife Commission Seat 1.

Pete Wilson nominates Wilfred Scott. Mr. Scott accepts.
McCoy Oatman nominates Quincy Ellenwood. Mr. Ellenwood accepts.
Lee Whiteplume nominates James Holt. Mr. Holt accepts.
Kay Kidder nominates Timothy Wheeler. Mr. Wheeler accepts.

Motion Judy Oatman / Second Eric Holt to cease nominations. Motion carried

Results:

Wilfred Scott - 33
Quincy Ellenwood - 32
James Holt - 65
Timothy Wheeler - 25

James Holt is elected to a three (3) year term to the Fish & Wildlife Commission.

Fish and Wildlife Commission Seat 2 – Three (3) year term

Chairman: Floor is open for nominations for Fish and Wildlife Commission Seat 2.

Bernice Moffett nominates Timothy Wheeler, Jr. Mr. Wheeler accepts.
McCoy Oatman nominates Quentin Ellenwood. Mr. Ellenwood accepts.
Pat Gendreau nominates Elmer Crowe. Mr. Crowe accepts.

Motion Alexis Walker / Second Kamelle Bourgeau to cease nominations. Motion carried.

Results:

Timothy Wheeler, Jr. - 49
Quentin Ellenwood - 51
Elmer Crowe - 42
Invalid - 3

Quentin Ellenwood is elected to a three (3) year term to the Fish & Wildlife Commission.

Fish and Wildlife Commission Seat 3 – alternate position two 2 year term.

Chairman: Floor is open for nominations for Fish and Wildlife Commission Seat 3 – Alternate position.

Mary TallBull nominates Timothy Wheeler, Jr. Mr. Wheeler accepts.

Motion Judy Oatman / Second Alexis Walker to accept Mr. Wheeler by acclamation.

Timothy Wheeler, Jr. is elected to the alternate two (2) year term position to the Fish & Wildlife Commission by acclamation. Motion carried.

Nez Perce Tribal Housing Authority Election

NEZ PERCE TRIBE HOUSING AUTHORITY BOC – Seat 1 four (4) year term.

Chairman: Floor is open for nominations for Nez Perce Tribal Housing Authority Board of Commission Seat 1.

Tracey Arthur nominates Mary TallBull. Ms. TallBull accepts

Bruce Lawrence nominates Nancy Wheeler. Ms. Wheeler accepts.

Lisa Guzman nominates John Rose. Mr. Rose accepts.

Motion Angela Broncheau / Second Melvin Wheeler to cease nominations. Motion carried.

Results:

Mary TallBull – declined

Nancy Wheeler – 67

John Rose – 60

Nancy Wheeler is elected to a four (4) year term to the Nez Perce Tribal Housing Authority Board of Commissioners.

4:27 p.m.

Motion Pat Gendreau / Second Allen Slickpoo, Jr. to recess at 4:28 p.m.. Motion carried.

Saturday, September 24, 2011

Meeting called to order at 9:31 A.M.

Prayer by NPTEC Chaplain Julia Davis Wheeler.

Chairman Jackson – Thank you Julia. Danae?

Danae Wilson – Good Morning Madam Chair. Good morning General Council. I would like to amend the agenda to take the Friday's one o'clock and three o'clock subcommittee reports and commissions, and combine them together for this morning agenda to begin immediately, and then to combine the Saturdays' 8:30 to 10:30 and have all those grouped together and report this afternoon at one.

Chairman Jackson - Ok, Danae Wilson moves to amend the agenda, yesterdays to subcommittees boards and commissions reports into todays. Second by Marilyn Bowen. Is there any discussion? The question has been called. All those in favor of the motion, please signify by saying aye. Those opposed no. Motion carried. We are now to today's agenda, and I will call up Law and Order, Gaming Commission and TERO Commission, Human Resource Committee Chair, Nez Perce Tribal Housing Authority Chair, Nimiipuu Health Board Chair and Senior Citizens Advisory Board Chair.

Danae Wilson Motion/ second by Marilyn Bowen to amend agenda Grouped the Friday 1:00 pm and 3:00 p.m. agenda items Law & order subcommittee / Intergovernmental Affairs and Human Resource subcommittee chair reports. Includes Gaming Commission, TERO Commission, Nez Perce Tribe Housing Board Chair, NMPH Board Chair, Senior Citizens Advisory Board Chair. Motion carried.

9:37 am Chairman Jackson – Ok, we are trying to have the reports be no more than a half hour. I'm going to go ahead and turn the meeting over to the subcommittee boards and commissioners.

Law & Order / Intergovernmental Affairs Report – Larry Greene, Chair

Good morning. Thank you Chaplain for your words, your beautiful words this morning. [inaudible] Kamiah. It's good to come up the river, a couple of corners, you can see the trees, the river, the mountains, you get down towards Lapwai, it's not filled with pines and ferns, so it's always good to be up this way. I do have handouts in the back, actually straight back from me. It's some of the action we have taken, as well as will be this mornings' overview of actions taken and where we are going with law and order. The law and order vice chairman is Mr. Slickpoo, we also have Mr. Daniel Kane, Ms. Julia Davis-Wheeler, and Ms. Joanna Marek, also on Law and Order. We have had a few amendments to some of the existing codes. I don't think we really implemented any new codes to the Law and Order codes. I'm going to keep it simple and short, because I feel like this is your guys meeting, if there is something we need to address that we haven't addressed I want to hear about it today, preferably this morning. If there a specific question that you want this morning would be the perfect time to do it, and ask for that. Well as mentioned, we have went through a few amendments to adjust the codes. Dog ordinance. One of the ones we've always been a part of is SORNA, Sexual Offender Registration and Notification Act. That something that we have been dealing with and have been involved in for a number of years; the registration of sex offenders. It is a jurisdictional issue, jurisdictional concern, and right now I think there's only maybe two tribes that have complied, fully complied with this new act. Our neighbors over the other side of the hill was one of the first,

the Umatilla tribe. I think there is another tribe, and that's it now, that is up to compliance. The State of Idaho and our relationship isn't the best. Actually, the State of Idaho is not in compliance. A lot of states that are not in compliance with it, so I want to make sure that where we stand we are pretty close to being in compliance. I think there's just a few things, funding issues that are keeping us out of compliance. The utility code is another matter, just increasing their authority. A new one is the tobacco and liquor ordinance. The license and tobacco tax [inaudible] Mr. Slickpoo may have introduced that prior to my coming on. The other one that we have is sales tax ordinance, you got a little overview with the Executive Director presentation yesterday. Another emergency amendment was also an amendment we had in prior years past was the littering at fishing sites. It wasn't all of them, and it was a question that came back from tribal membership was enforcement at all usual and accustomed, or ceded territory, or any event that a number of tribal members are doing, and it was more specific to two or three of the sites that were having more problems, more populated areas. Those are major, not major but minor concerns, there weren't any big changes in them, more of a giving back and forth. One of the things I do want to mention this morning, while I have your attention, and I wish there were more here was we set up the comment period and the comment period ranges from 15 to whatever we determine. And the reason I'm bringing this up is these laws are going to effect you, or your membership, or effect whatever it may affect, the law and order code. Without your input, without your view and without voicing your opinion then you're going to accept whatever changes are made. They may not be favorable. I want to make sure to encourage you guys to please pay attention, if there is something that we need to do as far as notification to get this out to the public, for public comment to finalize, please by all means let me know or let law and order know. We hold our meetings on the first and third Mondays of every month. Open door policy. I still like more involvement. I do occasionally, for a while it was every month, have an article in the paper. I encourage tribal members to write in and call, so I can address some of your issues and concerns. Also, one of the others that is really contentious, I guess it really depends on whom the decision comes from. I guess we brought it up at law and order and at the table it is kind of separated, it really didn't get addressed, it's actually been addressed at law and order since 2006, with various law and order subcommittees, under Mr. Picards' chairmanship, Mr. Minthorns' chairmanship, Mr. Slickpoo as well as myself addressing the cross deputization. Today one of our biggest concerns, and my concern is today we don't have jurisdiction over nontribal members. And this is one avenue, one way we can assure that we have [inaudible] jurisdiction over nontribal members. There was one question that came up in the last meeting we had was what are the benefits from getting this cross deputization? Is it going to be the whole department, everybody? It is not going to be, it's only with one county and with this one county it's one officer. There county officer, and one of our tribal officers. We will be issuing there citations. And the benefits, the benefits of that is every ticket that we issue, not the county issues, it would be coming back to the tribal court. So that would keep everybody's record out of the county, and out of the state records, it would come back to the tribal court. That keeps the protection within the tribal court rather than going outside the system. For those that have DUIs or other citations that would involve your license, would involve you serve amount of time, with the three strikes issue, that wouldn't go out to the state it would be maintained within the tribe. The tribe right now we have no authority to restrict anybody's license. So that would maintain our jurisdiction, and have all tribal members come back to tribal court rather than county or the state court. The other benefits that I shared during the meeting, we had a tribal member, a female tribal member who was beat by a nontribal member. The assailant stabbed her dog and beat her up. And because she was a nontribal member, the officers couldn't do anything. We were there to enforce the law, but we couldn't do it because it was a nontribal member. We've had other instances, in tribal housing where a nontribal member commits the violence was assaulting a tribal member, but because of that issue, we could not do anything. Actually, up here an elder who was assaulted by a nontribal member, but because it was a nontribal issue, we could not push the concern, and we couldn't file anything. We went and took it to the US attorney, and we couldn't do anything. They didn't

feel it was strong enough. It hurt, it actually still twists my stomach today, Nothing ever was done over that issue. And if that issue ever turned around with a tribal member doing that to a nontribal member guess where you would be. You know where you would be. They have the authority, the nontribal courts has full authority. With the majority of the land on the reservation, with the majority of the population on the reservation being nontribal [inaudible] so this one step, it would give us a little more authority, and a trial run. We have other tribes in the state that do it with other counties. Other tribes in other states who do this. The question came up in law and order subcommittee that this also should be your decision, a decision that you should also be involved in, because eventually in the long run it affects you. So, if you could give me some concerns I'd greatly appreciate that. I know there are only a few of you, but if you could go home and share with your family members, other relatives and whomever, and get an idea, so that we can kind of get a consensus of how or if it's going to be supported, and if not, then we'll leave it alone. I wanted to send out some props to our child support enforcement. They have been implementing a couple new involvements of child support. A lot of times you see it as a monetary issue. But today it is more than money to raise a child. Being a part of the Idaho Juvenile Justice Commission we have seen the numbers of single parent households, grandparents, or whomever raising children of separation. Sometimes we see where child support has been the deciding factor. Money doesn't replace being a father or mother, you need that involvement. That is one of the things that child support is working on. I've shared it with the committees I work with. They want to be able to see how we implement that in kind with the involvement of the parent, whether it be culture, tradition of the hunting, fishing, gathering, powwow, whatever it might be. They are working on that. Some of the garnishment issues at the state applies, we oppose. We don't go for the 50%. It's still a work in progress though, like anything else. With that note I want to keep that in mind that the law and order code is long overdue. We have had some concerns lately with zone 6 and various concerns in our law and order code. We haven't fully reviewed it, I know we applied for a grant, unfortunately we didn't receive it. Hopefully, we will be able to get that to improve the law and order code. It does need to be changed, with today's jurisdiction and other issues we are having. I want to keep it short and allow you guys to speak and voice your concerns. I would like to thank Lucinda George, Sandra Davis, Judy Warden, for their involvement in the adhoc committee. Also wanted to welcome Albert Barros and Greg Bybee to the TERO commission. Visiting the Sho-Ban and other reservations, one of the first things you see on their reservation is a big sign saying TERO will apply. It's the law, it's the law and order code, which we have to implement and support and enforce. Unfortunately we have the alliance, that group. Other groups that the north, Coeur d'Alene, they have to deal with. They still do a lot of things. I call it the 'D' word. Diminishment. We've had so many cases up to this point that is not an issue. What case there is no case, it's a presumption that there will be. I understand we are sovereign. I will let the others entities speak. Thank you very much.

9:51 am

Gaming Commission – Skip Williamson

First the Nez Perce Tribal Gaming Commission is very important. First we have Jason Halstead, me myself, I am the president, Mary Clark is our vice president, and we have one more vacant position. Our goal is to bring the gaming operations, Clearwater River Casino, Itse'ye ye by fully complying with Nez Perce Tribal gaming ordinance, regulations of National Indian Gaming Regulatory Act, Class 3 gaming compact between the tribe and the State of Idaho, tribal internal controls standards, and all other applicable rules and regulations approved and adopted by the Nez Perce tribal committee. Programs within our regular one there, we have four full time staff members that are under the NPTEC subcommittee law & order. Our annual budget is \$479,120. Our review period is from May 2011 to August 2011. Gaming Commission meets the 2nd & 4th Monday of each month. The Gaming Commission has a new addition to

the office, Mary Beth Frank and Ferris Pasano. Ms. Clark was appointed was appointed to the gaming commission for a one year term, January 1st through December 31, 2011. Ms. Clark has experience in the gaming industry, previously being executive officer of Nez Perce Enterprise. Ms. Clark also completed the gaming commission certification offered by the National Indian Gaming Association. We also hired Ferris Pasano in the position of gaming agent, he has experience previously being gaming commissioner for the Nez Perce Tribe. His main duties include working closely with the gaming machine department, making sure that all rules and regulations are followed at all times, as well as custodian of gaming software. Gaming commission is currently reviewing and approving various National Indian Gaming internal control procedures. The commission is in charge of reviewing and approving gaming licensing fees to ensure departments are complying with the tribal internal controls. We approved 111 gaming licenses, between April 2011 and August 2011. Eight vendors licensed. The Gaming Commission has approved and ratified background investigation policies and procedures as well as the initial license process. They revised gaming ordinance was released to tribal members for comments, and is waiting final approval from NIGC. In our 2011 audit which includes agreed upon procedures and finances and will be completed by Egghart & Associates for a three year term. This is a requirement of NIGC which if it is not met, may result in fines imposed upon the tribe. Gaming facility license is submitted and approved [inaudible] renews every three years, and before approved ensures that the facilities are safe for guests and employees, and all rooms in regards to building codes are met, and inventories are kept and in control. [inaudible] this is in addition to the external audit that is required at least once a year. The following internal audits have been completed for this year: management, information systems, complimentary, bingo gaming machines, cage and cashiering, these have been approved by the gaming commission, and have been passed on to NPTEC.

TERO Commission – Greg Bybee, Chair

I am just going to go over a few bullet points that I think are important to the commission and the tribe, and direction it is headed at the TERO. We are going to be making some changes to the Title 9 in the Law and Order code, and as Larry stated if we don't get any interaction from the people that it affects, it's hard to make the changes we are proposing. We will be holding comment periods in all three communities of Orofino, Kamiah, and Lapwai. I encourage any people that have ideas or issues they want, or changes to propose, be at those meetings. We are also going to be doing three year certifications for our certified Indian businesses. Another change we are working on and want to see is the Nez Perce Tribal preference. We would like to see negotiate procurement with all our departments, as far as forestry and fisheries. We would like to see more directives in management complying with title 9. We have a lot of contracts going out to other businesses and contractors, not using Title 9 or the TERO process. It's been kind of a heartache for the commission. We don't get a lot of support. We don't have a lot of authority in the administrative process, and we are working on that also. With that being said I would like to thank some of the NPTEC on law and order that have helped us. We've had some really good meetings with some good ideas being shared. Joanna Marek, Larry Greene, Julia Davis Wheeler, Dan Kane. Just like to name a few that have been key, instrumental in helping us, gave us that warm, fuzzy that they support us at the policy level. Some of our other ideas is the Miller Act. TERO basically deals with a lot of contractors that are forestry or construction driven. [Inaudible] Most native firms don't have access to conventional methods like going to a bank and asking for a loan, a lot of banks don't want to deal with a trust issue. We have a lot of firms that cannot go to a bank and say I would like to float my payroll for 60 days before I see any money. The Miller Act allows for the tribe or the contracting agency to negotiate some sort of terms that they recognize to access some of the money through the contractor or the federal contractor [inaudible]. The commission and myself would like to set up those workshops that would like to learn about the Miller Act. Another thing we are working towards is reorganization. The commission and TERO are put under

the Education Department of the tribe. We are trying to get that changed to where it belongs, since it is a function of the court we'd like to see it under the law and order subcommittee. It kind of makes sense to put it there. [inaudible] It kind of makes sense structure wise to put it there. That's been kind of been one of our main problems. It doesn't allow for a lot of interaction in the day to day area. We have had a pretty good working relationship with law & order. The next one we would like to see is the way title 9 is written right now it exempts the Nez Perce Tribe from applying TERO, and we would like to see a practice what you preach type concept with the tribe. We are not asking for jurisdiction over the tribal government. We would like to see more interaction with the department and manager and directors. As I stated earlier, when you comply with TERO, when you go out to solicit bids and contracts, and it kind of makes sense to me as it is our resource, our land, our money. [inaudible] We are hoping that when we do get a director in the TERO office that they will implement that immediately. Because that is not something that has to be done by law and order or title 9, it can be a policy basically implemented by that office. [Inaudible] When we need legal assistance they are basically going to supply that to us. One of our real problems is that we don't have legal representation. We have had a lot of hearings where we rendered decisions. When the decision is given by the tribe not the tribe itself but by the commission which is a separation of powers to perform our function for the tribe. Those are some of the issues we are dealing with. I can't really speak for the whole year, as I recently got on the commission, but it is on page 100, some of the accomplishments of TERO commission. With that I'd like to say, if you have any comments or issues, feel free to bring them up here, because that is why we are here today.

10:06 am

Human Resources Subcommittee – Roberta Bisbee, Chair

The reported programs for Human Resource Subcommittee are education, enrollment, travel services, senior citizens, housing, youth, social services, and financial assistance. I serve as the chair, Ms. Julia Davis Wheeler serves as vice chair, Mr. Greene, Mr. Slickpoo, Mr. Kane, and Mr. Oatman all serve on the Human Resource Subcommittee.

Stated purpose of the committee is to supply policy reviews, formulation and recommendations to NPTEC in areas that impact health and its quality to the Nez Perce membership. Activities and accomplishments. Endorsed the employee wellness committee, which encourages physical activity of our employees, along with employee incentive programs. We did have, the first time in history this year, we had to prepare for an enrollment history. According to the enrollment ordinance, we ran into two situations where we had a dispute and then another situation where an application was submitted and we had to come up with something in our ordinance for law and order to address parental disputes, because we had a request from a couple situations after it was already posted. So we had to tighten up the ordinance. We approved office space for the state budget service officer. He comes out to meet with some of our veterans. The Nez Perce Tribe on Thursday was asked to sit on an interview committee to interview for the director of Office of American Indian and Alaska Native Agency on Aging. I was able to participate on the interview panel, so we could find a director for Area on Aging to serve as an effective and visible advocate for Native Americans. That interview process for me brought greater awareness about [inaudible] priorities, so that was very deep for me to hear that from the applicants that interviewed. That was a little disheartening. It was a good opportunity and we did make a recommendation. That was an honor for us to sit on the interview panel. We did authorize the purchase of a wheel chair access sign for the Senior Citizens Program.

The next one is a continuous effort with opening communication lines with the school districts. Lapwai started an education summit. The NPTEC sent a letter to the superintendents of Kamiah, Orofino, and Kooskia. We never received feedback from that request. We have a great Lapwai education summit established now. We haven't heard anything back, and that was in May, so we sent a second request in August. So we presented to the school boards and then we sent it to the Indian parent committees in Kamiah and Kooskia, I'm not sure Orofino has an Indian parent committee, and then we sent it to the chair of the boards because we didn't get any response from the superintendents. We are just trying to open the lines of communication, for them to be aware of what programs we have participating in our school systems. We have healthy schools; a lot of tribal programs that are in their school systems. Child support enforcement is going to start into their school system as well. The resource directory, we are trying to get that going, it is going kind of slow. We asked for monthly meetings and now it will be quarterly. [Inaudible] Hopefully they will see that it is a great opportunity to work with tribe.

Another continued activity and accomplishment, this is this year after the general council in May there was a lot of discussion about providing options for enrollment. Evaluating our current enrollment ordinance. Our enrollment procedures we want to have evaluated. The options in changing enrollment. There was a lot of discussion about that in May, and today there was a motion, according to the minutes we received on Thursday, said that there is supposed to be final proposal of options today to vote on. Unfortunately the feasibility of that enrollment, the costs were high, and we couldn't include it into the budget this year. But we are placing it into the budget for this coming fiscal year, so that we can get that enrollment feasibility study done. So it is not done for today. There is a lot more to it, there is the enrollment that we receive from the bureau, there is a lot of detail and records from the bureau that is why we didn't have enrollment included in last year. We put out an RFP to Indian country we might have posted in indianz.com, but we put an RFP in a couple of papers, and it is to request the amount it will cost to complete the whole entire feasibility study. We hope to have that completed very soon, and to put it into this year's fiscal budget. Another effort this year was the supporting the Kamiah and Lapwai local schools graduation parties, and we provided boards and commission training for Merrill Lynch training, there native branch came in and provided the training for our boards and commissions in June 2011.

We are still trying to work with the St. Joseph's Regional Medical Center and Valley Medical Center to [inaudible-phone ringing] with our Nimiipuu Health Board. We hoped to have a representative attend just to share information on the board and commission functions, to have a Q&A as well. The Nez Perce Tribe sponsored Idaho tribes/state meeting in August 2011. We sponsored Idaho Tribes meeting and it was a very good turnout, we had representatives from Medicaid and Medicare there. Other resources from State of Idaho there, we had a chance to meet with them, let them know what works for our people and what doesn't work. To continuously put forth that effort as a part of our consultation.

This is the hot topic. The universal Human Resource Manual. The purpose of the universal HRM is to treat all employees the same. [inaudible] Protect the tribes' sovereignty. It wasn't to immediately seek approval but to immediately post for comment. Last year the human resource manual was brought up, what is going on? It was this secret document and there was so much hush-hush about the document. We wanted employees to have a chance to see it and comment. That is why we had an approved schedule, it says to finalize, but if you go a little bit further, it will say the final comments will be brought back for review and further recommendation. July 29, 2011 managers and directors were responsible to circulate the manual to all employees. August 10 all comments of the draft HRM will be submitted in writing to the Office of Legal Counsel. The only reason it was submitted to OLC, is because we have four human resource departments. We just asked them to centralize all comments. And there was distrust, a lot of employees felt their

comments were not being included, or there would be comments left out. So I recommended that they could send it to us, on the tribal council, so that we could make sure the comments were represented for that employee. August 15 comments were going to be presented, that wasn't the case. On August 10, we extended the comment period to August 31st, with comments presented to Human Resource Subcommittee on September 19th. Still not the case. There is still a lot of tribal employees wanting to submit comments. They are interested, and have good recommendations. We are still accepting comments. Every day we have employees at risk with employment law cases, a time bomb for tribal sovereignty. It kind of relates to action passed yesterday. The universal HRM is a starting point for the tribe and how we can avoid it. The method of exercising our tribal sovereignty; we need the self-determination; tribal law reflects tribal values. Good facts good law in Indian country. Policies are necessary, so a human resource manual is necessary, but is also secondary to the law. As a tribe we need to develop an employment probe. This is one of the recommendation I have wanted to present yesterday, which would have been a good time, before the resolution that passed. The tribal law protects sovereignty from federal intrusion, and so we know that is necessary, and so this is one of the recommendations. We need to develop laws that are applicable to our values and traditions. Because it will be stronger than policy.

This is our entire education 2010-2011 scholarships. The top degree and student type. We have a total of 135 students plus 21 pending applications. We have actually dropped from last year, where we had 182 students. The top percent, 50% of our students are Bachelor's degrees. 28% are new students, first time scholarship recipients. The top three majors are Direct Transfers, Business and undecided. The enrollment status, we have 42 tribal members that are in Associate's programs; 62 in Bachelor's; four Doctorate's; eight Master's; 13 Vocational, and two mixtures, which is great. Enrollment status we have 10 in half time, five in ¾ time, and 120 full time. First generation college students – 54%. That is exciting; good news. And then we have the top colleges, we have local LCSC-[inaudible]; Northwest Indian College about 21%; and U of I about 8%. Some of the areas of concern that we would like to provide opportunities for is to increase the amount of scholarships for graduate students. The second is policy creating to acknowledge gifted and talented students. We have a lot of different programs, but for our gifted and talented, we have no resources for them. We have one individual that is in a prestigious school [inaudible] and there is no funding for those gifted and talented. These issues are not in any specific order. The other concern is LCSC is talking about financial aid not being offered for remedial classes. So financial aid is not going to allow funding, soon, for remedial classes, for those classes preparing for the accredited classes. So we need to prepare for that. NWIC just had a session and talked about how to reach out to our high school students, even at the elementary level. A lot of it is how they're learning and their learning ability and their vision. Nimiipuu Health self-governance 638 compact agreement. We are currently researching auditing efforts for compliance at our Nimiipuu Health facility, compared to direct service compliance to other self-governance operations. While in Washington, DC, I talked with the I.H.S representatives and there is no specific audit to audit self-governance, so pretty much it is our own operation. It is an opportunity for us to meet the needs of our people, to develop programs and plans determine that can help serve what our needs are. One of the recommendations was to have I.H.S. come in and evaluate it as a direct service, what we used to be. And then have someone come in, from self-governance representative, so they can do a cross comparison and then really set up our compact. We have not really dived in to our compact. This is to see what we can change in our service area. We do have accreditation audits and Nimiipuu Health is included in the audits as well. Next slide. Reasons for self-governance is to provide quantity and quality of services provided to tribal members. We can create plans that work for our tribal members. We recognize the tribal right to determine priorities and redesigning programs. Formalize relations between the United States and Indian tribes on a government to government basis, providing a constitution. When I was appointed to secretary on advisory committee to the HHS, and that is another big heat issue is

reminding them of their responsibility. Promote greater social and climate political culture civility and self-sufficiency. Next slide. Establish fiscal accountability through expanded tribal government and decision making authority. We can reprogram, we have this accessibility. We can use 3rd party revenue the way we want to use it. If we went back to direct services we would gain about 2.7 million for 3rd party revenue, we put that back into the services here at our two facilities. However, if we went back to direct service we wouldn't, it would go back to I.H.S., over two million would go back to I.H.S. at their discretion, so we wouldn't be able to keep the two million. Being self-governance we are allowed the opportunity to keep the two million for services and adjust our disparities. [inaudible]

Keys to successful implementation to self-governance. Understanding self-governance, this has been huge. We are starting to move into understand self-governance, starting to move into our capabilities. Understanding Indian Health Improvement Act, Affordable Care Act, understanding programs funding formulas and also having input on funding formulas. Understanding contract support costs. There was over 450,000 dollars that was allocated for shares that were paid to I.H.S. from our budget that they give us. And it was shares that we need to evaluate, if we even need those shares. Those shares help with technical assistance, software that we use in our facilities, recruitment; that is over 450,000 invested in shares that is going to be kept out of our total allocation. And to be honest, I.H.S. has limited amount of people to respond to those technical questions. So we are on the waiting list, so it was not really evaluated whether we need it or not. Next slide. Working to improve to the services to Nez Perce tribal communities, direct accountability and responsiveness, tribal leadership engaged in community health planning and priorities, setting goals that help mind, body and spirit, creating a vision for the future and drawing a road map to achieve health and healthy communities. And I wanted to give recognition to Angie, she set up a booth in the cafeteria area this whole weekend. For the first day no one came to visit her, but she was talking about prevention. There is a lot of questions from our membership about different types of surgery, cancer prevention and she didn't get anybody out to her booth. The work from the Nimiipuu Health is here, they are trying to help, but we need people to participate, before it is beyond prevention stage. I appreciate her setting up her booth.

Another issue, motivation to share best practices and economic impact to our workforce development and economic opportunities for the tribe. And I am also willing to acknowledge a couple of the different committees Ms. Davis Wheeler sits on, in her advocacy. She is the [inaudible] committee, that serves the tribal conservation and planning SAMSA, she was appointed to the SAMSA committee [inaudible] she had input in that. They were funded 50 million in prevention and wellness fund by President Obama in the 2012 budget. This would be discretionary formula grant to allow tribes to focus on prevention of substance abuse and suicide in Indian country. And the goal would be to provide stable and preventable sources of funding and so she was able to sit on that committee, and they are looking at being able to fund 50k per tribe to help with Behavioral Health. She also serves on the tribal leader's diabetes committee. She is a representative for tribal leaders across the United States. She also has been very active in the Congressional sessions, and she serves as co-chair of the committee.

Couple of follow ups in the general council listening session minutes, I only received two responses from the managers that assist with answering those and that was from Laurie Ann Smith and Jackie McArthur. [inaudible] That concludes my report, and thank you for letting me serve as your Human Resources Subcommittee Chair.

10:34 am

Senior Advisory Board – Betty Kinser, Chair

We have six that sit on the Senior Advisory Board, and we have two representatives that are in the NPTEC. Orofino, Kamiah and Lapwai area. Elections are held in April. This coming April will be the next election for the advisory board. Senior Advisory Board representatives are Patricia Pablo and Cynthia Blackeagle for Kamiah. Wanda Dunn and Lucinda George for Lapwai. Chris Nasanahoya and myself, Betty Kinser for Orofino. When we reorganize our officers elected were Betty Kinser, chair, Wanda Dunn vice chair, Lucinda George, secretary/treasurer.

Last May we were getting a lot of new staff, and the board wanted me to apologize acknowledge our Kamiah cook Alicia Oatman. I forgot to mention her in our May report. She is the cook we hired for Kamiah. The Kamiah seniors are real pleased with Alicia. She has done an excellent job. The board wanted Alicia to know they apologize for last May and they do appreciate all the work that she has done. The advisory board meetings rotate between Kamiah, Lapwai, and Orofino. Open to all seniors. Our monthly meetings are scheduled at 2 pm, and are held at the three meal sites. The 3rd Tuesday at Kamiah, the 3rd Wednesday at Lapwai, and the 3rd Thursday at Orofino. We have a lot of seniors approach the board, a lot of new staff, a new coordinator and new director, board took action for male and female and voting by ballot. The senior program will have a table set up to vote for Elder of the year, and we will have a table set up through the May general council for seniors to vote for their male and female elder of the year. The ballots will be calculated by the senior advisory board before the Elder day. The Elders day event was held at CRC June 3, 2011. We had a lot of letters for Elder of Year. It was a hard selection to decide. It was voted on and the Female Elder of the Year was Betty Corbett; the male Elder of the Year was Wallace Wheeler. Congratulations to both. Thank you to all the tribal members who submitted letters and qualifications. The senior advisory board, from the wishes of the seniors, they had requested senior travel and itinerates to be posted in the tribal newspaper and at all three sites, prior to scheduled trips. And they requested tribal policies to be posted at three meal sites, and this is happening. For the Orofino area, the seniors receive one monthly meal, and fruits and vegetables once a month. The board took action to the senior program staff to deliver meals to those qualified seniors. And that would be that when they come to the meal, and staff would tell them to take whatever was leftover and go. The board just felt they could place that in boxes and deliver to qualified seniors in the Orofino area, since there is only one meal and there are a lot of seniors not receiving any meals at all. They would like to see postings at the meal sites for employees that are newly hired with brief description of employee duties, who they are and what they are being hired for, and this is being done. We have worked with the new coordinator. One major concern it the wood issue. We have heard it over and over, and the board felt that there was a lot of elder abuse going on, wood distribution, and so we did take action, and worked with the program administrator, and she is working with us. She would submit a letter to forestry, that [inaudible]. I'm hoping that would help eliminate some wood concerns, because there have been a lot of wood concerns. Wood being dumped in elders' driveways, not being split, being wet and too big, we are talking about seniors, they can't split wood, but they are getting big chunks dumped on them. Hopefully this will help. The board has drafted the constitution and bylaws, these are on the October monthly meeting agenda for final approval. On April 26, 2011, there was a Muckleshoot Elder Day; on April 28 there is a Tulalip Elder Day; on May 13, there is a Kalispell Elder Day; on May 20, Colville Tribal Elder's Day; on July 8, Elders Day; on September 9, Umatilla Elder Day; on September 27, is the Hells Gate Boat trip; and on October 6, is the Coeur d'Alene Elder Day. There are two trips left if seniors want to sign up for the Hells Gate trip and the Coeur d'Alene Elders Day. That concludes my report.
10:46 a.m.

NMPH – Lisa Guzman, Manager (NMPH appointed Ms. Guzman to give the report)

Roberta gave a pretty good overview of some of the things Nimiipuu Health is doing and some of our priorities, but I wanted to give you some input with regards to some of our compact information that we are working on. For some of the goals we are working on, for fiscal year 2012. Program services functions and activities are called PSFA's, in the Nez Perce Tribal compact. For the next few general councils, you might just want to keep it in your mind, PSFA's. Because that is what services our people within our compact. Roberta talked about how we haven't really had some of these services, and many of you I know are frustrated with the fact that you are not getting the services that you need within Nimiipuu Health. I am starting from scratch now, and I'm into a lot of total quality management, planning and improving the Nimiipuu Health. I am happy to announce that we do have a new doctor, and she starts on Monday, her name is Dr. Thompson. And I also have a new medical director, and her name is Charlotte Ash (?), and a new benefits coordinator, which is Crystal Arthur. And a new physician's assistant, an intern. What I'm hoping, looking at our sovereign nation, because I did report at last general council it has been a challenge to get a physician to Nez Perce country. We are excited about these changes, especially with the Medical Director. I want you to know that we heard what you said at last general council. In the past, the way it was done at Nimiipuu Health, was to hire a physician, and have that physician be the Medical Director slash physician. So the physician we are bringing in to Nimiipuu Health is only seeing patients. They may have only a day or half a day of administration at the beginning, but we want them there in that position to provide health care for our people. The clinical director, Charlotte Ash, comes from Snake River Clinic, she actually built Snake River Clinic from bottom up, from policy development to monitoring the floor. Snake River Clinic is a volunteer clinic, the clinicians that come into that clinic are volunteering their time. So I am really excited to bring Charlotte Ash on board, she will work with me to validate the whole medical floor as well as the satellite clinic. Kamiah is tired of not having a physician or mid-level provider available. So the clinical director is beginning to lay out a schedule where we are rotating our mid-level provider and doctor into the Kamiah clinic. So hopefully we will be seeing these changes within the next quarter. Within the Nez Perce compact there is the PSFA's, and number two, and this wording in the compact [inaudible], the purpose of this program is to provide ambulatory medical services. I put definition of ambulatory medical services as acute care services that we provide on an outpatient basis. It doesn't mean we have money for an ambulance, it means we are providing ambulatory medical services. To eligible individuals within the tribes service area. Clinical services include, but are not limited to, physical and psychological assessment and screening services, referral to specialty services, prescriptions and medication, radiology procedures, managing the chronically ill patient, prenatal care, and well child care.

Substance abuse counseling; the purpose of this program is to reduce the instances of substance abuse on the reservation. Services included, but not limited to screening and diagnosis, referral to inpatient treatment and follow up intervention prevention services. I'm happy to announce that last week we had a meeting at NMPH with the tribal court judge as well as with the prosecuting attorney, the other social service programs of the Nez Perce Tribe. We heard what you said at general council about the \$75 assessment fee for our tribal members, who have to get an assessment for DUI's. Unfortunately, as we sat down to talk about the ins and outs of why this decision was made, it was clear that we need to do more collaboration. I'm glad to see that Sara Sedgwick is here, she is a new probation officer for the tribal court. If you would like Sara can give you an overview at the end of this discussion to tell you what we came up at last weeks' meeting in regards to the \$75 fee. Thank you Sara. We also provide community health representation, CHR. The purpose of this program is to provide community health and outreach services to eligible individuals in the tribe's service area. Services include, but may not be limited to, patient

transportation, medical support services, patient case management, monitoring elderly and chronically ill patients and patient community health education. In our compact as well, we have social work and mental health. The purpose of these programs is to provide mental health services to eligible individuals within the tribe's service area. Services include, but may not be limited to diagnostic assessment, ongoing counseling, treatment planning, referrals to other services, and facilitating and development of support groups.

I'm reading these to you because I want you to understand our compact was laid out years and years ago. As a newcomer to Nimiipuu Health, I was looking for the documentation of what the vision was when we first went compact. Where were the community assessments? I have not yet found those. This is why I am doing a complete quality management plan of improvement of Nimiipuu Health services, and I will be putting out some community surveys within the next quarter, to solicit input from the general council to identify ways to improve our services at Nimiipuu Health.

Contract health services, the purpose of this program is to provide medical and health care services that are provided away from the tribal health care facility to eligible individuals who meet the residence location and medical priority use of alternative resources requirements. I wanted to point out these services to you that are written within the compact because over the last few years at Nimiipuu Health I wanted to let you know what other services come into our clinic structure. Over the last few years Nimiipuu Health increased services within our own infrastructure. We took physical therapy, massage and acupuncture therapy, optometry, these extra services are elective services. They are services that we brought into the clinic without doing cost analysis. We thought we could sustain these services, but we have had some difficulties. Many of you have asked questions, about why are we in priority one. This is one of the factors, the reason we are in priority one is because over the years with the changes and turnaround in administration, all the changes within Nimiipuu Health; we started all these services without cost analysis. Now we are starting to do cost analysis, and we are trying to make this compact very structured, so that we can start providing services without going into priority one.

One of the questions NPTEC asked me was are NMPH administrative decisions based on increasing revenue? I'm going to tell you right out front yes they are. Because we don't have enough dollars to provide services to all tribal members, yes a lot of decisions are based on increasing revenue. [inaudible] increasing 3rd party revenue to be able to provide a wider range of services to patients served at NMPH. The tribe is operating under a compact that is what I want to talk to you about today. Trust responsibilities to provide health care to individuals eligible to direct care and contract health services based on [inaudible] NMPH is funded by I.H.S., approximately 70% of NMPH operational need to provide health care services. Nearly 30% of NMPH's budget income is provided from other sources of funding. This is accomplished by insurance companies such as Regence Blue Shield, Medicaid, Medicare, and other alternate insurance patients provide to NMPH. A reduction of the number of patients funded by insurance, a reduction in insurance coverage for those patients, results in increased [inaudible] to NMPH. I'm going to show you our 2012 budget. What we receive from I.H.S. is 9.9 million dollars. That is meeting 70% of our need for our communities, that is the Lapwai, Kamiah, Orofino areas. The 30% is what we have to generate from billing. I took a look at the business office what our average 3rd party revenue is. We found there were a lot of issues, and I think I reported on that last general council. We are not pleased with current software. We have massive software within our infrastructure, in both the Lapwai and Kamiah clinics. With this software what we are finding out is that a lot of our insurance companies were not receiving our bills. What we concluded was we have to get rid of that software, and it is taking a long time only because we have to work so closely with the Portland area office. This transition is occurring in the month of October. The total expenditure budget for NMPH is going to be between 12.8 and 13 million. This year in 2011, both Phyllis

Nash and I put the reins on our budget. We have about a 200k carryover, approximately. Many of you are on the deferred list. Now we are going to start paying on the deferred list, those that need assistance. We have to do it this way, only because we have the carryover at the end of the fiscal year. Because of Phyllis Nash's conservative nature, I'm very appreciative that she got us to this point. At NMPH we have a general understanding of what our projected 3rd party revenue will be, and also what we want to generate in the upcoming years. The next slide, I am providing you this information because I really want to show you how the health insurance our people have within that utilize our clinic. Insurance, 1,319 of our patient population has [inaudible] insurance. 394 people are eligible for Medicare. 749 eligible for Medicaid. 1,460 have no insurance, so what does this mean? This means that individuals that utilize our clinic that have no insurance, if they are truly sick, can actually use a majority of our CHS budget. We end up giving a lot of money to individuals who have no insurance. If we have a lot of people that have Medicaid and Medicare, and insurance assist NMPH in paying for any illness that patients without insurance have. So the goal would be to increase insurance for our target population.

DNKA is did not keep appointment. Last year it was at 15.8%, this year it is at 15.9%. You can see per month, this is just on our providers, I put in parenthesis cancelled appointments not included. For the month of September you see that we had 184 DNKA's; October 162 DNKA's and 760 appointments kept. For NMPH to be successful we need to reduce DNKA's. Many of you state that you can't make an appointment, this is one of the factors. Some of our people don't keep their appointments, and now many of you are frustrated with the organization, with scheduling, but please keep in mind that it is also an issue of the community, that we have people making appointments and not keeping them.

Top five diagnoses, just for your information, we have cardiovascular, [inaudible] diabetes, and asthma. If you really think about it the top five are all very interrelated. This snapshot will allow us to take a look at providers, and our utilization review committee, as well as our management teams. What do we need to be doing to assist our target population in getting rid of these diseases? One would be, and this comes from the medical providers, we need to decrease our obesity rate. If we decrease our obesity rate, you get rid of a lot of the other diseases. What we are doing is really looking at prevention. I really ask our Community Health to prioritize and get prevention information out there to our patient population.

The next slide is our age breakdown, and this is interesting because if you look at zero through 19 is a pretty big population. This is a patient confidential class of people. Zero to 19 is 1,172; 20-39 is 1,109; 40-59 is 1,116; so that is a [inaudible] of our numbers of our patient population. What we found when we looked was our children are more obese than they ever have been. What we are trying to do is project out and say we have zero to 19 year old children and they are obese, what does that mean for the future? Because if they are struggling with it now, we are probably going to see hypertension, cardiovascular disease, we are going to see all those things at an earlier age, which means we are going to need more money to support our patient population. The next slide is the five tribes receiving services at NMPH; you have Nez Perce, our Nez Perce descendants, Yakima, Colville, and Umatilla. It looks like our Nez Perce and descendants are utilizing the clinic a lot. But this is just a snapshot. The next slide is our CSH. Ms. Bisbee spoke about our 2.9 million dollar [inaudible] that comes back into the clinic. If you see, 2.2 million dollars at 66% does look all Nez Perce, but then the remainder of it also goes to our descendants, then there is a portion that goes to other federally recognized tribes. And just for shock value, I am going to show you this next slide. I want to show you the number of tribes that we provide services to. We are a giving tribe. Now this does not mean that there are hundreds of them, there may be one or two individuals from all these various tribes that receive services from NMPH. The thing is, if we really work our compact, this chart would be considered our disenfranchised group. Disenfranchising those individuals who are not Nez Perce, at our meeting last week with social service programs, someone was talking about increasing

our enrollment. What does that mean to NMPH? I'm just throwing food for thought out there, because if our enrollment went up, our support to Nez Perce member might decrease, unless we get a handle on this. The reason we made a compact is to support our Nez Perce tribal members, and we are just starting out the processes to take a look at the compact, so we will meet the needs of the Nez Perce tribal people. This is my second to the last slide. I'm calling it the Roadmap to success. We need to develop a solid compact of programs, services, functions and activities that can be provided with the limits of funding we receive from I.H.S. and 3rd party revenue generated. We need to decrease or DNKA rate, we need to assist patients with no insurance to identify an alternate insurance resource. I know that's a touchy area for everyone, I'm just trying to paint a picture, so you will understand why that alternate insurance is so important. With the Health Care Act, they are going to change the federal poverty level for individuals to be eligible for Medicaid. NMPH is going to be requiring our patients to start looking at alternate resources. And I know I will get individuals coming up to the microphone today, who will say it is my treaty right. It is your treaty right, but the treaty right is making sure that we build a strong compact, and making sure that we have dollars to support our Nez Perce tribal members. We want to promote prevention programs and increase [inaudible] among our Nez Perce tribal members. And we want to promote teamwork among the decision maker authorities of NMPH; that is the NMPH managers, the executive director, NMPH board, and NPTEC.

My final slide is what I proposed to NPTEC with regards to decision making processes. NMPH has a history of problems with decision making authority. From the executive directors, to the health board, to NPTEC. We need to reestablish communication between the executive director and the board. Past ineffective communication ties along with inadequate bylaws appear to [inaudible] the process for good communication. Our bylaws need to be amended soon. The reason I am letting the general council know is in order for me to carry out my work as executive director in building this compact, I need a board that will sit with me more than two or three hours a month. I need a board who will go over and above, and sit with me and do some policy development and really take a look at our data and really build our compact. I cannot do it without a strong board. We need to clarify our rules, from management duties, policy duties, representation oversight duties. We need to establish all entities that deal with public management that will diffuse problems quickly. I requested from NPTEC, and Ms. Bisbee is going to help me work on this, but we would like to have training between the executive director, management team, the board, and NPTEC liaisons to work as a team, developing a positive communication form practical to the NMPH organization.

So many of you know that we have two positions out there for NMPH board. I need critical thinkers, people who like to do problem solving, people who are proactive and not reactive to issues about NMPH. My understanding, and I apologize I wasn't here the first day of general council, was there were individuals who asked questions about NMPH. But when it comes to some of these services, and you come to the general council floor, I am whole heartedly asking you, before you bring it to the floor bring it to me first. So I can help diffuse any problems that you have with NMPH. This way we can be proactive, and try to make a difference with some of these problems. It is very difficult in this compact, as I've stated, I'm moving forward but I need support. The second thing is, I guess there were some questions about gaming allocation dollars. For fiscal year 2011, we only received \$6,000 from gaming allocation dollars. In 2009, I believe they received \$300,000. In 2010, I believe they received \$100,000, but for this last year we received \$6,000 those were strictly for transportation. [inaudible] So, if you're interested in being on the NMPH board, and working over and beyond as a board member please pick up an application with Rachel Edwards.

11:16 a.m.

Nez Perce Tribe Housing Authority Board – Richard Arthur, Chair

Member of the general council, my name is Richard Arthur I am the chairman of the Nez Perce Tribal Housing Authority Board of Commissioners. We have a total of five commissioners. Along with myself there is Julian Matthews, vice chairman; Nancy Wheeler, Secretary/Treasurer; Agnes Weaskus and Dawn Samuels are members. A list of our board commissioners and all housing employees is the first part of our report, and is at the back table. We always like to start our housing report presentation by congratulating new homeowners since the last general council. We'd like to congratulate Larry Greene, and Erm Whitman for completing their purchase of their mutual help home. Congratulations to Travis and [inaudible] for purchasing a home using our financial assistance program. We have had 217 mutual help homes that have been purchased since the 1980's. This does not include any mortgages outside the heights, the projects, or any non-HUD homes. Some of our primary concerns is home maintenance to ensure long lasting homes, and also having adequate home insurance to help with unfortunate events. On page two of our report we have highlighted points of our program. We are currently funded by Department of HUD, under the IHBG, Indian Housing Block Grant. [inaudible] posting publicly for public comments. These documents are posted on various sites, and also are on our website. Our report includes a summary of our 2011 Indian Housing Plan, and if you go on the website, or stop by one of our offices there is available a full version. We are currently working on 2012 Housing Plan. The HUD program has completely changed the format. In the new format we have to describe our programs, instead of our goals and objectives. The 2012 Indian Housing Plan will be out for public comment, September 23, which was yesterday. It is posted at the tribal health buildings, community buildings, both of our offices, and also at the website. One of the key elements in our Indian Housing Plan is collecting priorities of our families regarding their housing needs. There are numerous ways of collecting this information. Our general council survey which has a section for comments on our programs, public comments on our Indian Housing Plan, or just regarding our NPTHA office. The housing board and the executive director attended the NPTEC listening sessions, the three of them back in March. There were a lot of good comments, most of them followed two patterns of concern. We have a continued need for home repairs, and handicap preparations, for elders in the second category [inaudible] desire to have homes free from junk cars, high weeds, and excessive parties. The NPTHA will continue to work with these issues in coordination with other tribal programs.

In June 2011, we had our 11th annual Home Fair in Lapwai. The purpose of the Home Fair is to bring home owners, tenants, and community members together to introduce them to those who can provide service. We had 22 vendors and approximately 300 participants. We held our first Kamiah Home Fair in August 11, 2011. This was a success, we had 14 vendors, and about 70 participants. We received very good comments, and we look forward to another Home Fair in Kamiah next year.

We are very excited to complete our first FEMA home. Roderick Scott, Sr. was our first recipient, and we would like to thank him and his family for working with us on this project. We will be selling nine more of these homes, and we all learned a lot from this experience. The FEMA homes have been provided to replace existing homes that are beyond repair, with certain standard costs. I think we have it set at, if the home exceeds \$50,000 in repair costs. We are still accepting applications, giving first priority to very low income tribal elders. The FEMA distribution policy outlining the eligibility and process is available at our office and on the website.

Throughout the summer we conducted several classes: Homebuyer Education, Tenant Rights and Responsibility, Financial Literacy, and Senior Safety. Our fall clean up schedule is available at our table or

on our website. If you have any questions about the chimney clean up or the fall clean up just give one of our offices a call.

On a national note – we work with several organizations including the Northwest Indian Housing Association, the National Indian Housing Council, and the National Congress of American Indians. We also take the opportunity to meet with these organizations. About three quarters ago, we were at the Northwest Indian Housing Association quarterly meeting, and she stressed that ATNI would like to form a housing association and allow us to get better attendance. So about two months ago, I attended an ATNI meeting at Coeur d'Alene. There were only about three tribes that attended, including us, and that was partly because there were all those law and order, veterans, fish and wildlife, all those committees were together, and they are very intense, there are a lot of delegates. Unfortunately with housing it doesn't seem like it is a big issue. So the executive director shared with us that ATNI wants to get more involved with housing issues. We are very excited to sponsor voluntary tax preparation services for this next tax season. We have a tribal member that would like to volunteer to prepare taxes through an approved tax program. This service will be free for low income families, and a moderate fee for moderate income families. More details will be provided as we set up and prepare for the coming tax season.

This was prepared for Wednesday, so the election has taken place. We would like to thank Nancy Wheeler for her contribution in the past four years. We encourage any tribal member who has an interest in housing issues, including Nancy to run for this position, which is a four year term. As always it is a pleasure to provide this information to the general council. Thank you for your support.

Q & A

Chairman Jackson – At this time I will open the floor for questions to the following topics: Law & Order, Gaming Commission, TERO, Human Resource Subcommittee, Housing Authority, Nimiipuu Health, and Senior Citizens.

Bernice Moffett – This question goes to law and order chair. Thank you for your reports Larry. My concern is Elder abuse. That seems like it would fall under law and order as the elder abuse law is under law and order code. Some don't even know about this program. There should be those people that have to report these kinds of situations they should be told they have to report it like they do ICWA if there is child abuse. I make that suggestion that it be looked into. Chairman I would like to suggest that you buy a time clock, so that those giving reports have a time limit, so that there is time for questions.

Chairman Jackson – Here is the recommendation from yesterday. The speaker gets two minutes, so the response should be two minutes. We have an agenda to adhere to.

Larry Greene – Thank you Ms. Moffett. You kind of mentioned the answer in the question. You brought up ICWA and child enforcement. In those two departments we are trying to see how we can include the elders with that department, so we have someone who has the training similar to ICWA. So that they cannot duplicate but add to the job duties for follow-up. That is one of the difficulties we have been having to this point, is having someone to do the follow up and recording, if we have the documentation for filing a complaint or a civil suit. Right now that is the issue, finding funding to hire a position. So a direct initiative has come out [inaudible]

11:32 Shirley Allman - This concern goes to the Human Resource chair. It concerns me, I know when you are doing your reports you have a lot on your minds, but to me to be proactive on our reservation dealing with our students. Some of the facts that were said about that we want to have programs for the advanced, which is great. I graduated from LCSC with a Bachelor's in Elementary Education. I have two minors, one in Special Ed and one in Reading. It disturbs me that we as a Nez Perce Tribe, put barriers on our own children. Everybody knows that people learn at different levels. And to say that we won't give you a leg up because you need an extra class in math, that really disturbs me because we need to be boosting our children at all levels. So to be proactive if we are going to be there in high school, we need to be there in junior high and elementary. Otherwise, we are going to be here a lot of general councils with unemployment issues and health issues, and it all goes hand in hand. If you really want to say that we are going to be sovereign and proactive then lets really look at the whole picture of how it is going to affect us from now until my great grandchildren. And another thing is, and I'm going to whine, my son was on the Clearwater Valley basketball high school team that won the State champions, and that made us really proud. And when I approached the Nez Perce council, because I know that when Kamiah got State champs, I know that when Lapwai got State champs, our tribal council got them jackets. And there are only two natives on that high school basketball team. I emailed council, and I got no response. Two jackets! Not 16, not 20, but two. And you're trying to build support with these areas, these district schools and they see that.

11:35 Roberta Bisbee - Thank you Ms. Allman for your comments. In regards to proactive, I didn't say we were going to cut any programs, there are just other areas we are going to look at for future funding opportunities. It wasn't to cut programs. And the college readiness is a priority, and although I stated in my presentation as an example the high school, it does start at the elementary level. So that is what we are trying to look at, the college readiness at the elementary level and junior high level, those are the areas we were trying to reach. It wasn't cutting any programs, it was a recommendation of other areas to focus on for funding. In regards to the basketball team champions when it was presented to us, the last time it was ever funded, I can't remember, maybe Mr. Moffett recalls, it was 3 or 4 years ago, and so when that was presented to us as well as other school district champs, we didn't have the money.

11:37 Julie Hart - I want to address my house. For a while I had thistles growing everywhere outside my house. Right now I can't see out of my bedroom window, or the laundry room window. The other day, a month or so ago, I was doing laundry about two in the morning, I heard something outside, but I kept doing my business, threw my clothes in the drier, and when I went back to my bedroom and pulled aside the curtains, I noticed that the thistles were down. So was wondering who was out there. I mentioned my window. I have mildew and water comes through my window. I had [inaudible] I did have my house renovated, I had a handicap ramp added, handicap features in the bathroom. Right now I'm being sued for \$400 from Kings Throne because I was having bathroom problems [inaudible] I tried to get help and they referred me to Spokane Indian Health. When I had problems they said to go ahead and call King's Throne, and now I'm being sued for over \$400 and I don't have the money to pay King's Throne. I am, I guess, humiliated. I'm concerned about the window in my bedroom, it's not a good sight, I sleep in that bedroom.

11:40 Richard Arthur – Concerning the thistles, I think fire management cuts those down. On the mold on the windows and in the bathroom, and with King's Throne, and the bedroom window, we will send a housing counselor out to meet with you, to find out what is the actual issue and try to get this resolved. If you have questions, just call Danice Tom, she will make a note of it. We are starting a new fiscal year and we have new programs to assist you with that.

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11:42 Lisa Guzman – I'm sorry I couldn't understand, I was only picking up bits and pieces. Can I just speak with you afterwards and meet directly with you?

11:42 Marilyn Bowen – My name is Marilyn Bowen, Marilyn Wheeler, I am a member of the Nez Perce Tribe, since way back. Area of concern address this to Mr. Greene law and order subcommittee. What I understand that you are basically saying and addressing to this audience of tribal members is that it is open war on tribal members. That we really don't have protection when we have conflict with the non-Indian community. Because I know that there have been incidents where tribal members involved [inaudible] This really needs to be addressed. When they are calling for law enforcement we need tribal police to respond. They are in Lapwai or in Orofino, they will respond in 20 or 30 minutes. It is an ongoing problem, and I have addressed it before. I work with NMPH as an employee I'm one of the last ones to find out things, because I am not in the office much. So I was happy to hear today that we are going to have a new provider and medical director. I just hope that as a patient at the NMPH, and as a tribal member that we get our fair share of services up here, we kind of have limited services. Hopefully by next May we can have more happy patients up here. A better show of health, and better medicine. I don't want to sound like I'm bragging about health care issues, and I'm a patient myself and it was about 10 years ago I was diagnosed as a diabetic. Because of the health care I received from one of our providers up here, I will go off medications pretty soon. Thank you.

11:46 Claudia Long - As many as you know I was adopted and returned home to the reservation about age 16, about 50 years ago. I am happy to be here today, I relocated back to the urban area to work, teaching in Portland. I'm happy to be here to present this resolution to request that the tribe humbly and [inaudible], and provide a cultural healing event, and will honor and help restore the emotions of our people, many who have lost their own identity, tribal identities, Nimiipuu. And I talked about this from my own experiences, and the experiences I have had as a social worker. [inaudible] As many of you know, seven years ago I did return home, and worked for a while, before I went back to Portland.

Chairman Jackson – I just want to direct [inaudible] you are proposing a motion, you have two minutes to introduce the motion, but how many tribal members do not have the motion in hand? Raise your hand. I don't know if you want it to be read, because right now you have two minutes to propose, but you can request the general council secretary to read it out loud.

Claudia Long – Yes. I know what we do with this motion is critical for healing, broken spirits and soul wounds from the past and the present, especially for the future of our people, our families, our communities, and our tribe. And I'm hopeful that you will be persuaded to vote for this resolution. And I ask the secretary to read the resolution if she will.

Secretary Jennifer Oatman – Resolution Coming Home. Whereas due to the historical trauma caused by U.S. Indian policies intended to assimilate and remove native peoples from their homelands throughout this country and Canada resulted in the loss and disruption of inter-generational ties for Nimiipuu with their ancestral Nez Perce heritage, language and culture, and that privately for some families wanting to make a better future away from their home many relocated to the cities and severed their connection with their homelands, community and tribe, and that Nimiipuu have been disconnected from their ancestral tribal families and communities also have experienced a tremendous loss of family values, customs, and beliefs, and that due to relocation policy in the 1950's, several generations remain disconnected and reside in the urban centers. It is estimated that more than 60% of all Indians in the 21st century now live in urban cities, and that repercussions from adoptions and child placements away from the family, community, and tribe of

native peoples resulted in severed ties and lost identity of many babies and children prior to the Indian Child Welfare Act of 1979. And that Nimiipuu families have been adversely impacted and sometimes completely destroyed, and that the psychological well-being, tribal identity, and general health have been negatively impacted for those who were removed or dislocated from their homelands, as well as to their families left behind. And that consequences of the loss of tribal identity, low self-esteem, unresolved historical trauma has shown to be associated with increased rates of alcohol and drug use, high school dropout, teen pregnancy, violence, suicide, child abuse, imprisonment and other negative outcomes among native peoples, and that therefore the safety, education, health, and social-cultural welfare for contemporary native peoples have been negatively impacted, and further that there is clearly a desire by displaced enrolled tribal members to come home and be reconnected with family, community, and tribe, and further that the future wellness of the Nimiipuu tribe, community and people remain at risk of further loss to its well-being if not addressed by the tribe. Now therefore, be it resolved that the Nez Perce Tribe recognize the consequences of the breakup of families, communities, and tribe resulted in the loss of tribal identity, traditional values, customs and beliefs, be it resolved that the Nez Perce Tribe provide a cultural event to formally welcome home enrolled Nimiipuu members who have found their way back to the Nez Perce Tribe, their families, and communities, and be it resolved that the event be planned and provided with cultural consultation from and guidance with Nimiipuu traditional elder Horace Axtell, and with respect to our ancestors, and in consideration of future generations, and be it further resolved that the Nez Perce Tribe support delivery of the initiative to welcome home disconnected tribal members in order to provide an opportunity for healing, and peaceful resolution across generations hereafter, and for time immemorial and in honor of our Nimiipuu heritage, language and culture. Together this resolution is being submitted to reconnect our people to the past, present and for future generations on this 23rd day of September of 2011.

Chairman Jackson – Claudia Long proposes this resolution, is there a second. Second by David Penney. Is there any discussion on the resolution? David Penney.

David Penney – I support this. It is beautiful. Something I have been working on for quite a few years. In 2007, general council passed a resolution that is later on in the agenda, we are going to talk about tribal enrollment. I love this document it supports what we need to talk about. I saw a slide a little while ago where our children, my grandchildren belong to different tribes, and not enough in one tribe to be enrolled. Bringing them back to Nez Perce country, I brought them back from South Dakota. This is a strong resolution. I strongly support it. Thank you.

11:55 Deloris Wheeler - Couple a years ago my front door wouldn't shut and I asked my grandsons to look at the screws on the door. Now my back door is doing the same. So I want to get that some attention. We were building the homes and my brother-in-law was living right next to us, and one of them told the other, we are not doing this right. And the answer was, "Oh, it is just a blanket-blank Indian home." And when I couldn't go down the steps anymore, I didn't get any help from anyone, tribal, so then I went to the Casino and spun the wheel. And with that money I got material for a ramp, so I want my back door fixed. And screen door never did lock.

11:58 Laura Major - This seems like a weird resolution. I think we should put more emphasis on getting our children home, those that can't fight for themselves. [inaudible] when one of our families, she is enrolled here, yet her stepbrother and her father took her away from her mother and grandmother. When I asked those girls that work with ICWA, when I brought it up to them – a long time ago when Indian Child Welfare Act came into being that child has the right to come home if they are being abused. And bring them back to the reservation, whether they have to go to a family member, or be fostered out, and I didn't like the

comment of the girls that run the program. They are from here in Kamiah, because they were adopting out a lot of people out of different families to more or less church people or whatever. [inaudible] I'm for the resolution but it has to be more strong for our children that are off the reservation. We need to be behind that right to come home. We need to educate our workers in ICWA.

Chairman Jackson – Ms. Majors do you want me to ask Ms. Long if she wants to include enrolled children, to bring them home too?

Laura Majors – Yeah. Include to bring our children home.

Chairman Jackson – Thank you Ms. Major. We will include in that resolution, to include our young children, who are enrolled.

Roberta Bisbee – Clarification. On the second 'Be it resolved that', just a suggestion because we do have a Circle of Elders Committee, to include that, and also, just for clarification, this is annual event or this is individual events when we know someone is coming home? And then where will this be located at in the tribal government, the recommendation?

Claudia Long – We haven't decided the event specifically. We were thinking that we would let that evolve, so we didn't want to pinpoint a date, a time, annual event or decade, 10 years, five years, three years, so we didn't think that was important to include, we didn't want to include, and including the elders, that was an oversight, we do need to include that. And the third question?

Chairman Jackson – Where would it fit within tribal government?

Claudia Long – It would seem like it should be within Health and Human Services. Now I'm not really familiar with what the structure looks like.

Chairman Jackson – Roberta? Social Services, Enrollment Committee, which is all under Human Resources, is what you are saying?

Claudia Long – That sounds fine.

Chairman Jackson – Ok, so to include the Circle of Elders, and annually, you are not thinking a time frame, is undetermined at this time, she just wants to get the resolution on the table, for action.

12:03 pm – Al Wheeler. Good morning madam chair, Nez Perce Tribe, members. I'm not speaking on this resolution right now. I can't be here all the time. I'm for the resolution. This concern about my future and my family's future, my grandkids, and a lot of us other veterans out there. I have just started my paperwork for disability, for being exposed to Agent Orange. Our vet representative was let go.

Chairman Jackson – Mr. Wheeler, if this is in regarding personnel, I ask that you please adhere to the house rules. Right now we have a motion on the floor, and right now this is out of order. I will recognize you after we conclude this action.

12:05 Bernice Moffett – I'm in support of this resolution because I was the designated agent for ICWA for a number of years until I went to Alaska. We had teenagers who were not under ICWA, they were before

ICWA. They were either adopted out or left in someone else's care. Someone told them, I think you're Indian, and so they tried to find out where they came from. We have Nez Perce people out there that could be enrolled, but they don't know where they belong, and when they do find out that they belong here then we should have some way to welcome them back. How many times have we had people say, I think my family is, and then we try to figure out what family chain they come from. This is a difficult time for them, and we shouldn't make it more difficult. The thing I'm sorry that enrollment is coming last on agenda. It should come now why people are still here or should have come the other day so that it could be discussed by more people. But I am for this resolution, because you people, some of your relatives are out there, and they have been either adopted out, or they are finding out that they have backgrounds here on the reservation, and when they come see who they are, we should welcome them back.

Chairman Jackson – Thank you Ms. Moffett, at this time I will recognize Bonnie Oatman, if she is against the resolution? Ok, so I have everyone for the resolution and at this time I would like to entertain the motion to go into the vote.

12:08 p.m. Allen Slickpoo, Jr. - Clarification. There are a lot of kids out there who are Nez Perce children and they are not being brought to the reservation. The other tribes, their judicial department does not recognize our orders through the tribal court. And so it is really important that we do address this because we do have a lot of tribal members whose grandparents and parents are wishing to get the children back home, but they can't get back home. And this is something that the Law and Order Subcommittee will receive this resolution, because our current judicial system reflects the State of Idaho's laws, and we as a sovereign nation can implement our own traditional law. So I think this is a good resolution, and we can take this to the benefits of our people.

Motion Claudia Long; second David Penney. Coming home resolution motion carried.

Chairman Jackson – This resolution has been passed. Thank you Ms. Long.

Motion Eric Holt; second Judy Oatman to recess for lunch. Motion carried. Reconvene at 1:15 p.m.

Meeting called to order at 1:21 pm

1:21 pm Julian Matthews - Make inquiry about the vet affairs officer. The position was open at the clinic and then it was closed. Why doesn't the tribe have someone right now?

1:22 pm. Roberta Bisbee. We originally had that position at the NMPH. A meeting was taken place to transfer the position back to the tribe. The office placement will be back at the tribe.

Julian Matthews - Is that going to be a sure thing?

Roberta Bisbee - Yes.

Julian Matthews – I have been working the VA to serve veterans at our clinic. He came down from Spokane to enroll veterans.

1:24 Cameron – Spent health benefits advisor. I can register veterans. Help with medical appointments.

Al Wheeler – We need to get these guys. I came home in 1979, and a lot of us Native Americans nationwide have this problem of not asking for help, but we need help for vets. Just recently this last Tuesday was the first time I've [inaudible] under the VA system, so that's how long it took me. We need help, families of veterans.

Chairman Jackson – Thank you Mr. Wheeler. Attention to all veterans, please tell if you have veterans in your family, Mr. Davis is outside taking enrollment and assisting veterans with any benefits they need to enroll in. At this time I will recognize Danae Wilson.

1:26 pm. Danae Wilson – Thank you Madam Chair. I have three resolutions to present. The first resolution will go for Indian Health and Health & Human Services. The first [inaudible] is Nimiipuu elders are respected for their knowledge and contributions to the preservation of history and language. And Whereas, the people are very concerned with the quality of life for our elders, And Whereas diabetes has been devastating to our elders and people of all ages, And Whereas diabetes does adversely affect the wellness diabetic, and now therefore let it be resolved that the general council directs Nimiipuu Health to prioritize elders and diabetics in the provisions of urgent optical services, and be it further resolved, that the prioritization be based upon case management from the primary physician, documenting [inaudible], and be it further resolved that the clinic documents the changes in the prioritization as outlined above for posting in the optical center.

These are concerns that were brought out on Thursday, and have been sent to Resolutions Committee even before this general council, and you heard on Thursday that the response from us and the clinic was not adequate, so this is the resolution that was drafted in regard to that.

Chairman Jackson – Thank you. Ms. Wilson has, can I get a copy of that? They are distributing the resolution that Ms. Wilson has brought to the floor. Is there a second to the resolution? Second by Melvin Wheeler.

1:28 pm Danae Wilson. We realize that the optical center is not part of base services, that it is a feature that was added on, and Ms. Guzman did her report on optical services, however we have a lot of elderly who are on Medicare and Medicaid who are following their diabetic health plan and are being responsible to the health of themselves. It takes three months or longer in order to get in, even if you have a current prescription to get eyeglasses filled. So it is very difficult for them to manage their own health care when they don't have the tools necessary to do it.

Chairman Jackson – Thank you Ms. Wilson. Is there any further discussion? Is there any further discussion? Then I will entertain a motion to go into the vote. All those in favor of this resolution that was read by Ms. Wilson please signify by saying Aye, all those opposed, No. Motion carried.

Motion Danae Wilson; second Melvin Wheeler to adopt resolution. Motion carried.

Danae Wilson – Madam Chair, the Resolutions Committee has another resolution, I will start with the second whereas. Whereas, the Nez Perce Tribal Executive Committee is selected by the tribe on a strictly term basis, for nine members to serve the Nez Perce people, and whereas, NPTEC is [inaudible] elected, and whereas the drug testing policy is approved by NPTEC for all employees of the tribal entities, to be randomly collected throughout the year, and whereas since NPTEC sets the standard on all employees in all entities, must allow that they themselves be included in the drug testing monthly. And now therefore, be it resolved that the Nez Perce Tribe Executive Committee include in the annual NPTEC budget, drug

testing fees for nine members monthly, and be it further resolved that the monthly day or date for testing be random so that the testing does not fall on the same day or date each month, and be it finally resolved that the drug testing of our NPTEC members begin in October 2011[inaudible].

Chairman Jackson – Ms. Wilson moves presents the resolution to be included in the monthly UA testing of the Nez Perce Tribe Executive Committee. Can I get a second? Second by Marilyn Bowen. Is there any discussion on the resolution?

Danae Wilson – Thank you Madam Chair. This is another concern that has been brought to the Resolution Committee through the years, it wasn't just within the last year, it has been continual. The code of ethics and the standard for NPTEC. We present this, at this general council and that we assist in and assure that this get included in the policy that NPTEC themselves sets for all other employees of the Nez Perce Tribe.

1:32 pm. Allen Slickpoo, Jr. – I would support the motion, I would also ask to include all the general council officers, and officials of the Nez Perce Tribe as well as boards/commissions officers. They need to be included, because in the past there has been a general council resolution passed. I don't know about the managers and directors [inaudible]

Chairman Jackson – Are you alright with the amendment? Mr. Slickpoo is requesting to include all boards and commissions and general council committee. Further discussion?

1:33 p.m. Laura Major – My concern is what is this going to cost? Especially when we are changing the General Council board every year. I hear it is expensive for this kind of test. The NPTEC had to take drug test. The people on general council shouldn't have to take a drug test, it's not a full time job, they only work six days a year.

1:35 p.m. Danae Wilson - The cost would be included in the annual drug testing that is set aside in the budget process for the Nez Perce Tribe. I know Nimiipuu Health has a drug testing policy, housing does, and so does the casino. NPTEC does for their employees and that is who they represent. I do agree with the boards and commissions, and general council officers, because they are considered employees of the tribe, and therefore they should be included in the random. The drug testing is conducted by a third party vendor that comes in, and NPTEC, boards & commissions, and general council would be added to that list of names for random testing.

1:35 p.m. Herb Jackson – I'm for. Hodge said what I was going to say. We should all be included.

1:36 pm. Pat Gendreau - For this. As I understand the NPTEC did do their testing. I agree with the board of commissioners, all the people that represent us, clear across the board.

1:37 pm. Marilyn Bowen - I am for this resolution, and I am glad to see that it is going through all our managers and directors and our entities here. I think this will send a clear message to our young people. Recently up here, they are making the Kamiah athletes go through a drug test, and they do randoms every week from our volleyball teams, football and so forth. So they are held to a very high standard, because they are considered role models in the school district and in the schools. I'm all for this because we need good positive role models. Clean and sober.

1:37 p.m. Mary Tallbull - I am for this resolution. There is actually in place a resolution that states that the NPTEC will drug test on the Monday after elections. It is in the administrative procedures of the NPTEC. The NPTEC will not be [inaudible]. It really made me sad to get text from ATNI in Tulalip. The one thing that my dad knew as a longtime NPTEC, you live in a glass house when you accept that office. You are going to be role model. I do agree it should include managers and directors and staff.

1:39 p.m. OJ Waters - I'm against this resolution. Someone slips something in their booze, hey it happens. Native Americans Religious Freedom Act, Native Americans have ways of expressing their beliefs, their traditional beliefs. Some may smoke a pipe with some peyote, hey that's Native American Religious Freedom Act. I'm against this.

1:41 p.m. Roberta Bisbee. I was selected in the random, but I believe it was because I was an employee before. One thing that I wanted to get clarification was who is going to administer this testing. I would recommend the general council chair, and not any departments under NPTEC, or in the government, because then it looks like it is our policy and we may have some input, that is always the speculation. So I would recommend the general council chair and secretary administer the testing. Just a suggestion.

Chairman Jackson – Is that through Valley Testing?

Danae Wilson – It is Madam Chair. And this would also be turned over to the general council chair and the secretary, so that once it's established they could send out notices to the NPTEC administration offices what day and what time they need to report with their ID.

Chairman Jackson – Ok Ms. Wilson moves that the resolution of all boards and commissions, NPTEC, directors and managers, executive officers get drug tested. Seconded by Marilyn Bowen. All those in favor of the resolution...

1:42 p.m. June Stewart – Clarification. The judge should be the one to select. To have the judge of the Nez Perce Tribe be the random select rather than the chair person here.

Chairman Jackson – Is that okay with the motion maker? So we want to amend the resolution to have the judge of the Nez Perce Tribe to do the random select. So we will go ahead and proceed. All those in favor of this resolution, please signify by saying Aye, those opposed, No. Motion carried, we will hear from the motion maker.

Motion Danae Wilson; second Marilyn Bowen to adopt resolution NPTEC drug testing and to include the fees into the budget. Include all boards and commission officers, NPTEC, directors and managers, executive officers. Motion carried.

Danae Wilson – Madam Chair and everyone, last resolution. We used to have a youth council as part of the Human Resources Subcommittee, we don't get to have that anymore. I will dispense with reading the beginning and will start with the second whereas. Protecting and promoting and providing to our Nez Perce [inaudible] is one of the most [inaudible] that we as Nez Perce [inaudible] and whereas the present issues and extensive opportunities that are addressed to general council directly impact Nez Perce youth today and in the future, and whereas in order to best address the issues and take advantage of the opportunities it is important to get feedback from the youth themselves on what is important to them, what actions will have the greatest benefit for them. And whereas the best practices of youth engagement show that

positive change for youth is sustainable and effective when youth have meaningful roles in planning and decision making, and therefore be it resolved that the general council establish a youth advisory board, as a standing committee for general council. And be it further resolved, that the general council requests that the tribal education department manager conduct focus groups with the Nez Perce youth in Kamiah, Kooskia, Lapwai and Orofino, to establish the scope of the youth advisory board, while also providing the means for all [inaudible] and be it further resolved that the education manager will provide the results, and draft bylaws and guidelines referring to other tribal advisory board structures to be accepted with the resolutions committee at a community meeting in Lapwai, Kamiah and Orofino in March 2012. And be it further resolved that the general council also requests NPTEC to reestablish the Youth Subcommittee as another avenue for youth to interact with tribal leaders and give priority to youth issues. And be it finally resolved that the resolutions committee will present the final youth advisory board bylaws and guidelines for approval at the spring 2012 general council meeting.

And Madam Chair, I just want to acknowledge that this board commission is not a paid commission, but our youth will be participating as a form of their avenue to interact with our tribal government, because they don't have a voice now at any place in our tribal government until they're 18, and we want to get them involved.

Chairman Jackson – Thank you. Ms. Wilson proposes the youth advisory board resolution, can I get a second to that resolution. Second by Meridith Moffet. Is there any discussion on the motion? Any discussion on the motion? If not, I will entertain a motion to go right to the vote. All those in favor of creating the youth advisory please signify by saying Aye, all those opposed no. Motion carried.

1:43 pm Danae Wilson/Second Meridith Moffet to adopt resolution. Youth advisory board a standing committee for general council. Motion carried.

Chairman Jackson – Now we will proceed to Sara Sedgwick. We have two speakers and then after that, I'm just going to address the agenda for those who came in late, a motion was made to combine both subcommittees, we have been on since 9:30 this morning, we combines those, once we complete those, then we will go to today's agenda, and we will combine BNF, Enterprise Chair, Land Commission Fish and Wildlife, and Utilities. And the last thing on the agenda is regarding Enrollment. So I am just letting you know where we are on the agenda.

1:46 p.m. Sara Sedgwick – I have three questions for Lisa Guzman at Nimiipuu Health. I know people have been talking about how we don't have any tribal members in the health care field; for nurses, doctors, dentists, whatever. Is there any numbers showing that we have any tribal members interested in going into the health field, right out of high school, our considering that in high school? It is very important to start getting them that information, and bring them back into Nimiipuu Health. There is a big debate in the House and the Senate about Obama care. Even though it passed, how is that going to affect tribes, our tribe? Because it is supposed to be covering everybody in the United States. Also for Enrollment. I'll wait until enrollment comes up. Also for the wood situation, my mom got her wood, and I just want to give kudos to Bo Bo Oatman for doing that. He did an awesome job; the wood was stacked, dry wood.

1:49 p.m. Lisa Guzman - This first question in regards to assisting the youth in going toward health field careers. Nimiipuu Health is just trying to revitalize our scholarship program that has kind of fizzled over the years. There was a thousand dollars in there. We were just discussing recently how do we get that started again. WSU has an MOU with Nimiipuu Health with their nursing program. Many of you know Robbie Paul,

she has been spearheading this program for a long time. Prior to Heidi Gudgeon leaving the Office of Legal Counsel, I received the MOU with WSU, and I sent it over to OLC to review. I made contact with Barb Aston, she is the WSU diversity specialist, or Native American liaison through the Presidents Office. What I requested in correspondence with her is that the MOU language from the WSU program that they are going to, basically what they promised, coordination with our tribe to get some of that MOU language put into our contract. We want to have nurses from WSU come and do internships with Nimiipuu Health, that was the intent of this MOU, but I requested that WSU have some clarification and state in our contract that we keep positions open for Native American nursing, for individuals [inaudible].

Obamacare. By year 2014, we will be required to have an insurance. Every person in the nation will be required to have insurance. What is unique about the health care reform is that including in wording is that our Nez Perce people, as well as other Native Americans who receive health care dollars from I.H.S. that you can state that you have Nimiipuu Health. So that is a good thing. Unfortunately, there is no guarantee, even though you write down that you have Nimiipuu Health coverage, because you have Nimiipuu Health as an insurance, there will not be a guarantee at all times for CHS dollars, based upon the document that I just gave you. Because we are really trying to work on generating 3rd party revenue. Another area I would like you to keep in mind is that the Indian health care reform act that has rules in there that we can develop our own group plans, and pay for insurance for our people. Many tribes are starting to move that way, for those tribes who have big gaming allocation dollars, they generate a lot of money into their tribe, and they're starting to do their own programs. So they will put out 2,500 to 2,000 on their tribal members to pay for their premiums for them so they can be covered. This is the direction we are looking at, but unfortunately, we do not have a lot of gaming allocation dollars.

Chairman Jackson – Thank you Ms. Guzman. I believe Ms. Bisbee has the accurate numbers of those students going into the health care field that are Nez Perce.

Roberta Bisbee – Thank you Sara for the comments. We have two in medical right now, and we have eight in nursing. [inaudible]

1:55 p.m. Shelley Higheagle – My question is for Nimiipuu Health. When you say funding is there funding in there now? Does that mean that if tribal members that didn't get the help or their bills went to collection, do their bills get paid from that fund? Or is this fund to help our elders, because when I came up last time I spoke about new hearing aids for my daughter. Is this fund for hearing aids or to help with the glasses? And when you make these decisions does the health board get involved in picking the person? Seems like when you get the funds, it is the same people over who get the help, and there are other tribal members who do need help. So I was just wondering if that was taking place.

1:56 p.m. Lisa Guzman - Those are two good questions. First of all, something I want you to think about in regards to CHS. If you get approved for a surgery, say a knee surgery, and you have insurance and 80% of that insurance covers your knee surgery. 20% would be covered by I.H.S. Say that 20% came down to \$7,000, and Nimiipuu would have to cover that. The insurance pays, and they do some negotiating back and forth. So they get a final bill and it just so happens that the bill is only \$5,000. So what CHS has to do is close up, and they have \$2,000 that goes into the pot. We have a lot of accounts that CHS has to keep on top of as bills come in. That is why you are always urged to bring your bills in to Nimiipuu Health, so we can get some accounts closed, so that it frees up dollars, in certain situations, because there is a lot we pay out of CHS. The health board is not a part of that, that is daily operations. But one of the things I have identified, that I have asked CHS to take a look at is how they formulate priority. Now you've always heard

life and limb, but I asked CHS to define that a little bit more. That's why I'm glad to see this resolution about elders with diabetes. Basically I'm hearing we have to prioritize, but I want you to be real cautious with that because then if something like this happens the elders will be moved up. But say for instance one of your family members needs a transplant or a child has hurt a leg and really needs surgery, if we get to prioritization, this is something that needs to go to the general council floor as well. Because there is past practices that did not develop well.

2:00 p.m. Allen Slickpoo, Jr. – First question is to housing commissioners. Is there any future immediate projects for housing in the Orofino, Kamiah or Lapwai area? I didn't hear that in the report so I think the people need to be apprised of that question. The next question, you heard Mr. Greene's report on the Law and Order Subcommittee, and I would encourage people to submit your comments regarding the law and order code amendments. Right now we are being faced with the cross-deputization, and it came to our table for approval, and we didn't take action on it because some of us thought stepping into that territory regarding our sovereignty needed some feedback from the general membership. I don't know if a motion needs to be ordered to approve that cross-deputation contract with Nez Perce County. But I would encourage the tribal membership to comment, because it is up to you. We could make that decision at the table, but it might be the wrong one. Do you want cross deputation with these other entities? And the last comment I want to make is on the election ordinance. Mr. Broncheau made an action a year and a half ago, I believe, regarding the election for general council officers. It came to our table, that the Law and Order Subcommittee, whether the tribe was going to be able to fund that election. The question asked are boards/commissions considered as general council, because general council is above NPTEC. We need to be careful what we are voting on. Because we just took action on Urinalysis regarding drugs. What is going to happen is with general council, boards and commissions, if they become positive, the constitution says the individual will retain their position until their successor takes their place in September at general council. So we are voting on something that there is no substance to address the situation.

2:05 p.m. Richard Arthur - Currently we do have some mutual help homes in Kamiah that we cannot get applicants to apply from anywhere. So we converted those to rentals. We are developing six units in Lapwai. We do have a waiting list of about 50+ families constantly, so there is always a waiting list for rentals, ownerships, so that need is there. The important thing to do is to fill out these surveys, that is how we determine all of our goals and objectives, by what the need is, so when people don't fill out the surveys, it shows to us that there is not a need. We receive 200-300 surveys, and that's not good enough. If we have to go door to door then let's go door to door. That's only 15% of our population. So far that is all the development we have is the six units in Lapwai. A lot of it, as Mr. Slickpoo knows as he worked for housing, is that we have to save some of our dollars each year for development. The funding is just not there. That is why we advocate every quarter for NPTEC to start giving us those funds, just like I.H.S. would like some, and other programs would like some, so it just depends on funding.

Allen Slickpoo, Jr. – Just for clarification, I asked if there was any future construction of new homes in the Kamiah, Kooskia, Orofino, or Lapwai area, and I think the people need to be apprised, I understand what he is saying about the questionnaires, but I think NPTEC took action to approve a plot of property by resolution for future homes being built in Lapwai. I just wanted clarification from the housing authority.

2:08 p.m. Richard Arthur - There are six duplexes being built in Lapwai. They are two bedroom duplexes that would allow an elder or a person with a disability to have another person live with them. Currently that is what we are working on. Right now there is none (future development). Like I said we do have mutual

help homes that are available for purchase here in Kamiah, but we do don't have any people that are wanting to mortgage.

2:09 pm Larry Greene - I think it is more of a statement. Mr. Slickpoo did bring up that [inaudible] in '06, or '07, under two other chairmanships, under past law and order, and now it is again back at the table. We have Nez Perce County, who has been wanting to do this, and Clearwater County possibly also want to [inaudible] No action has been taken, it is going back to the finances, whether we will be able to finance it.

2:11 p.m. Julian Matthews – I have a resolution here, it is dealing with the residency requirement of the current NPTEC. To serve on NPTEC, you have to live within the '63 boundary. Whereas the Nez Perce Tribes constitution currently limits the residency requirement for positions on the Nez Perce Tribe Executive Committee to living within the '63 reservation boundary, and whereas the Nez Perce Tribal government currently uses the symbol of the 1855 treaty, and the face of renowned Chief Joseph, of the tribal government logo, and whereas most of the Nez Perce live within the '55 treaty area cannot serve on NPTEC due to the residency requirement, and whereas Chief Joseph did not [inaudible] current 1863 reservation, and he and other Nez Percés fled the area to live free in Canada, and many suffered and died during their attempt to flee into Canada, and whereas many Nez Percés who through lack of housing within the 1863 resolution and wish to sit on NPTEC, but cannot due to lack of housing and jobs within this area, and whereas the Nez Perce membership wishes to amend the constitution to reflect the change in residency to serve on NPTEC. Now let it be resolved that the Nez Perce general council hereby votes [inaudible] to change the residency requirement to serve on NPTEC to 1855 treaty residency requirement.

Chairman Jackson – Thank you Mr. Matthews. I am looking for a second to the resolution. Second by Eric Holt. Is there any discussion on the resolution?

Motion Julian Matthews; second Eric Holt to adopt resolution to set up a vote amend the Nez Perce Tribe constitution and by-laws residency requirement.

2:15 pm. Laura Major - I am totally against this resolution that is why we fought for this in the 60s and 70s. We finally got it where they could come and vote, but as far as NPTEC, no. They should be in our boundaries, be interested in what is going on here in our rez, they should be coming once a month for a meeting, when they don't really know what is going on in the reservation where all of us are living. And there is more people living off the reservation. In the 60's we fought off the reservation, because off reservation people say, Oh, we are educated. They wanted to terminate our tribe. Over in Oregon, the Klamath's, they terminated. Money, hundreds of thousands of dollars apiece. But they sold that reservation. I don't want to see this happen here. I am against this resolution, that's what you asked me. Where any Tom, Dick and Harry. It is a very scary situation. That is why I'm against this. It was brought up before.

2:18 p.m. Julian Matthews - The Klamath tribe didn't vote to terminate the tribe, the federal government terminated the tribe. A tribe cannot terminate itself, that's not possible. But anyway, the reason I would like to see this changes is there are a lot of people who currently live off the reservation. I am deeply involved with the tribe, I serve on housing, I'm down here all the time. I think it would be nice to be able to serve on the council for those who work outside the area. I was on general council chairman when we voted to allow people to come back and vote. And people said the same thing, they live out of town, and they are going to terminate the tribe, and that is not possible and that is misinformation, you can't terminate yourself. And

that is why we are trying to clarify and it is an opportunity to expand the base of electable NPTEC members to include the '55.

2:19 p.m. Katherine Jackson. I am against for the same reason that Laura is saying. There is a lot of who have been here all our lives, and it's hard on this reservation, we are not getting nothing free, and what they get they cry about. I know Juliann is a good fighter for all of us. Move here and live our lives. We have educated people here.

2:20 p.m. Darci Scarborough - I am for it. I would like to argue the point, about our youth, Nez Perce tribal members that are not on the rez, or have not been raised on the rez, I am one of them. I came back here, not to rub any type of education in your face or anything like that. I just want to come back and help my people and get to know my family. Now there are people out there that are Nez Perce that don't even know it. My brother is diagnosed diabetic, and what, he can't have help because he lives in Tacoma? That doesn't make sense to me. The Tulalip tribe won't help him, they won't give him contract care because he doesn't live on the rez, what's that? That doesn't make any sense to me. We are native people, we need to stick together, as one, one nation.

2:22 p.m. Aaron Miles - I'm in favor of the vote to ask the general membership to include members off the reservation but within the 1855 treaty area. I have lived in Moscow much longer than I have lived in Lapwai. I grew up in Lapwai, and my heart is always in Lapwai. I have been in Moscow for many years, for the education that has been important for me and my kids. All that farm land that was our land is gone. The representation of our people, we need to have more Nez Perces that live in these areas not less. We need to be in the exterior boundaries within the 1855. Many of us who live off the reservation feel under represented by this government. Most of the treaty rights we claim ownership to are off the reservation, they are not on the reservation.

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2:24 p.m. Glynnis Wasson - I'm for this resolution going to a vote. As all of you know, I have been gone for many years, but this is still my home. I would prefer to live off the reservation, simply because of the housing and facilities available, but I can't do enough to help the tribe, if I lived in Kooskia. And I work for Fisheries, and I do not work on the reservation. We need to protect the whole area that was ours originally, and I am for this vote.

2:25 Lisa Guzman - I'm for it. One of the things I wanted to let everybody know, I worked for the Spokane Indian child welfare unit right out of my graduate program. When I worked for CPS this is a tribal member of yours who needs a placement. And I thought oh good, I can call my tribe, and they will pull some resources and get this baby back to the reservation. And we called, and this didn't just happen with our tribe, but with a number of tribes. I called our tribe and laid out the case, and they said sorry, we can't do anything we don't have the resources.

2:26p.m. Mary Tallbull - For a matter of record there should be something in the NPTEC archives that states, there was a case years ago Angus Wilson was running for NPTEC, and people were saying he doesn't live on the reservation, he lived in Lewiston, and that case went as far as Washington D.C. And our tribal attorney, Richard (?) did some research on it, and they sent down a determination on it to the Nez Perce Tribe, and the determination was that as long as Mr. Wilson had property on the reservation, he had a home on the reservation, this was considered his home, therefore he was allowed to serve on NPTEC.

Chairman Jackson – Everyone in favor of the motion please signify by saying Aye, those against, No. Can I get the tellers in position for a hand count? I'll have the sergeant-at-arms to please call the house for a vote.

Jennifer Oatman – Madam Chair? According to Article 9 Amendment Section 1. This constitution bylaws may be amended by 2/3rd vote, at an election called for that purpose, provided that a total of not less than 100 valid votes shall be cast, such an election may be called by resolution of the NPTE, or by a majority vote of the tribal general council, provided that not less than 75 votes are cast for such call. So what we are doing here is calling for an election to amend the constitution to change the residency requirement. So if you vote yes, that means yes you want to set up an election. If you vote no, the resolution that has been presented will have failed. So if you vote yes, that is saying yes you want to have an election to vote on a constitutional amendment change, if you vote no then the resolution would have failed.

Motion Julia Davis Wheeler; second Joanna Marek to excuse the panel. Motion carried.

Chairman Jackson – We are not into today's agenda, and I will be, after they are done with the numbers, I will call the Budget and Finance committee chair, and the Enterprise board chair, Land Commission chair, Natural Resource chair, Fish and Wildlife chair, and Utilities board chair, and the time now is 2:42.

2:44 p.m. Laura Major - Clarification on this vote. I know the yeses won, but that doesn't mean, it is going to be presented as a motion, at our next general council, because I know in our constitution we have to have at least 175 to change the constitution, and that when we decide we have to have 2/3rd majority.

Jennifer Oatman – Madam Chair. The resolution was adopted, so what the process will be now will be members of the tribe must be given at least 60 days' notice of any election under Section 1, of this article, which is Article 9 amendments, such notice will include the text of any proposed amendment. So the action here was to do the section 2, so this will go to a vote, and will go to the three polling stations.

Budget & Finance Subcommittee – Joel Moffett, Chair

I would like to tell you that we hold Budget & Finance subcommittee meetings on the 1st and 3rd Wednesdays, every month at 8:30 am. Our members are myself as chair, Joanna Marek as vice chair, Roberta Bisbee, Julia Davis Wheeler, McCoy Oatman, Allen Slickpoo, Jr., and Daniel Kane. We have a series of entities and departments that report to us: Executive Director of Government, officer of Enterprises, Enterprises board, finance departments of both government and enterprises, our credit program such as our loan program, Information Systems and the office of special trustee. We have Enterprise board liaisons which are myself and Ms. Marek, and all the other members of our subcommittee are also members of the Credit Committee. I'd like to give you a couple highlights and actions that passed through subcommittee in the last four months. The actions were either presented by subcommittee, or brought by the entities that I just mentioned that report to us. They are presented and discussed, and analyzed by the subcommittee, and policy is formulated and reviewed and then recommendation is made on to NPTEC, for final approval. Some of the recommendations that were made to NPTEC since the last subcommittee, all the financials of our government, enterprises, our Nimiipuu Health, all are presented on a monthly basis you can see an example of the monthly treasurer's report in your general council report, on page 104. That is an example of what we see every month on the government side. We review that and approve that, and accept those finances every month. We do that for the enterprises as well, the two casinos, the Express stores, we analyze those and accept those every month. We receive quarterly

reports on all our investments. We receive similar to the report you saw two days ago from Merrill Lynch, we get a quarterly report from Merrill Lynch, Wells Fargo, all of our major investments, we get quarterly reports and their performance, and we accept those. We took action to approve construction of Broadband towers and purchase equipment to expand Broadband, as was mentioned earlier by the Executive Director. We approved our tribal transportation improvement plan for the 2012-2013, that charts out [inaudible] next three years, how we will utilize our education dollars. We took action to authorize the demographic survey, that everyone received with their per capita check. Anthony Broncheau who coordinated that survey process, Marcy Bailey won the T.V. I'm glad we had a good turnout, over 900 surveys returned, I was hoping for more than that, but it is a good amount, I really appreciate the people who turned in their survey forms, congratulations to all the winners of the iPods, T.V. and money. We are still in discussion about doing that again for the rest of the tribal members who didn't turn in their surveys. We made a land purchase through our subcommittee, at our At'way site, the S & S property down there. It is right on the reservation boundary, adjacent to land we own already. Our enterprises jumped right on that offer, an appraisal was done and an offer was made. The S & S property is just shy of seven acres, and the purchase price was \$530,000. We approved the contract for next years' audit for fiscal year 2011. So that is lined up and ready to go, and we hope to be presenting the audit to you next spring. The expansion project for Clearwater River Casino that was also presented to you yesterday, and B&F approved a contract with the general contractor, which is RGS, and we hope to move forward with that expansion in the near future. Our McCall Fisheries office building and our Sweetwater Fisheries office building will be moving forward with Falcon Construction as the contractor for both of those projects, that was an item that was recommended through B&F. And we worked hard this year to approve both educational awards that go to the school districts, as well as Nez Perce tribal education programs, and we awarded \$104,000 to on and off reservation schools this year, and that comes from 5% net profit from our casinos, under our compact with the State of Idaho, we give 5% to education. Just briefly want to talk about some of our strategic goals that B&F is going to tackle in the next 7 ½ months before May. As always we want to ensure that all the tribal financial activities are conducted in strict compliance with the finance manual, both on enterprise and government sides. We are actually going to look at those finance manuals to see if there is any area of improvement, so we will be looking to amend that manual as well as the human resource manual. We are still in the process of completing the human resource manual, we have a series of work sessions, both by the staff, and the human resource departments and the representatives and executives, as well as the full NPTEC. We still have a lot of work yet to complete the draft, finalize it for possible consideration. One goal, invest the retained earnings from our Nez Perce enterprises, to achieve a greater turnaround investment, so right now there is money in accounts, and you heard that the CD's are way way down, that the feds have lowered interest rates considerably, like she said the 10 year rate is under 2%, it's not keeping pace with inflation. Our money market accounts which are even lower, than the 10 year treasury bills, are somewhere at 1%, so one thing we are taking a look at is how can we get a greater return on our investment, on our retained earnings, without putting our necks out there at too great a risk. The other expansion project is the Camas Express that Jamie talked about yesterday, the joint venture with the State of Idaho, the rest area and trucker friendly stop, with a lot of diesel sales up there. We have the revised design, the goal within the next seven months is to approve the financing package for that facility, that is going to be in the 2.5 to 3 million dollar range. With our 2011 audit, the goal is to get back on track in compliance with time on our audits, and stay on track, and to complete fiscal year audit before May general council. The indirect cost rate, we want to take advantage of that, so once the audit is complete, we will be filing for our fiscal year indirect cost rate, so we want to stay on top of that, and not get behind like we were. So that is a major goal, to get our indirect cost rate approved in a timely manner, so we can start charging the feds and state the appropriate rate. We are considering the budgets right now, we have an annual budget process, timelines, and how the programs submit their budgets through the finance

departments and the executive director, and how the budget and finance subcommittee holds a series of work sessions with the various departments. We started that process before general council in April, the departments had to submit their budgets internally, and we had these work sessions, the managers and directors submitted them in June. It was a lot smoother process this year. We have heard from general council for years that we want more accountability in this process, so we amended the annual budget process, to ensure that that happens. We provided annual work plans, and also that they demonstrate that they are going after other funding sources. So we require from all departments that they apply for two grants per year. So all departments using our dollars, like gaming dollars, have to apply for two grants every year to offset some of that cost, so we are not wholly dependent on gaming dollars. So we analyze all that data in work sessions, and we came up with a draft budget that we presented to the people in public budget meetings. We have one more week within the fiscal year, the goal is to get those budgets approved by September 30, so we can continue to provide services to tribal members and be on time. The indirect cost budgets, was the possibility of public relations [inaudible] every year we don't have enough budget to fund a public relations office. Unless we have an office, a person to dedicated to communicate all communication good and bad, for people on and off the reservation, until we have that, there is always going to be that deficiency, that concern that we aren't getting that representation in a timely manner. With that, we want to radically improve our website. We don't have anybody dedicated solely to operating our website, so we hope that this public relations office [inaudible] that will be a main goal. One goal that still hasn't been completed, that has been heard at general council, and at NPTEC, is that more transparency with the financials, [inaudible] we want to focus in on that request, and see if we can provide that information to you in a confidential and protected manner. We are making progress in developing that, so that security is placed on these proprietary financial documents, so that we can provide them to our tribal members. And I think we can do that, you will receive the quarterly financials once between each general council, rather than twice per year. That is a goal that is definitely achievable. With that I would like to close my remarks.

Land Enterprise Board – Joanna Marek, Chair

Joanna Marek – I don't know how many of you have picked up our report off the back table. We have myself as chair, Mr. Allen Slickpoo, Jr. as vice chair, Mr. Greene, Ms. Julia Davis Wheeler, Ms. Roberta Bisbee as members. As the reports that I have heard from the chairman, the enterprise officer, the treasurer, we purchased S & S contract building, but we also purchased the building on Main Street, where we hold our caskets, and have other work done, so the last four months, basically that is the fee property that the Land Commission has purchased. However we did take action and purchased interest in 68 acres, so we have those listings handed out at landowners meetings, and we have posted once or twice on the website to allow homeowners to purchase within the allotments that we posted. And nobody did, so the tribe retained action to purchase. And you will see on the back of my report, the trips that I took. I know that last May there was a resolution that was not presented to us, to have the NPTEC provide trip reports. So until we see that resolution, I will just go through, and you can look at the trips that I have taken. The first one was at housing at the Plateau tribes, April 2, 2011, [inaudible], I went to NCAI in Milwaukee, and that is where a lot of legislation in Indian country really starts. And we need to have as many available NPTEC members there as possible, because not one, not two, not three can cover the whole tribal government, and that is what is being discussed at the NCAI. So there I really focused on natural resources and land, and that is where many of the northwest tribes, and large land based tribes challenge or voice our concerns about [inaudible] as you saw in the newspaper, 125 million, and I still think that is too much, because they did not represent any of us in Nez Perce country. Then I went to the Billings meeting, as you will see, July 14th and 15th, and that was the first consultation for tribal leaders on the Cobell

settlement. And I can tell you that the settlement is not a disaster to tribal landowners, and individuals, but I think it will be for tribes. They are basically mandating to tribes to start the purchase at 2% [inaudible] up to the 100% ownership. So we are working on that, I was specifically told that at that round table [inaudible] that it is for Plateau tribes [inaudible] taking \$1500, you're giving up your property rights. But we knew this was coming along, even [inaudible] there is never going to be a solution [inaudible]. We went to ONAP, and it was a council of Plateau tribes again, there we worked on who we were going to try to run for ATNI, and focus on the land as well, and knew that what we had to do was [inaudible] the northwest tribes, because in Billings they were way off track [inaudible] we met with them on September 16th, that we had our ducks in order. And we did, we met September 14th through the 17th, and we came out with quite a bit, it was just the tribal leaders that morning, and the afternoon was for the public, and staff. [inaudible] he brought out some critical areas, and he was told that he could not get any answers, or told anything because everything was confidential. This whole settlement they are saying things are confidential, even as tribal leaders. I asked for the plan, I said for them to be holding consultations with our tribal leaders, it should be a plan, and for us to make sound recommendation for our tribes, purchasing of this interest, through this settlement, as they are calling it now, the Cobell Land Consolidation Plan, and that will be in effect here pretty soon. [inaudible] I find that hard to believe, because I wouldn't be having consultation meetings without some sort of documentation, but we moved on. We will be holding a landowner meeting on October 17th, in the morning it will be up here, and in the afternoon it will be down in Lapwai. We need to hear from you as landowners how we want to address [inaudible], because the Bureau of Indian Affairs, will receive 1.9 billion minus what they are going to use for scholarships, they will have 1.5 billion to purchase, and the secretary is very adamant in Seattle and Tulalip, stating that the secretary in government is purchasing interest in those allotments, while all through the tribal leaders are saying that number one there needs to be money available to those landowners that want to purchase; number two that the money needs to come over to the tribes to purchase, but the bureau is going to hold the money. He was very adamant in saying that we as tribes, there is not going to be any money available for individual landowners to purchase homes, and the tribes will have to borrow money to purchase those, none of it is coming over to the tribes either. So the question was, is, the way I understood it in Billings, and I tried to get clarification in Tulalip, and they would not answer, the same questions I had in Billings. If the tribes don't purchase on the 2%, then the Bureau will purchase it, pay the tribe, and then put a lien on the property, and this will be for the 10 year duration, what money from the 1.5 that is not spent will go back to the treasury. It won't go to the victims, the individual land owners, it will go back to the federal government. So the way I, and all of us as tribal leaders see it, throughout the United States, because it's impacting everyone, is that the same people who caused this whole historical mismanagement of individual accounts, monies are the ones who will get half of the settlement. So when you think about it, 3.8 billion, 3.9 billion, 1.9 of that goes to the Bureau of Indian Affairs, Department of the Interior. But I have a focus as a tribal leader to see how we can retain the land for our reservation. They did not answer the question, at what point will they step in and purchase those interests, and put a lien on property? Got no answer. So that's enough to scare me, and I know we as tribal leaders have concerns. Two weeks ago, when they had their \$1,000 settlement come in, Thursday morning I was on when you heard from Mrs. Moffett, state tax, and it's state tax on Indian lands, was what the conference call, this webinar. I finally understood that you have to have a camera on your computer, in order to see one another, so I got in on the conference call. Two years ago, I brought the CFR that stated they are going to tax all of Indian country, and they are going to start taxing. And what they want to do, because the states are suffering, they want to start insuring that any goods that come on the reservation will be taxed. Your [inaudible] timber sales will be taxed, so there is good land involved, and I will stand by the treaty, because no matter how many times it's been revised, we've always kept the taxes nontaxable. There aren't very many treaties that state that, but ours does. And we need to stand adamant, and I don't know, I want to follow up with ATNI, so I don't know what to place at ATNI, because I

know exactly what they are telling us in that conference call that Thursday morning, and that's not good. Everything is going hand in hand, many of the tribes that put in a position paper on this consultation, with the Cobell case settlement have signed a termination, so I was pretty impressed to say [inaudible] I'm bringing it back to my people, some of the other tribes were seeing it through the several questions that were presented for the consultation meeting. The trespass that we have up here is in the Attorney General's office, that's the last word we got. So I know that we will hear back from the table, through land enterprises, to take action to have them answer, to move it along. But through the consultation on the 16th, in Tulalip, the [inaudible] trust is being held up, and we know that it is due to Cobell. There are a lot of things that they are starting to put the skids on, there are rights-of-ways that are being held up. So we really need to play hard, stand together on what we want and what we need and what we expect. What the federal government holds with our land, because once our land base goes, it's gone. And they do want our land on these reservations, because we are the ones that hold the most valuable lands, resources. The Washington tribal leaders talked to me during the caucus and asked me if the state had [inaudible] with the tribe, because two days before they had met on the 14th, the state of Washington [inaudible] to them, and the same one two years ago, I put it out on the table, they are already looking at MOU's, MOA's with those tribes, opening up all trusts and allotted lands, to hunt, to fish, right down to gathering our roots and berries. There were tribal leaders, who were very upset, and stood there and said that's what we need to protect is our food chain, because our ancestors, our grandmothers were the ones looking at those treaties, and saying what about our food. That is what is coming to the table, it is a CFR tax that went through, in that assault to work with the tribes to open up our trust land and allotments to non-Indians. So we really need to look at it, because will those non-Indians allow us to go on their property and gather, and hunt and fish? I'll say it again, if there is one class of citizens, one class of people that are being discriminated against in this country, it's the Native Americans. We need to stand together. I'm sorry, to take our land, and our food, and what we have of value, that goes to my heart, and I have fought diligently since my mother left us our property, she always told us, your grandmothers and grandfathers and those people before you suffered and sacrificed their lives and their blood for you to have what you do today, and don't you dare sell it because I didn't sell it, I kept it to take care of you, and my grandchildren and my future generations. And when you know it's in your heart, and you've been on this for as long as many of us have, and you know its opening and you know what you're facing, we had a survey done, and this was a higher up one, I believe it was from the Spokane college, and what it showed in there was 38,000 of tribal and allotted land that produced 10 million dollars, just on the Nez Perce reservation, in revenue. So off of those crops 10 million dollars was made. Ask yourself, how much do you get with your crop fees, so who benefits the most from those 38,000 acres of Nez Perce property? We are looking at going into a joint venture, on that taxation meeting. I don't know if I can say the tribes name, Lake ??, as a joint venture, with a non-Indian contractor. Well that state was looking at taxing, and now it is in court, they want to tax, have the tribe pay taxes to the state, because of that joint venture. So that is a law case that we need to pay attention to. And lastly, I received a phone call, and I talked to a couple of the other members, just across the road here, the Lewis Clark Resort. They want to offer to the tribe to purchase that resort. And that concludes my report.

Natural Resources Subcommittee – McCoy Oatman, Chair

Good afternoon, General Council. My name is McCoy Oatman and I serve as the Natural Resources Subcommittee Chair. Our meetings are held the first and third Tuesday of every month. Our support staff is Marsan Lawyer. Our reporting programs are Natural Resources and Department of Fisheries Resources Management and also the various departments that are close to those components. Our other component is the Fish and Wildlife Commission. Liaisons: Cultural resources is Julia Davis Wheeler, Dan Kane,

Joanna Marek, Allen Slickpoo, Jr., Larry Greene and myself. Inter-tribal Bison Council is Larry Greene. [inaudible]. CRITFC officer is Joel Moffett, [inaudible]. I will go over some of the subcommittee actions. The majority of actions approved were submitted by the Department of Fisheries Resources management and the Department of Natural Resources. Items included fisheries restoration, [inaudible], harvest monitoring, harvest planning,[inaudible]. We also initiated the Integrated Resource Management Plan which is going to [inaudible] to be a team effort and a majority of that will be spearheaded by Mr. Aaron Miles and a lot of his staff.

4:02 p.m. Q & A

4:02 p.m. Laura Major. - Trying to understand what Joanna is saying it sounds like we are going to be losing our land because we accepted that money. We might lose our land if we get money from the Cobell case. I don't want to jeopardize our families land. What can happen to us if we accept the money? I want some clarification. You don't know what those soyapos are doing to our tribes to diminish us, diminish our land. That is all we have left is our land. We have to fight all the time to keep our hunting and fishing, so we can sustain our families. During fishing season it is sell, sell, sell for our fishermen, they don't keep it for themselves. I am wondering, I just worry about diminishment of our rights. So it kind of freaked me out, trying to understand Cobell. I signed up for it, I didn't really understand it, I thought they were just paying us what they already owed us from before. I want some kind of clarification.

And then I wanted to bring up something mostly to the NPTEC. We have our constitution we are all supposed to go by, to uphold the constitution of the Nez Perce Tribe. Why aren't they going by the constitution? Nepotism. How can our attorney be the attorney when her husband is on the NPTEC?

4:05 pm. Joanna Marek - Laura very good question, all I can say is that they have asked the land owners to sign up or opt out. As a tribal leader going to the consultation meetings, we are basically being told that we start purchasing at 2%, and from that 2%, purchasing at 5%, purchasing the allotment from the allotment owners who have multiple ownership that they be above 5%, all the way up to 100% owner. So I was probably wrong in what I was saying because that is what is in my heart is basically the 15 hundred dollars is payment from losing our land. That is including me, because inheriting it. It's really hard because we asked each other as tribal leaders, we are landowners too. But some of these young ones aren't yet, that are tribal leaders. But those of us that are, we're basically being told we have to sell, because if we don't, and that was one of the questions that I asked over at Tulalip on September 16th, was. When does the bureau step in and purchase those interests when we don't, at what point, and I couldn't get an answer. They are trying, to me, to get the land owners against the tribal leaders. But I said we all have to stay focused because many of us tribal leaders are land owners too, so we have to work together to have input into this plan. How are we going to handle the fractionation issue? We need clarification from 2%, 5%, all the way up to 100% ownership.

4:08 p.m. Shelley Higheagle - I was wondering when we talk about the state wanting more money and trying to they have been in the wrong since Chief Joseph. That's why we did these treaties. Where is our attorneys, aren't they supposed to be there and protect our rights and land and stuff, protect us from the state? I can understand the food chain situation. And I am concerned too, because we don't hardly see any deer. Look at the huckleberries, I go into town and I see soyapos selling our own huckleberries. Where are our attorneys? We need to have them fight more for us to stand against the state.

4:11 p.m. Joanna Marek – I take it, it is the husband and wife situation. We did take the oath of office to protect and I do know there is nepotism and favoritism in the manuals, but you are the first one who has brought that up Ms. Major, so I guess we can defer it to the NPTEC and have the discussion there.

Chairman Jackson – The attorneys are supervised by the Chairman, correct? Mr. Greene?

4:12 p.m. Larry Greene – Going back into the nepotism portion, looking at the HRM, the immediate supervisor would fall under the chairman, but also part of the chair being supervisor, it would fall under the full NPTEC. I don't believe that it lies within that, I think that the application and part of the process of the election ordinance also states that the background check and so on are on approval where at the time we sign. If there is no findings they can continue on as an active member of council. Once you pass the election ordinance I think it is approved from that point on, and the immediate supervisor is the chairman.

4:13 p.m. Judy Oatman – Thank you Madam Chair, through you to Mr. Moffett. My first question is regarding per capita payments, really glad we plan to do that, it was a long time coming. The survey should have been available to every tribal member. They were not. I know a lot of tribal members did not receive their per capita, nor did they receive an accounting of where the money was going, and where it sat, including minor children, and so that is my concern. Maybe it is something that is up and coming, but we need to know where that money is, if it is in an offshore account or wherever. Where is our money, especially those that have kids? Second question is for Natural resources, but it has to do with the longhouse. I heard with the executive directors report yesterday, that the long house hasn't had any expenditures, and I would like clarification on that because in the short duration when I was TERO director, there was a firm called RGU, an architecture firm, and somebody had to do the planning, the design for that. They hired a construction company from Spokane called COPS construction. So I would like clarification, if we have spent money on the longhouse, and if we put the cart before the horse. My third question goes to Joanna Marek, Madam Chair, is regarding the amendment regarding taxes. You say that you have heard at the national level that the federal government is going to let them walk in and start charging us taxes. Will they have to amend every state constitution in order to do that? Because there is that disclaimer that they will never tax, every state has it. And they will never tax us, and yet we are taxed all over the states and we shouldn't be. I wish we had good strong lawyers that would really research this and get that exemption. My fourth and final question, Ms. Jackson, is to Mr. Jackson, and Ms. Arthur on the Fish and Wildlife Commission. I'd like to know what is being done with the report of all the stolen fish that was reported in the T'ats Titoquan. I don't know if it was 3,000 packages or 3,000 dollars' worth, but how is that happening and how can we prevent that in the future? I know we have cameras, in some locations where they shouldn't be, and if we need the cameras on the fish then let's do that. Instead of cameras at our senior citizens center, hopefully catching one of our seniors putting chicken in the machine, I don't even know what they have cameras for.

4:16 p.m. Joel Moffett – The per capita check was an efficient way to communicate with all the tribal members. As I mentioned in my report, the per capita checks were mailed out 3,227 tribal members, so 3,227 surveys were also mailed out in that envelope. There are some who did not receive a survey, because we had 3,519 eligible members. So there were over 280 that didn't receive a survey because they didn't return a per capita form. I mentioned earlier that we received 900 surveys back, and that's above and beyond all the other survey we have done. But we can always do better, we are brain storming whether to open up another window of opportunity for tribal members to turn in that survey, and we will make another drawing for the new surveys, so we are thinking about that. I personally think it is a good idea, especially since you pointed out that there were some tribal members who did not receive the survey because they

did not return the per capita form. This will open up another window of opportunity for them to do this. We will post a notice, if that is the will of the NPTEC, and the staff to do that. Your second question regarding where are the funds for the individuals who did not receive their check because they did not turn in a per capita form or the minors whose parents decided to put 50% or 100% in trust. Those monies are right now in Sterling Savings Bank in a separate account, we are keeping a separate accounting of that. We are in discussion with our investment firm, Merrill Lynch, trying to develop the proper trust agreement documents that we need to draft up, so that we can safeguard those funds fully, and invest it properly in low risk investments, but also ensure enough return investment to keep pace with inflation. Right now all the funds that haven't been dispersed to adults are sitting in a Sterling Savings account. All the money that went into trust accounts for minors are sitting in a separate Sterling Savings account. We are keeping proper accounting of those, we are waiting investment policies, the trust agreement document needs to be more formalized before we do anything more with the minors trust funds.

4:20 p.m. McCoy Oatman – Regarding the longhouse. There has been some expenditures and will have the treasurer report on those.

4:21 pm Joel Moffett – As I mentioned in my treasurer's report, it was on the power point, earlier in the week, and there are copies on the back table, the long house project has been going since 2010, the expenditures have totaled more than \$250,000. \$116,000 has been spent on architectural fees for the development of the design. We purchased long house materials such as logs, purchase of the construction of the framework with those logs, and that is totaling \$141,000. So yes there have been expenditures on the architectural drawings, and the long house materials such as logs.

4:22 pm. Joanna Marek – I know you did ask about the site, and it has been chosen down by the boom grounds, the original place it was. There is a trade taking effect with the Park Service and the tribe. More close to the road, rather than the river, with the flood plain area there would be septic problems. So we're working on that, we can start building as soon as, what NPTEC has requested was at one point [inaudible] and then it has rose, and gotten higher. So we have given the directive that they need to taper back on either the building or the cost because it is your money, SRBA funds, that is going to be helping build this long house. We, NPTEC would be the ones taking the beating for that, so we wanted them to cut back, and that is where it is at. Nobody is holding it up. NPTEC is not holding it up. We are saying come back with a more reasonable price.

And then with taxes, after that phone call, we provided the subcommittees, from there I had to go to Tulalip, I have not followed up only through that phone call. We get those sent out to us; I don't know if our OLC is on the line with it, because I do see that they are included in that, in the emails from our executive secretary. She emails those out to us. I call to get on to understand, what the red flag was for me was taxes on Indian lands. That is where I was on the 2-1/2 hour conference call and found that is what they wanted to tax. Mrs. Moffett had announced early on that she had read in Indian country about the states taxing tribes. As a tribal membership we all took an oath of office to protect our treaty rights, and in our treaty it states we don't pay taxes.

4:26 p.m. Herbert Jackson - Thank you, Judy, for reminding me about that. They came in and stole between 20 and 25 salmon that were locked up and processed, that was for our meals and different programs. We estimated that it was between \$800-\$1200 in fish that they got out of the locker. We reported it to Leslie Hendricks, and they came up and investigated. They had jimmed the locks and it was real easy to get in after they got in. They got through the front door to get to the freezer. Now we have

better system of locks. To my knowledge Leslie hasn't found anyone who stole the fish. It will be awful hard to get fingerprints, because of everyone, including mine is on there. That is my answer to that. Thank you.

4:27 p.m. James Spencer – This is a very important issue that I would have loved to have brought up yesterday with the BIA. It is to the land commission subcommittee. I have a problem with the policy they instituted where the tribe owns 51 or more percent then they put it back to bids, and give BIA instructions to accept only bids for 1/3 crop share. Because of this long, cold spring we had, one of our families allotments didn't get planted. All the cash share, all the land allotments were planted except the 1/3 crop share. Now we are going to be lucky to get \$65 per acre on land that is worth well over a 100. We as tribal and individual land owners, we are not given the same courtesy that the tribe demands from local and state government when it comes to matters that affect the tribe. We did not have consultation. This action basically slaps us in the face, and says we will do whatever we want and you are just along for the ride. There are many of our land owners who wanted to cash in, and were able to negotiate with the department to cash in. There are many other alternatives to renting our land, that are better than just 1/3 crop share. And I would like NPTEC to reconsider this policy, and start looking at these other options, to maximize what our land owners get.

4:30 p.m. Joanna Marek – Mr. Spencer, we did take action, and your farmer is supposed to have everything insured and guaranteed so that you get, I don't know what is in your lease, but when it was brought to the table, that is something that everyone at land enterprise subcommittee asked is 'did they get documentation from the other co-owners?' They told us no, they told us they did not receive anything. We just get the one piece of paper like you do. Realistically it should be one to five pages. We as a tribe, we took an oath of office as well, to ensure that there is income coming from our lands. We don't even receive that from the bureau. We agreed, and that's what we wanted. We worked together. We will, I will, all of us, because it doesn't take one it takes all nine members, we will take your recommendation into consideration and bring it to the table.

4:31 p.m. Julian Matthews - We have some meetings to go against the mega loads that Exxon has, last year, or during the year. At the last general council we voted for the NPTEC to take necessary legal action to stop or to waive the permitting process of the state of Idaho, because apparently the state of Idaho has the authority to determine the mega loads or any type of shipment can cross through our reservation. Also, to hear that Exxon is our fuel supplier, we never did hear what happened to that, because someone didn't present that, or whatever. The issue of the tribe, we have all these programs, natural resources, fish and wildlife, and all it's like we don't have any jurisdiction or any legal standing on the reservation or the treaty area. The NPTEC oversees the tribal programs. [inaudible] We introduced the wolves, and now the state is allowing them to be killed for \$10 a shot. It's like you're not doing anything to protect them.

4:34 Joel Moffett – The contract the the Nez Perce Tribe has with Exxon for our two gas stations. An analysis was done to look at the contract that we have, actually there are two contracts, one for our Express store at At'way and the Camas Express. We looked at the details of the contract, what it would cost us to get out of the contract, both of those contracts are 10 year contracts. There are penalties for early termination. So we looked at the analysis, both the legal and financial analysis, and we chose to wait on the express store contract the penalties for early termination were really steep. If we wait just a year the penalties will drop, the closer you get to the end of the contract. For the Camas Express, we just entered into the contract two years ago, and the penalties are going to be extremely steep. We looked at it from the perspective of having to pay out 200k.

Julian Matthews – When the tribe, a sovereign nation enters into a contract, what court, say you did pull out of it, you didn't want to pay exit fees, what court [inaudible].

4:36 Joel Moffett – Madam Chair we write into those contract, I don't have a contract in front of me, but all costs of tribal court is written into the contract, as the court to enforce this legally binding document. We are actually filed. The mega loads are held up in court, the court case is in Montana. I saw in today's paper, they took over 200 comments for and against the mega load permits in Montana, and the judge is going to make a ruling. We are completely against the state of Montana issuing those permits. The reason we did this in Montana is they have stronger environmental laws to protect the species, the environment. Our attorneys have drafted letters that were sent to the national forests services. We had an expensive analysis done on the impact to the Highway 12 corridor that these mega loads are going to take. We analyzed the right of way our analysis shows that there are sections of the highway where they do not have the right of way. That's why we are standing on pretty firm ground.

4:40 p.m. Herb Jackson. There were tribal members asking us to get a wolf for their regalia. That is why we opened it up.

4:41 p.m. Mary Tallbull – Number one, why do we still not have a TERO director, we haven't had one for so many years. It goes so far and then it stops. We have lost out on a lot of jobs in the last two years. If the state goes along with the megaloads then we can enforce TERO. NPTEC start enforcing TERO ordinance because we have a lot of tribal members who are qualified for these top positions. I don't like it that the mistreat our people out in the field. I think NPTEC needs to sit down and meet with tribal members, past and present employees of fisheries, We have a lot of non-Indians working in fisheries. We need to start investigating that. Next is the Land issue. Our family is having problems with BIA. We tried to negotiate and they didn't want to meet with us because the owner they didn't want to do it.

4:44 p.m. Joanna Marek. It has been brought to my attention about the mill site right-of-way for your family. I have sited the 169 right away, particularly you people that are allotment owners. The BIA is not going to work with me on that because I have authorization to find out how much interest you have. They have told me that I needed signed paperwork. You're not following 169, notification, working with tribal members is the main thing, and not working with the mill people. The fiduciary responsibility per our 169 is to work with the landowners who to protect. It hurt me to find out that the negotiation is the loss of the money. I wanted to bring up the 169. They have been doing that. We are going to work on the right of way issues. We will put together a cheat sheet for everyone because these are trainers. These are people that will help you draw up right of ways. We need to know if the remaining co-owners agree, we just have a list of allotment numbers.

Mary Tallbull – One of the questions I have here is for budget and finance. Where do the minors per capita payments go.

4:49 p.m. Joel Moffett - As I mentioned earlier the minors were able to receive 50% of their per capita payment, if their parent or guardian chose, or they could chose to put 100% in trust. We have \$214,000 for 753 minors, and those monies are sitting in an account at Sterling Savings Bank while we finalize the trust agreement documents.

Chairman Jackson – Ms. Tallbull moves to adopt the resolution to receive the resolution that she is proposing. Can we have a second? Second Dallan Wheeler. Any question? Question has been called.

All those in favor of adopting the resolution please signify by saying Aye, those opposed say No. Motion carried. We have adopted Resolution NPGC-11.

4:51 pm Motion Mary Tallbull/second Dallon Wheeler to adopt resolution. Motion carried.

4:52 p.m. Muriel Slickpoo - I don't know where you are at with our TERO program. It is obvious that it is not being enforced right now. That is one of our strongest exercises of our sovereign authority, and it needs to be protected. If you don't use the law we are going to lose it. I would like to see the NPTEC support the TERO and start seeing some brown faces on these highways. There are a lot of people up here that don't have jobs. I have not been employed for over a year a now, and I was TERO. I still keep up on things nationwide. I try to keep abreast of what is happening in Indian country. We are having issues within our tribe. Nobody wants to talk about it out loud. Supreme Court it is not a legal issue the case. Years ago it said Indian preference for tribal members about 1995 when I came back to TERO there were a lot people being sent out that were not tribal members they were being sent out as descendants. Some of the tribes. Anyway I just want you to know that there was a Supreme Court decision against a judge that was part of the tribe. The company won against the tribe. You need to be careful. What these people are doing to peoples civil rights. Legal counsel. We are too afraid of our own shadows. My attorney went to the OLC and he was encouraged to drop my case because it might interfere with the tribe's sovereignty.

5:01 p.m. David Penney. Motion David Penney; second Melvin wheeler to excuse the panel and move into enrollment. Motion carried.

Chairman Jackson – The panel can be excused. Next on the agenda, I will call up Roberta Bisbee for the Nez Perce Tribal Enrollment.

Nez Perce Tribal Enrollment, Roberta Bisbee

Chairman Jackson – They are calling for a count for quorum. Tellers please count the tribal members with badges in your area, and report back to the election judge table. 58 and declining. We do have a quorum, we will proceed with the agenda.

Roberta Bisbee - An update as far as the action of May 2011 general council. We received the minutes on Thursday, and there was a motion by Mr. David Penney, seconded by Ms. Bernice Moffett to have a meeting on Saturday of the 2011 fall general council to take action on the findings of the tribal enrollment membership, and from that meeting for the general council to take a vote at the spring general council. Motion carried. As reported in my report and in the general council booklet, where the status is in regards to that. I didn't know if it was a report back, because my first comment, myself was we have an enrollment survey. I was trying to get a clarification on what type of options the general council wants. The status in my booklet says the human resource subcommittee approved a request for a proposal, so we submitted an RFP to assess the Nez Perce tribal enrollment procedure. The first objective was to review the enrollment ordinance, enrollment criteria, and recommended changes; the second objective is to provide an analysis of enrollment growth based on current criteria and recommended criteria which may include changes in blood quantum requirements or factors of [inaudible] blood quantum, which may be considered as a basis for enrollment. We made the request for proposals, and will pay for the cost of the study. We do not currently have the funds for the study but want to include it in the 2012 budget process. Not sure if this RFP meets the needs what the action was. I would be happy to hear what the General membership's direction is on this enrollment RFP. It is more of a statistician approach that we need to be able to review our entire

documents. We do have conflicting documents with the bureau. That's where we ran into the difficulty with the enrollment [inaudible] this last year. We are trying to get access into the bureau so we can get the copies of the documents there. Even around the NPTEC table there is discrepancies, we know it is a bigger issue to research, a bigger issue than having someone come in and do the analysis, and be able to provide the long term affect. But also here today for discussion, I would also like to hear if this RFP wasn't in the mind of the motion makers, and if you want us to go in a different direction. But it is currently being posted to Indian Country and Indian.com. We are getting it out there, trying to get that professional statistician that can come in and work on this for us.

Q & A

5:11 p.m. David Penney - I'm not well versed in General Council rules. In my past in about 1980 I worked in the city of Sioux Falls and I worked for the Sioux tribes. It was there I got well versed in ICWA. It was there that the Lutheran social services, Catholic family services, all those services that adopted out hundreds maybe thousands of Indian children. It was there that I met people who were trying to find out where they belong. And now, fast track it to now where I heard the Lapwai school district, about 57% of our students there are lineal descendants. There is about 35% that should be enrolled, and they are not. So I hear this constantly, I just had a grandparent come up to me. I told my family before I came up here I can't be the only one talking about this, you guys should be there. You need to do this. My children are enrolled, but my grandchildren aren't, they aren't enough. So it's kind of hard, hard for me to tell them they are not enough. This is an issue, and I don't want it to be personal. All I want to do is work towards Nez Perce tribal enrollment. And in my resolution, that was in 2007, we are almost going into 2012. All I asked for was that I get a long time to work this out, and finally come to a vote. This resolution in 2007, said we would have oversight hearings 45 days before the spring General Council we would come out with the findings and that in the fall General Council we would vote on it. Madam Chair, that is my discussion on what I want to be done today.

5:15 p.m. Roberta Bisbee – Copies of the resolution will be made, but as far as a brief response for the action from 2007, when I very first came on the job in May 2010, at that time I came across a document that was in 2008, signed by Mr. Penney at that time. It was a thick document, that I re-routed, after I was elected in the fall. It was a box of reports from 2008. In that box, the report had documents from all the oversight hearings that took place. And so we had numerous boxes, 10-15 boxes after that fall General Council. In 2010, I distributed that packet again, redistributed it, and then we came up with the survey to also provide surveys, because at that time there was no response, it was around the September general council. [inaudible] that met the resolution. What I was told by the oversight committee was in the comments, in September we read the survey. In that survey, there was no survey results kept from the previous survey. [inaudible] And then last May, we distributed to the general membership another packet of the survey results, that was when the action passed on the floor, so I didn't know if it was in regards to finding out those recommendations from the survey or if it was the one in the report. This is just a recap of what kind of took place.

Motion David Penney/second Richard Arthur to go into executive session. Motion carried. We are now going into executive session at 5:18 p.m.

Motion Julian Matthews/second Pat Gendreau to excuse panel and adjourn. Motion carried.

Benediction. Julia Davis Wheeler, Chaplain.

Retire Colors.