

**Nez Perce Tribe**  
**Draft Fall General Council Minutes**  
**September 25, 2008**

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The meeting was called to order at 8:47 am by Chairman Allen P. Slickpoo, Jr. in the Pi-Nee-Waus Community Building, Lapwai, Idaho. Opening prayer by Samuel N. Penney, NPTEC Chairman.

Flag Song: Spirit of the Renegade; Eagle Staff: Orin Allen, U.S. Flag: Tom Alfrey Sr., Tribal Flag: Jeff Jackson

1. General Council Business

In respect to loved one we will go into recess and reconvene @ 1:30 pm

Meeting called back to order at 1:30 pm

2. House Rules Motion/ Wendell Antell, Second/ Della Cree to adopt the house rules, motion carried.

Ms. Stavinga- Question on number #14.

3. Agenda Motion/ Judy Oatman, Second/ Elliott Moffett to approve the to the agenda, motion carried.

Subsidiary Motion Joana Marek, Second Wendell Antell to amend the agenda for presentation by Lee Masters Daniels, Governmental Auditing firm during the Treasurer's report. Motion carried.

Main motion carried to approve the amended agenda.

4. Minutes Motion/Sara Sedgwick, Second/Della Cree to accept the minutes as presented. Motion carried.

From May 2008 meeting, Section B

5. Election Judges Report

Have had one meeting since last GC on Wed. Sept. 17, 2008. Discuss Law Enforcement background checks, need them to check a yes or a no, this was problem that they faced. Will include and phone number and address on the applications. Advanced notices in LMT, posted in areas, etc.

6. Accept Report Motion/Della Cree, Second/ Kay Kidder, to accept the report. Motion carried.

7. Resolutions Committee Report

First Casey McCormack, Sparse attendance, discussed education, transportation, elders council disapproved but will go through by-laws, State of Nations Senior Citizens report should hear it today, Equal Employment Officer is approved but waiting for funding, tough with the economy. Revenue allocation plan are not finished, as far as he knows, intent of per capita and that is not done, need work on, and need input. Clearwater River casino cost. Tribal Enrollment, don't know where it is at tried talking to Julia Davis and has not been able to, want to have another hearing, need numbers to inform the people, and it an issue of importance, hopefully we can get those numbers. Forensic Financial Audit is an internal audit which was changed in the NPTEC Office. He was not involved in those meetings, talked with Treasurer and they have met and are going forward with the process. Funding also and issue. Believes the Information System Office is trying to get all the old resolutions in a database. The existing process is really time consuming. Discussions on the Enterprise Board, look to EO and NPTEC to bring everything together through communication, get on the same page. Quicker action to get some of these businesses going. 8A is a risky, costly adventure, but would like to see us go forward with that. We need to look for more independence and sovereignty.

8. Accept Report Motion/ Kay Kidder, Second/ Nancy Wheeler to accept the report. Motion carried.

9. Amendments Committee Report

Report given. Recommend to the GC that a *motion* be made on the resolution.

Wendell Antell – Draft document on tribal court and separation of power, Sect. 6 #, only says alcoholic beverages needs to say Drug or Alcohol beverages and these amendments need to be very accurate.

Elliott Moffett response – these are in draft form and will include the language accurately.

Carla Kaufman – Will Election Judges address residency as many tribal members live with relatives or ext. family hope they will address that. If conflict...process where someone can be appointed to sit in that position so that the conflict is removed. Proposed Amend, 60 days, members of the tribe must be given 60 days notice. Want to make sure all members are notified, ask the election judges to consider that.

Dave Holt- Resolutions committee, quantification of the initiative it is a necessity. Comprehensive approach, audits, mandate, big changes are coming to this world...ask everyone to make the changes today. Let's be specific. Take initiative and give a good report, be specific.

Kay Kidder – complete understanding of the next steps. Is Chairman asking to accept all three reports and go to an election?

Ronnie Moses – Put money aside for percapita that money keeps getting spent. We want to be able to say yes or no on signing that check. Cut into sections to vote in pieces.

10. Accept Report Motion/Kay Kidder, Second/ Nancy Wheeler to accept the Amendments Committee Report. Motion carried.

11. Amendments Committee Dissolution Motion Bill Picard to elect an Amendments Committee from this General Council to review the proposed amendments and to dissolve the Amendments Committee elected today after one year when the proposed Amendments will be voted on. Mr. Picard looked in minutes and don't see where the Amend. Com was re-appointed. Could you show me where they were re-appointed? In 2004 they were dissolved. The Committee said these amend are in draft form and we should take 60 days.

Chairman ruled the motion out of order as 18 people volunteered and that committee was not dissolved and has been active ever since and has been representing the GC.

12. Amendments Resolution Motion/Mary Tallbull, Second/Pam Hudson to call for Election to revise the Constitution and to accept resolution to call for Election to Revise the NPT Constitution, Resolution. GC08-

Discussion:

Yvonne Oberly – Favor of the motion. Concerns the same three years ago, same three years from now, involved in Amendments committee, general council, etc.

Gloria Greene – For the resolution. Affects all of our families. Why are we afraid of change...need to make them accountable.

Kay Kidder – Vote no for the Resolution presented on the floor. I am excited about constitutional change. I don't remember voting on this amendments committee to work on these items on the constitution. Strategic plan that they have not presented to us. I want Bill Picard's motion to help guide this process, a diverse group not a special interest group.

Frank Weaskus – I think change is wonderful, GC, we are going to have two govt. fighting over the same monies, when there is no money to fight over. We better think this out clearly on that note. Can't have two governments.

Amendments Resolution Discussion Continued

John Strombeck – Against the resolution, not for the purpose of what it is, not against change, we do need it. Don't want to see pass through hastily. Need more time to talk about it? Very important matter.

Agnes Weaskus – In support of the motion, volunteer committee, she was one of them, attending meeting from time to time and commend for getting this far. Did have helpdesk announcements.

Bernice Moffett – Been coming to GC for many years, how long did it take to get the Casino built? NPTEC waived our sovereign rights? Who shows up to participate in resolutions and amendments, place to voice your opinions? Would like to throw out the entire constitution and re-write because it is not ours originally. We don't have any money because we don't hold anyone accountable for his or her budgets. Go to the meetings and complain about during the fact, not after the fact.

June Greene – I am against the vote. Once we change it, it will weaken. We need to change within ourselves.

Jackie Taylor – Against the motion. See Judges separate, then someone to oversee the judge. We do have power in our vote. Our NPTEC members are honorable and I respect them.

OJ Watters – Support the resolution. Law & Order Code, actions this resolution shows agreements made with other entities.

Shirley McCormack – Can't say I disagree or agree with this resolution. Need to look into and see how it will affect our children & grandchildren.

Charlene Frank – I take insult to the comment that everyone on the committee probably lost their jobs, when I did. It was a special interest group, of those interested in our tribe. If you want anything done vote yes.

Judy Oatman – I too take great offense, I support the motion. Constitution lacks our input. Federal Laws have changed, but we have not.

Mary Tallbull – (Motion Maker) been on AC for several years. Been trying to make change for a long time. We are way behind. Take the next 60 days to learn more about it, give it a chance. Don't be selfish, it is about future generations.

VOTE BY BALLOT, because of sensitivity of the issue.

John Strombeck- Subsidiary Motion because this is a very important decision the subsidiary motion would be to refer to Sept. 2009 GC meeting to discuss. Motion ruled out of order

VOTE: 272 Total votes

126 Yes for the Resolution, 137 No against the Resolution, 10 invalid

MOTION DEFEATED

13. General Council Chairman Elections Nominations:

Bernice Moffett nominates Alan Slickpoo, decline.

Wendell Antell would like to make a motion to retain Alan Slickpoo as GC Chairman; Alan Slickpoo appreciates but respectfully decline.

Lisa Guzman nominates Jenny Oatman, accepts

Elaine Ellenwood nominates Elliott Moffett, decline

Motion\Wendell Antell that nomination cease

Chairman asks any other nomination

Judy Oatman nominates Mary Tallbull, accepts

Chairman, any further nominations

Motion\OJ Watters, Second\Wendell Antell that nomination cease. Motion carried.

Total Votes: 180, Jennifer Oatman received 92, Mary Tall Bull received 78, 10 Invalid Votes.

Congratulations Jennifer Oatman

14. Recess for the Day Motion/Allen Slickpoo, Second/Melissa King, to recess for the day  
Motion is out of order according to Article 5, sect.

15. Nomination for Secretary:

Alice Spaulding nominates Danae Wilson, accepts

Motion/....., Second/ Nancy Wheeler to cease nominations and accept by acclamation. Motion Carried

16. Nomination for Election Judges:

1<sup>st</sup> position: Bernice Moffett nominates Mary Tall Bull, accepts

Sonya Samuels nominates Del Rae Kip, accepts

Motion/ , Second/ to cease nominations. Motion Carried

Votes Cast 123, Del Rae Kipp received 72, Mary Tall Bull received 48, 3 Invalid Votes

Congratulations Del Rae Kipp

2<sup>nd</sup> Position: Judy Oatman motion to accept Mary Tall Bull by acclamation. Motion Fails.

Judy Oatman nominates Mary Tall Bull, accepts

Alice Spaulding nominates Feather Broncheau, accepts

Motion/Wendell Antell, Second/ to cease nominations. Motion Carried

Votes Cast 100, Mary Tall Bull received 41, Feather Broncheau received 56, 3 Invalid Votes

Congratulations Feather Broncheau

17. Quorum Challenge

Wendell Antell, asking for people to walk out so we don't have a quorum and then we could continue voting tomorrow.

Chairman, absent a quorum we are not able to conduct business. Election Judges count badges to determine if we have a quorum. If have a quorum we will continue with Election Judge Position 3.

Total number of registered voters is over 50 reported by Election Judges

18. Nomination for Election Judge

3<sup>rd</sup> Position: Judy Oatman motion to accept Mary Tall Bull by acclamation. Motion Fails.

Kenneth Sherwood, nominates Melissa King, accepts

Nancy Wheeler, nominates Betty Kinzer, accepts

Leslie Randall nominates Patricia Carter, accepts

Carla nominates Shirley Sheballa, accepts

Phyllis Penney, nominates Kami Strombeck, declines

Motion\Bill Picard, Second\Shell McCormack that nominations cease. Motion Carried

Votes Cast 90, Melissa King received 26, Betty Kinzer received 20, Patricia Carter received 21, Shirley Sheballa received 22, 1 Invalid Votes

Run off between Melissa King and Shirley Sheballa

Votes Cast 81, Melissa King received 47, Shirley Sheballa received 34, 0 Invalid Votes

Congratulations Melissa King

19. Nominations for Resolutions Committee:

1<sup>st</sup> Position: Bernice Moffett nominates Mary Tall Bull, accepts

Motion\Meredith Moffett, Second\Rebecca Miles to accept by acclamation. Motion Carried.

2<sup>nd</sup> Position: Kami Strombeck nominates Sara Sedgwick, accepts  
Motion\Della Cree, Second\Maple Stevinga to accept by acclamation. Motion Carried

3<sup>rd</sup> Position: Nancy Wheeler nominates Betty Kinzer, accepts  
Casey McCormack nominates Patricia Carter, accepts  
Motion\Della Cree, Second\John Strombeck to cease nominations. Motion Carried  
Votes Cast 71, Betty Kinzer received 37, Patricia Carter received 34, 0 Invalid Votes  
Congratulations Betty Kinzer

4<sup>th</sup> Position: Richard D. Broncheau nominates Patricia Cater, accepts  
Sara Sedgwick nominates Shirley Sheballa, accepts  
Justine Miles nominates John Strombeck, accepts  
Motion\Della Cree, Second\Nancy Wheeler that nominations cease. Motion Carried  
Votes Cast 69, Patricia Carter received 21, Shirley Sheballa received 25, John Strombeck received 23, 0  
Invalid Votes  
Run off between John Strombeck and Shirley Sheballa  
Votes Cast 70, Shirley Sheballa received 34, John Strombeck received 35, 1 Invalid Votes  
Congratulations John Strombeck

20. Recess Motion\Della Cree, Second\Julia Davis-Wheeler to recess for the day. Motion Carried. Recess at 7:00  
pm

### **Friday, September 26, 2008**

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The meeting was called to order at 8:38 a.m. by Chairman Jennifer Oatman in the Pi-Nee-Waus Community Building, Lapwai, Idaho. Opening prayer by Larry Greene, NPTEC Chaplin.

21. Chairman's Report and Treasurers Report  
Chairman gave report highlights.

22. Executive Session Motion\Joanna Marek, Second\Lee Bourgeau to enter into executive session to hear the Treasurers and LeMasters and Daniels report. Motion Carried

23. Executive Session Motion\Jackie Taylor, Second\Kami Strombeck to come out of executive session. Motion Carried

#### Discussion for Chairman and Treasurer

David Holt – There is an option to restructure the Tribe to follow the accuracy of federal grants. The Tribe has adopted some of these compliance standards. This is a good model for quality assurances. We already have the tools in house to complete the restructuring of the Tribe. EA Process (from ERWM) has been used but is eliminates duplicate work, financial errors and central filing. It has everything we need.

Chairman's Response – I agree that we do have a lot of good programs that we can follow and we will take a look.

Vern Ellenwood – Title 49 special rules, this document specifically states that a person listed on the signature of these forms. Title 5 involves the former executive director and spouse; is this same individual on that code? Is his name or your name on those title 49 documents?

Chairman's Response – Can I get a copy of that document and I'll follow up with those questions. If any of you feel that there is anything with documents I'll be glad to hear of this. I cannot sign anything or any documents without NPTEC authorization. I'd encourage people to forward those documents to appropriate officials. All documents I sign are approved by the Nez Perce Tribe Executive Committee

Aaron Miles – I've been with the Tribe for 9 years. We get a lot of directives and I'm just voicing my concern as a Tribal member. It would be easier if the Executive Committee would share their vision for the year instead of giving out directives from Subcommittee. This will allow us to know where we are going through the year. We won't be able to dig ourselves out this hole because we are dealing with so many issues. We need to start planning; we need to turn this over to our kids in a financially healthy state.

Chairman's Response – Earlier in my report I did mention that there is a draft strategic plan and I know we are behind but I think what we'll do is look at our goals for several years. Then Departments and Programs will structure their plans to fit with NPTECs.

Kay Kidder – We have strong evidence that we need to address Tribal Constitutional change. We've seen it over the last year with all the debate. Please raise a platform on what leadership wants for change. Also, when we consider using gaming venue allocation that we increase funding for General Council so that we can support amendments.

Chairman's Response – I've talked with several people yesterday during the meeting and stated that I am not against Constitutional change. Every time we consider the change there is questions over if we followed the amendments process in the current Constitutional. It would be my recommendation that we start first with the Amendments Process to eliminate the question on procedures. Under the Roberts Rules, there are various ways to appoint a committee. An Adhoc committee has a very specific task and once that committee has completed the task then they are no longer a committee.

Treasurers Responses – I too am for change. We will certainly look for funding for Constitutional Amendment funds. We're all open to change.

Ann McCormack – I'd like to thank you for your comments. I'd like to go over what Aaron what talking about. Under the BIA funding, there was a cap and how this funding is giving. There used to be 13 priorities that BIA gave and NPTEC would decide what those priorities were so everyone knew where we were going. Does the Strategic plan take this place? Then everyone would be on the same page and everyone would know how to properly plan and budget for the year.

Treasurers Response – we will be addressing and your comments are welcomed. We know that we need to get this up and going again because your budget did reflect the priorities of the Strategic plan.

James Lawyer – WAMU has been seized and I know that Housing does use them. I hope you are planning for this in our future. I'm glad to see that our Casino is paid off. I'd like to see an increase in the amount of money

24. Buffalo Restoration Motion\James Lawyer, Second\OJ Watters to have NPTEC go to Montana to increase the buffalo habitat. Motion Carried

Discussion: Chairman, NPTEC has had people work with Montana to do exactly what Mr. Lawyer has stated.

Lilly Kauffman – I went last year and there are a lot of private residences built on forest service land. We need to let them know we object to that.

Rebecca Miles – I have a question about the habitat. NPTEC has negotiated the buffalo harvest. We are working on some of the regulations and harvest. We set our regulations here so when they go to Montana it's very clear how we will be harvesting. We are not calculating this the same as fish, it's very difficult when we see how many are slaughtered every year. We're looking to a long-term agreement with the Governor. What specially is the habitat you've referenced and how does the Tribe promote this?

James Lawyer – there is not a lot of habitat for the buffalo, if we have more habitat we'd have a better hunt

Justin Gould – there is a habitat issue with the Yellowstone Bison. There is a plan for increased snow. We've already over harvested the agreed upon. We are the reason they over harvested. We need to understand what is going on with the resource. The Commission will assign you an area where you can go hunting. I saw hunters over there and it was difficult to find animals. We went across the river and drove

down the river and got to bulls. The next day, I heard people's animals were shot in the same place but those animals were taken away along with guns while the animals waste. We let the number of slaughter higher than we agreed upon. We need to handle this as people.

Mary Tall Bull – I did bring this up at the Fish and Wildlife Commission that we did have traditional hunting seasons. We need to set these hunting seasons according to Indian Law. I've heard we are killing cows and calves. We're hunting at the wrong time.

Judy Oatman – I am concerned and appreciate the motion. I think our Council needs to take a strong stance on protecting those bison. There are a lot of people watching the numbers of the bison. We went in Jan. We made 4 trips, the first 3 were horrible we got a bull elk but we had other hunters shooting. This is the open hunting season for the very rich that purchases the rights to hunt during this period. These people can and do make agreements for hunting on those private lands. Timing is very crucial.

Laura Major – there is money allocated for the Senior Citizens from the fuels tax for home repairs. Why wasn't it spent and what was it for? How much did we pay for the Cadillac Ranch and what is the plan for that, what was the purpose?

Treasurer Responses – The Senior home improvement that should have already been spent. Housing takes care of that. Housing has a list of Seniors 55. The report is from July but in August that money did get moved for home repairs. The Cadillac Ranch will come up under the Enterprise Report. We paid 399,000 for 8 acres. We are enhancing the business like what we have with Express. We are also looking at a rest stop in conjunction with Idaho Transportation.

Solo Greene – We talked about the budget and some of the services that have been provided. As an educator I'm thankful for the funding that we do get. There were questions and concerns about services that we are receiving. The very first goal is to provide employment for our Tribal members. We have to take responsibility for our education to qualify for the jobs that are available. Sometimes we have to work for what we want. The services are there, all the way from prenatal to senior citizens. One of the problems with the strategic plan is that education is really divided. There is a lot of discouragement when there are denials and referrals. We talked about the audits earlier but we don't need anyone from the outside to come in correct us. We need to do it ourselves, we can't keep waiting for someone to come in and correct it for us we're the ones was waiting for.

Kenneth Sherwood – I'd like to encourage finalization on the strategic action plan. This is a very valuable document and believe that this will steward us into the right direction. Now that we understand the audit, now we can interpret and reduce the amount of time necessary for the report. Let's keep going, positive and negative as they go hand in hand. Let our strategic plan keep us going.

Justin Gould – I appreciate all the words I've heard. Not to offend anyone but we need to know the difference between and Indian and a Tribal member. We need to understand what a contract is so we can have it honored. Today we are Indians with a Treaty. Treaty with the Nez Perce's. We have another agreement called the US Constitution. Tribal members are not protected, Indians are. Indians are being replaced with Tribal Employees and Tribal Members. Quoted federal documentation from 1854. Be a Tribal member longer enough to become an Indian again, the Treaty is with us Nez Perce. NPTEC is not in the Treaty anywhere. I want this nation to understand that connection. The US Constition controls the flow of money. Treaty rights are protected by Congress and cannot be placed in a Tribal Constitution.

David Holt – In the old times, we'd go through ceremony before we went to hunt and when we return. We don't get that even for our Veterans. I didn't want to hear the words Cadillac Ranch but we've heard competitive edge but we've already have some of these. Did you meet with the indigenous peoples in the area to see how it would impact those businesses?

Chairman Response – I'm not aware of any meeting with the competitors with anyone in that area. It will be a Tribally operated business for the benefit for the Nez Perce Tribe.

OJ Watters – Treaty of 1955, I've been in numerous accidents and I have many body. Article 5, the US government will provide hospitals, doctors and medicine. Apparently it's not happening. NMPH is now collecting money; does not the Treaty of 1855 not provide that for us?

Chairman Response – some of the activities of NPTEC, ATNI that is exactly the question that comes up. There is the language that federal government does provide this service. However, it's interpreted that they fund it at the most minimal amount possible. We'll continue to press the issue; it is a Treaty right. At the Federal level, when they fund Indian Health Service they divide into 3rds that include 3<sup>rd</sup> party billings.

Treasurer Response – any employee of the Tribe has to pay the co pay for any of the services they receive. NMPH doesn't carry my medications and so I go to Lewiston for my medications. I don't like to see our Tribal members that don't have the insurance that can't pay then get turned into collections.

Joe Calfrobe – not present.

AK Scott – Very honored to be here alive today. I have a lot to say about health care, they are dedicated people. It's taken me a long journey to come back. I'm a Treaty Indian and was at Rapid River Stand-off. I'm concerned about my health care situation right now and if my medical bills will be paid for. I had a very bad accident this past winter. A lot of love to you all and those members who have lost loved ones over the year. I've lost my brother and am thankful that I was able to put him away.

Shirley Rickman – I have concerns about our health care and NMPH. It takes 2 ½ months to get in there. I saw a lot of non-Indians there. I thought this was a benefit for us. I drive by the new Head Start and see there is no parking there for staff but just for the management. There are rocks there that could have been parking places. Staffs are afraid of the bosses there. I filed out an application for help from Housing. I got a denial letter and when I asked why I was denied. NPTEC doesn't do anything for our people, thousands of dollars elsewhere but we won't give our people a dime. We need change; we need younger people on NPTEC. We get the same people in there and they don't do anything. We have NPTEC members go to Chili to see how the poor people. They shouldn't have done that; they can see that right here. Stay here and spend the money here.

Joe Calfrobe – I was listening to the discussion about education. We've heard that we're pinching pennies but I have a problem with the amount of money that is giving for surrounding schools. We need to negotiate that money down. 75% of the schools that get that money don't even care about the Native Americans. We shouldn't have to give that money to schools that don't care about us or talk bad about us. We should be looking to our own children that don't have computers to use. They don't have one at home or one to use. We need to look at a way to give students incentive to earn a computer of their own. We have a lot of Tribal students down there and at other colleges that can't afford to have lunch. We were given a stipend to eat on in other colleges. Maybe we could give a stipend for lunches for our students to have something to eat. They need to function at school and they need the tools.

Treasurers Response – I understand that through the 477 there should be money available for gas and it may be for meals too. Contact the education department and vo-tech will be going soon too. There was a budget submitted by employees for a revolving fund for this. We will take it into consideration seriously.

25. Recess for Lunch Motion\Mary Arthur, Second\Aleen Powaukee to recess for lunch and be back by 1:00pm.  
Motion Carried  
Reconvened at 1:05 pm
26. Accept Reports Motion\Wendell Antell, Second\Kenneth Sherwood to accept the Chairman and Treasurer Reports and to dismiss the Chairman and Treasurer. Motion Carried



27. Nez Perce County Commissioner Presentation by Mike Grow

County Commissioners have a 32 million dollar budget and Commissioner have voted themselves large budgets. I'm hoping to have your support and I'm going to try to fight City Hall to get the run away budget. I'd like to see the County represented by the whole County.

Elliott Moffett – I'm please to see the County Officer Candidate. We'd like to see infrastructure to develop here to keep our money here. When we are downtown we don't see very many of our people working in those communities, I'd like to make sure the Candidates to take into consideration employment of our people.

28. Public\Private Sector Report Executive Director, Executive Officer Reports

Mr. Aaron Miles, Interim Executive Director and Ms. Marry Beth Frank Clark, Interim Executive Officer Reports given.

## Discussion:

Wendell Antell – New Business and Entrepreneurs on the reservation. This bothers me because we do have business that we don't support. We need to attempt to work with our own people first before we go off reservation. It was great to see that we had 46 new machines, I have asked for the Virtual Blackjack machines. I was told that those machines cost too much and take to long to pay off. I'd like to see that the pow-wow is coming back. They are talking about trouble that they have with the motels being filled and transportation issues. There are outside entities in the valley that will help bring support to the pow-wow. It'll bring more opportunity for people to come in. There are a lot of us other pow-wow committee members available to help.

Executive Officer Response – We don't want to shut down any opportunities to the Tribe. We want to make sure all opportunities are explored but I do agree with support to our Tribal or Native entrepreneurs. We are looking at new machines like your talking about. We do have a pow-wow committee and they are working on bringing people in.

Justin Gould – related a story from his childhood. Swisher was chanted here, the true origins of which to begin. Now we can't even find a beginning point. I'd like to express my appreciation for you sticking around for six months. We feel the same concern you shared and I wanted to eco the concerns you shared. I'd like to prompt the idea a National Indian Gaming Commission. I'd think NIGRA would be there for an Indian who wants to gamble. Went into explanation of the rights.

David Holt – When it comes to appropriate technology, I see we're talking about Bio Mass. You'll see across the nation there are very few winners. When it comes to solar and water, we have all that. It's almost free. There are fish friendly water electricity generators available to us. What about the technology that's in front of us. We can create jobs by making solar panels or other such items. Initial documents, Treaty language we've sent hundreds of thousands but we've got a resource in Limestone that's just sitting there. Include all resources in front of us. We have to look at the 2005 Energy Policy Act that is an answer to many of the concerns. Can we also have some of our cultural appropriate games developed by our own people have developed made available to our people at our Casino.

Lisa Guzman – Clarification on the monthly takes, how much are we bringing in per year? Or an approximation. With the next report will see the distribution formula for the amount of money that is being distributed? That's what I wanted to bring to the attention of the General Council. We had a lot of talk about the Constitution and I think we need to look at distribution formulas right now. I'd hope that we'd look at upper management and asking what the parameters are for spending or allocating those funds.

Executive Officer Response – I don't have those numbers right here in front of me.

Gaming Manager – We're considered a classified a tier c casino, the net revenue is 10 million.

Executive Director – 3.1 million to the government.

Anthony Johnson – Every year the Tribe gives out 5% to the education fund. That will tell you that we have a total net of about 7.7. With that there is a distribution resolution that has been approved by NPTEC with 200,000.00 Enterprise Fund. That resolution will have run its course next year. There will be an allocation plan next year. The initial thought is that we will get to a place where we operate off the actual revenues and not projected revenues. What we'll do then, there is about 1 to 2 million being carried over each year. So we'll be able to sustain about a 4 million dollar hit. NPTEC sets the revenue distribution. The revenue that's carried over, it will come to light in the next year and what that net effect will be. We do know the drop but we are not able to give is the net amount. We are monitoring our budgets and operations. Next year, you'll be discussing how that distribution plan will look.

Vern Ellenwood – according to the gaming compact, a stipulation was that there would be a per capita payment. We sent substantial amounts of information to the State. We should be sending that information to additional regulatory agencies. I believe in order to get to that ground zero we may need to have to shut down. There were already non-compliance issues before your interim. On the government side, the statement you made about grants and contracts compliance. The Land Commission is responsible is responsible.... Address criminal activity through all of this before the federal government does it for us.

Paula Moody – On the government side, I have a close relative who has traveled to Pawnee OK for a court proceeding over a Nez Perce Tribal child. There was a financial assistance request that she did receive. What help do we have to help bring our enrolled children back to our reservation. The father was told that the child had to be returned after the visitation period. They had to go to court to get these children back and they were not able to bring them back. We don't have the money to get attorneys to get help for our legal problems. These are Nez Perce Children. The Tribal court is allowed a representative for those children to do the research for the best interest of children. The other concern is that there is a statement yesterday that the people for the Constitutional Convention were people who had gripes against the tribe, or were fired. We've got to give our Tribal members a chance.

Executive Director Response – We're getting close to having an ED that will be full time. I'm not trying to put anything off but I can only recommend things and am putting together those issues.

Justine Miles – I wanted to thank fall open sponsorship. The Casino hosted the dinner for our Tournament. We're looking forward to next year.

Bernice Moffett – as both of you are Interim, you've bitten off a big chunk. Because of your interim, there is little you can do because of the Interim. What do you do and where you going to go. How come decisions being made. Why are these still Interim positions? How come it's taking so long? There needs to be an appeals court by our people. Both of you have stuck your neck and I hope you don't

Nancy Wheeler – We have different pow-wows on the reservation. I would like to know if there will be an increase the amount of the money given to pow-wows. Kamiah Casino employees need to be trained to be culturally sensitive. I've put in numerous signed complaints. They need to be trained better.

Executive Officer Response – it was asked of the casino to have a premier pow-wow. It was something the casino can do and should do. They did add the stick game. We do recognize that all the pow-wows are important but we are trying to make the casino a premier. We are trying to address issues with training staff, hospitality training and it is a learning process. We are trying to gear it up quickly.

Kay Kidder – I'd like to be here to appreciate the Executive positions. In a dream I had the best dream, that the Executive Director. I'm ready for change, thank you Executive Directors.

Executive Officer Response – I have a really good staff but it's scary that I'm in your dreams. It's everyone working together.

Maple Stivinga – We hear about all this money that's coming in to the casino, being put into the general fund, and how much of it's going to programs. It's always brought out that our seniors and our children are the most important to us but we don't really see that reflected in the allocation to those programs. We need to see the same types of programs in Kamiah that we do here in Lapwai for our kids. Thank you so much.

Executive Director Response – the NPTEC in the current FY09 budgeting process has been difficult with the 3.1 million dollars that we get. The elders and children are the top priorities. They are looking at where they need to make cuts but they are only looking for increases for these two programs.

Pete Wilson – Concern is for the Enterprises. I don't think we got clear answers for Ms. Wheelers question about the other pow-wow. I'm glad to see the casino pow-wow come back. I believe at one point in time, there was a motion made years ago that we receive \$10,000 for pow-wow for any pow-wow over 10 years. Are the rest of the pow-wows going to see an increase or stay at the \$3,000.00?

Executive Officer Response – I'll look back and see what was going on with that. I can't tell you right off the bat but I will get back with you.

Enterprise Board Response – You are talking about the pow-wow but it's just not the pow-wow. There are three types of gaming. It's not about the pow-wow. You already heard that the hotel is full and that there will be a lot of people attending. We wanted to do more for class 2 gaming. Yes an amount of money set aside for that pow-wow. Stick Game is a class 1 gaming. The rate of return was considered in the amount of money budgeted. This is an Enterprise, not your local pow-wow it's part of the gaming that we're sponsoring. The total Enterprise is going to see the benefits.

James Lawyer – I'm glad to see the Camas Express. This last week there was a public meeting on the Dworshak Commercial Use Plan. There was no one there from the Tribal Enterprises to make a support for that. This Tribe needs two different tourism departments that have different roles.

Executive Director Response – Starting in FY 09 the Tribal Tourism and Tots Tetoken will be moved to the Enterprises.

29. Independent Tourism Motion\James Lawyer that we establish a second enterprise tourism department separate from the governmental tourism. No Second the motion is out of order

Joe Calfrobe – with all due respect, I do feel that all our pow-wow does generate revenue. We fill hotels in the local area every time we have a pow-wow or stick game in the community. If you had voted yes yesterday you would have been able to have a say in where these monies are being spent. The employees at the Casino have no incentive for part time employees or on call employees. There is nothing in the HRM for them.

Justin Gould – Real quick, I wanted to get the support of the people here. If we approve their reports, then we agree that we can't find zero.

30. Accept Reports Motion\Justin Gould, Second\OJ Waters to approve the reports as given and dismiss Executive Officer and Executive Director. Motion Carried

31. Introduction Garry Paul who just returned to the reservation.

32. Federal Agency Reports  
All reports given.

Discussion:

Kenneth Sherwood – Thank you for your reports. My question is for the Forest Service that is our interest in the Nez Perce Trail. My question is the land that is being sold by the Forest Service within our reservation. What about the historical places on that land and the Federal Register that governs those places.

Response – Yes those lands are being exchanged. Several years ago the Nez Perce Tribe and Forest Service was looking at the checker boarded area. We did try to get that land but it was sold to a private area. Now that land is up for sale and we are tried to find an area that would be interested in transferring that land. Western Pacific Timber suddenly purchased these lands; we are looking at a feasibility study to see if that land could be purchased or if there is land of interest to exchange with. There has been a potential acreage

that could be exchanged for this section of the Nez Perce Trail. We are working with the Tribes staff to look at it with the NEPA process. If the exchange does happen, then those places would be protected but right now if private ownership we can't enforce protection.

Vern Ellenwood – A couple of times put in writing requests for information on leases on my property. The railroad has stated that we can get the lease on this right away but it has to be paid under the table. Illegal action of land consolidation. Would you please put in writing or request that the Administration Manager give us land owners the information that we need so we can address our right away needs. There are violations of the Constitution. We would like to fully address our conflicts of interest and lack of accountability. We would like closure.

Superintendent Response – I agree, this is one of the many issues that I've found. You should be able to get the land ownership with a press of a button. Get it to me; I'll take care of it for you. Somewhere along the line staff just lost interest but they are very capable people.

Dave Holt – I will be in your office relative to your statement. The Forest Service was handing out pamphlets at the Nez Perce County Fair. I was disheartened that the historical documents that had been noted in the pamphlets. Was there coordination with the Tribe before these pamphlets were generated? I believe that the environmental adjustments need to be made because we have herbicides and pesticides sprayed over our lands.

Carla Kaufman – I would like to thank you for recognizing the relationship that has been established with your agency and the Nez Perce Tribe. August 30, at Wallow Forest, one of our Nez Perce Tribal Elders and his family were over to gather and camp. One of the things that he did was take his rifle to hunt in the early morning. When got back to the vehicle he took that bullet out of the chamber but left two in the magazine. They went to harvest wood, and a Fish and Game employee asked if they had a wood cutting permit. They didn't need the wood cutting permit. They were asked if they had firearms. Honestly he said yes in his vehicle. The Forest Service employee asked to see it, he took the employee to his vehicle. He was fined for his two bullets in the chamber. He was trying to show respect. He wasn't shown any respect. He is going to pay the fine but at the same time there aren't people in your agency to defend him. Fish and Game needs to understand that we have those rights.

Forest Service Response – it has been my experience that these situations have come up but I don't know about them until long after the incident. It has been difficult to educate Federal Agencies that Tribes have rights in these lands. Its not resolved, and we do have people come in new all the time. We have some that don't understand or accept that these rights exist. We hope to progress in the future where these things won't happen.

Lilly Kauffman – I'm a Training Specialist with the Enterprises and I'm sure the Tribe would work with inter agency training for your Federal Agencies. I heard you say that you're on a zero budget. This has been my concern over many years that cattle ranchers or sheep ranchers get leases for next to nothing. I know they see it as money coming in but it's very little money and it does so much damage to the environment. I'd like to see limitation on private home ownerships on Forest Service lands. Please take a proactive approach.

Forest Service Response – we do have these discussions internally regarding the leases. We've already engaged the NPT Fisheries that have helped identify and mitigate issues with leases.

Maple Stivinga – I think that the display of the history for the County Fairs of the Forest Service was done very well and I did sit on that committee. I think it would be good to have the cultural sensitivity trainings for our Forest Service employees. They are on public lands but they are also on Tribal Trust lands.

Forest Service Lands – I will take responsibility for the missed opportunity for the field season. We will make a commitment to work on this.

33. Accept Reports Motion\Ann McCormack, Second\Maple Stivinga to dismiss the Federal Agencies. Motion Carried.

34. Boards and Commission Reports:

Housing Board, TERO Commission, Gaming Commission, Boxing Commission, Fish and Wildlife Commission, Enterprise Board, Utility Board, Nimiipuu Health Board, Nez Perce Tribal Housing Authority  
All reports given.

35. Recess Declared Chairman Oatman declared the Friday Session of General Council at recess, at 6:18 pm. No objections rose.

### **Saturday, September 27, 2008**

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The meeting was called to order at 9:16 am by Chairman Jennifer Oatman in the Pi-Nee-Waus Community Building, Lapwai, Idaho. Opening prayer by Larry Greene, NPTEC Chaplin.

#### Boards and Commission Reports Discussion

Vern Ellenwood – I received my certification at LCSC at my own expense. When the City of Lapwai contracted with me for computer work there were many difficulties in that. There were situations that appeared to be confusing, a mess; so complex it was above me. I listed to my instructor and he told me that at any time I could contact him for resources. I have recommendations, a report but I was never was compensated for that. I followed the laws and rules of the state. It is our paper war, against each other. I'd like to be compensated for these things. I'd like to give this paper work to the TERO compensation.  
TERO Commission Response – we will look at this and appreciate you sharing this information with us.

Jackie Taylor – I notified these railroad cars, it's like a wall. I think we need to write letter or contact our representatives but I think we need to pursue the removal of these railroad cars.

Health Board Response – There was a meeting in Orofino in June with the railroad people because of the storage of the cars right here. We did meet with them and talked with them and we wanted them to figure out away for them to relocate. They said it would take 6 mo. We asked them to meet with our Natural Resources and Fisheries Department regarding the damage that those care can create. They did but came back and said there would be no damage to the environment. I think it is a good idea to move them and we will get the address to the owner to start sending letters.

NPTEC Member Response, Rebecca Miles – we did take action to explore all legal actions to get those rail cars removed.

Dave Holt – This railroad is ours per an agreement, the timber and minerals will be used for the upkeep of that railroad. Within the same document it states that the ownership still remains with the individual. Discussion about other services and agreements. These boards are the please look at the black and white of what has been presented to the various agencies for the environmental damages or fees.

Rebecca Miles – recognition for a person who has served the Tribe very well. Joe Oatman will not be seeking re-election to the Fish and Wildlife Commission and I'd like to recognize his work. Joe has been instrumental in advancements in our advancement in hunting and fishery.

Lee Bourgeau – I was coming up to give the same individual recognition. This is a very fair man, very visionary and is willing to stand up for ethics and principals. Joe is very knowledgeable. When your building these homes, please think about how they are being built. Our families need room we need larger kitchens. Please think about our families when you're building our homes. Those railroad cars are right in the area of where we have to harvest our natural foods. We can't get to our natural gathering areas because of those cars are blocking our path.

36. Accept Reports Motion\Maple Stivinga, Second\Kenneth Sherwood to accept the reports and dismiss the Boards and Commissions. Motion Carried.

37. NPTEC Subcommittees

Law & Order, Budget & Finance, Human Resources, Natural Resources, Land Enterprises  
All Subcommittees gave reports.

## Discussion:

Elaine Ellenwood – I have a problem with the sack lunches at the Senior Citizens and a problem with the portions given. The Seniors should have a subscription to the Lewiston Morning Tribune or magazines. Even get people to donate a subscription to the Seniors. The Homeless Shelter isn't ready and it's right out in public, maybe it would have been better to use one of those modular's from Casino for the homeless people. It could have been placed on the outskirts of town. NPTEC needs to make a decision to do Education, Cultural or Breeding for the Horse Program. We only have 1 Akhal Teke left. Leases; that \$85.00 came about because two farmers were fighting for a particular piece of ground but then all leases were set at \$85.00. All lands have different values; many of the farmers are upset about the \$85.00.

Julia Davis-Wheeler – There have been a number of suggestions since May about the Senior Program. Some people live way out and are not getting warm meals. We did ask the ED's Office to look at this problem. The size of the meals will be looked at. We did have a listening session and did try to ask for these issues to be addressed. I like the idea on magazines. Many of us could donate after we have read our subscription. I understand about the Homeless Shelter there is a committee to look at this shelter and to find money for it. So we did target that home because it was the only one available at that time. We are still looking at that and can assist the committee to get it finished over the next 6-7 months.

Joanna Marek – we are going through the charge of \$85.00 fee. Two farmers did want this piece of land and went into auction at \$125.00 per acre. Where you can get them into bid for good land its better prices for us.

McCoy Oatman - We did give a directive to the ED to address the Horse concerns but maybe you could tell us what you'd like done with the Program. They are your horses, what do you want?

Vera Sonneck – I think it would be good to have the bids to get more money on our lands. I heard the Superintendent talk about the probate. I'm wondering when the Law Enforcement will be moving into the building on Main Street in Kamiah. I did ask for the current office at the Kamiah Bldg for the Language Program. I'd like to get that room when it is vacated.

Larry Greene – We did approve action to take over that building on main street in Kamiah but there was an existing lease. Once that is resolved, we'll get Law Enforcement moved into that building as they have already spent money renovating the facility for their use. We get a minimum and maximum on leases but we are trying to get the maximum on every lease. We are aware of yields and lease values per acre. If you'll look at the spending for the Seniors they are only at 40% so it don't reflect well on how they are spending the money.

Joanna – Probate has been a problem, it is a trust responsibility and we will be addressing it on Monday at our NPTEC meeting.

Vern Ellenwood – yesterday I had stated that there is work being done on the abandoned railroad. We are all aware that on Oct. 2<sup>nd</sup> we will be addressing our trespasses. Yesterday, the NPTEC Chair said that it takes NPTEC authorization for a signature. It was NPTEC authorization for this billionaire to trespass. It sound like NPTEC the police state to ask people to leave property without asking Oct. 31 of this year will be the statute of limitation on a very violent assault on a family member of mine. The individual in charge of the investigation has never talked to anyone involved and nothing to date has been done. A Nez Perce Tribal Law Enforcement Officer went to the Committee Sweat House and confiscated drug paraphernalia from a Non Nez Perce Tribal Member but it never made it to Tribal Court. This individual is a subcontractor was working for the Tribe but nothing happened tot his contractor. I'd like someone to from these boards to address our documented issues.

Joanna Marek – we have not authorized the train cars to be there. We have addressed it and we are trying to force them to remove those cars. They did negotiate a \$1.00 a day for every one that is there to this billionaire. We do believe that those cars are put there to show there is no abandonment. We are trying to address this; we will take into consideration the documentation you've provided to us. The trespass issues,

we have federal laws (CFR) that every Tribal member and every land owner has a right to help address these issues. We had an Attorney from DC that came in to help Land Enterprise with the trespass of Utility Co. We've only settled with Avista, IPCO. We have all sorts of trespass on all of our lands from utility companies. If we don't act on it, we'll loose out. We need to stand together. According to the Tariff Agreement they did need to come to the NPT and BIA because of the language in the Tariff. They are piggy backing agreements with Avista to be on our lands but Avista can't sell their lines to anyone else without the authorization of the NPT and Land Owner. It's a monster and we are working on it. Since 2000 the Land Owner Group has been working on this trespass but they don't want to accept our calculations.

Larry Greene – The incident that happened at the Sweat House, I say this in away that is not a cop out but I have a responsibility to protect the Tribal employees and I do have a responsibility to our Tribal members. I can only do so much, it hurts to say that. If I have to loose my job to find out why these incidents have had the judgments they did get. I do ask these questions of these Departments. Because of the procedures that I have to follow and the policy I walk a fine line. I don't believe there has been full consistency. Once of the things we find out from the last agency that did an investigation is that it cost about \$10,000.00. There are changes that we need to do, it is a financial change. We are going to address that change; we did talk with the respective departments. I can guarantee you that I did address these issues, but I'm limited on what I can say or do. Please keep the concerns coming, we want to get our Tribal Codes on line with changes.

Lucinda George – I'm glad you have concerns for the Tribal seniors. I have in mind the Enrollment issue. We need to address the enrollment issue. On Law Enforcement, I helped with the 638 grant. I was told that it was going to be better service for our Tribal people. I don't see that so much. There are other issues but we can look to other Tribes or agencies for suggestions and ideas. When I did a study for the Tribe I went to other tribes to look at their codes. I brought back a code book for our Council but I don't know what they did with the codes I brought back. I think we need to stay open minded keep it Indian because we treat each other differently then the state or County. We need to be more accountable when we are on travel. We need to email people telling them where you'll be, how to get a hold them, and where they will be for training. We need to tighten up lunch, 30 minute lunch. If they want an hour then they need to work 30 minutes longer. I'd like to ask for a tribal discount at the gas station.

Julia Davis – I can't tell you what an effort enrollment has been. These are very good points on enrollment. When we set these meetings, we really need input on that because this is such an emotional subject. We realized that we need to have an enrollment summit. Someone to facilitate and that would have a back ground in enrollment. There are a lot of examples out there and this is a very big issue. We will doing more meetings. On the Law Enforcement, 638 and Copsfast, looking at ways to help our people and there has been a lot of issues on Elders Abuse. There have been different cases that come up this past year and we do need to have something in place to protect them.

Larry Greene – There is an enrollment meeting in Lummi, Northwest Enrollment meeting. We do need to look at our enforcement. I do see that we are shadowing local or state enforcement.

Joanna Marek – I do have a lot of concerns about time and attendance by our employees. The last two days, work hour days, I noticed how many employees were not here. I had asked Support Staff to get a hold of program staff but that program staffs were not in. We need to lead by example and be on time ourselves. The 30 minute or 60 minute lunch was setup for exercise. We did get another letter for a challenge to other Tribes for fitness programs. We did use this extra time for the fitness of our employees. I'd like to see people work out for the 30 minute exercise and 30 minute for lunch. Not 1 hour for exercise and then go to lunch.

Julia Davis – I agree that we need to be more accountable. We have been pushing to share our agendas with each other for the meetings we are attending. It goes back to our managers and directors, it's mentioned that we need them at our Subcommittee and they are not available. That goes back to the ED of the Tribal Structure on keeping track of those managers and directors or where they at. We are going to work on that, it goes back to communication. If you'll look at the strategic plan, communication is one of the top issues that we need to address.

Kenneth Sherwood – I have an issue that is really heart felt to speak for one of our elders that can't take speak for herself. This elder, our family took care for many years. This issue is a very touchy situation

because it deals with one of our tribal member employees. Its hard to know how she will recover and if she wants to recover. Something needs to be done, not talk about it but do something about it. We don't know how long she'll be with us, it's more important to take care of her then anything else on this earth is the care of our elders. The procurement and processing of meat, wild game. I encourage you to add that to your learning tool for those areas on a teaching program for the care of this meat. The people that sit on these Boards and Commissions help along those of us to learn the processing; Joanna and Joel have helped me along.

Julia Davis – We did hear about this accident last week. Last Friday an accident happened with one of our drivers, we had an elder in a wheel chair and something went wrong with the hoist. The elder fell off, had two broken legs, fractured collar bone, and a very bad head injury. We are going to meet on it this Monday, we are aware of the incident and we will be working to address this issue. There have been a couple of NPTEC that went to the hospital to see this elder. We should send her some flowers; a collection could be taken to send her flowers. Procurement and processing of meat had been discussed. There are some of our young people don't even know how to take care of our meat. This is something that our F&W Commission could help us with. Maybe we can get help for this, maybe Mr. Sherwood would be able to help with this.

Brooklyn Baptiste – we are looking at a butcher shop for the Tribe. We've wanted it for a long time; I know that the F&W Commission did want to build up freezer space. This goes right in with what you're talking about how to take care of our meat. It is tough for those who don't have anyone to teach our youth. If there are people who would like to volunteer to teach our youth how to handle meat it would be appreciated.

Safety – presented by Della Cree in Transportation. The Safety Officer did come to Transportation to see if the training for Drivers included operation of the lifts. The training does include operation of the lifts on each of the vehicle. We are working to ensure that the Senior Driver will go through that training and will be certified to operate the lift. To avoid the accident

Clarification by Kenneth Sherwood – life is more important then these accidents. Regardless of money or how much money they have, replace those old vans with ones that are safer.

38. Recess Declared Chairman Oatman declared recess for lunch until 1:15 pm. No objections rose.

Reconvened at 1:19 pm

#### NPTEC Subcommittees Discussion Continued

Mary Tall Bull – Horse Program, I saw Indian County had a notice requesting bids to come up with a plan for that program. How come we're spending to advertise for this when we are so short on funds? Do we even have enough money to pay for the consultant? We have a lot of people right here on the reservation that could help come up with a plan for our people. We have our own horse people here that have them and take care of them so we don't need a consultant. I know we have bids that go out for construction on the reservation. Every time it rains our Wa A 'Yas leaks. If these contractors do a bad job they shouldn't be allowed to do any further bidding on projects? Especially when they won't come in fix problems like this. We need these things addressed, for our sovereignty with regard to the railroad cars. The Court System, there wasn't a copy of the gaming revenue or a plan for the distribution but it was mentioned how much money was given for the prosecutor verses the public defender. These public defenders represent other entities against our people. How are these people representing the State representing our people in cases that are with the state? Our court is here for our people. We have all non Indians have been on jury duty. How many natives are on the list for the jury? These Tribal employees and NMPH are not his peers because some of the people at the court are not employees. Employee fund, how many years I've asked that we have an employee fund. Everyone donate \$5.00 each or less to be used for costs associated to help our people in their time of need.

Mac Oatman – The Executive Director was directed to come up with a plan but the direction was to look in house. We didn't know that went out as advertisement.

Larry Greene – one of the things brought up through TERO was quality of work. This goes back to who is approving the work, who is checking on compliance or if it's within construction regulations. The funds were brought up several times. One of the Attorneys is an employee did represent for the State. It is their right to represent anyone they want as this is a contract. There will be public forums for the Law and Order



Code. It is in the Code that employees will be in the selection for jury duty. It also says that the defendant has the right to select the jury.

Brooklyn Baptiste – OLC is coming up with legal options the Tribe can take as far as wildlife habitat, gathering, etc. for those railroad cars.

Joel Moffett – The employee fund is something that can be done, there isn't anything I believe in our policies that would prevent such a fund. Once again, we'd like to be able to help our community and ourselves during hard times.

Agnes Weaskus – The homeless shelter, the Housing Authority was brought up as being responsible for that but actually it was a list of the volunteers that did move forward with renovations. Housing did put \$10,000.00 towards renovations but Housing was only one of the volunteers. I wanted to also bring up about the Horses; I hope this is something that we continue with the Tribe. I'd like to see more work being done with the youth, it's been mentioned that we are horse people but I believe that we need to reeducate ourselves on being good horse people. Its part of our culture, its education and it should be a breeding program. Our new SFS program is working with school districts under our new funding source. We are the first Tribe that has received this CDC cooperative agreement. When I was a child we didn't spend very much time in doors, we were outside playing. Now children stay in side and play video games or watch TV. We need to get back to which we were active people.

Dave Holt – Special needs people, children especially, disadvantaged people, and handicapped people they are not able to get the same services. There are people out there and the only help is coming from the State. There are other children not just in HeadStart. The total issue needs to be dealt with for services to these peoples. There are extreme cases out there please have compassion for them. I'm a veteran and I've been trying to get back to school and I'd like to see the Voc Rehab back. Is there ways that that we don't have to jump through all these hoops to get help? I wish that no dilatory motion, no obstruction of justice.

Joel Moffett – Voc Rehab program did receive a grant and they will begin again Oct. 1.

Julia Davis – the NMPH goals is to look at all the handicapped accessible buildings that we do or don't have on our reservation.

Bernice Moffett – There was a meeting at Orofino for the seniors and a lot of issues were brought out. Finally some of these issues are being addressed. At this meeting we brought out that elders were not even able to have water in her home. I make a suggestion to the NPTEC members that were at the meeting, since you are not making a selection on the Elders Council then those that are on the Elders Circle and staff in the Program will service as an Ad Hoc until the Elders Council can be finalized. This has been two years that the elder's abuse law has been pending. I've even given copies of the Warm Springs elder's abuse code but it didn't go any place. We have two senior centers, there is a way of getting information out there for us but no one is listening. We have traditional law to take care of each other to help your neighbor. Please don't just look into it, do something about it. It's our Elders who are trying to teach language. What's going to happen when we are gone? Who's going to be doing the teaching? We wait around and wait around but when are things going to happen? How are we going to protect our elders when the perpetrator is non Indian? The non Indian officer arrived first but it took 8 hours. 8 hours after the incident the tribal member called police. It was not domestic it was assault. They wanted my notes because they didn't want to write it down.

Julia Davis – looking at my notes from the Listen Session in Orofino the elder's abuse was expressed very loudly. We have many statements from this meeting on what we need for our elder's to protect them from abuse both Native and Non Native. Both Human Resources and Law & Order subcommittees will work very hard to bring something back to the next General Council. We've heard many times about abuse.

Larry Greene – it's not just a matter of Code but also personnel. That shouldn't hold us back but it is something that we can do to adopt the Code. Due to the transition in certain personnel we haven't pushed it very hard. The members on the Advisory Board or the Elders Circle are both trying to fill the Advisors Council but maybe those members need to be elected here.

Rebecca Miles – that listening session did get things right away. The NPTEC did move very quickly on the Senior Wood program about not having full cords or the wood not being chopped. The Treasurer has put a

stop to those payments until these issues are fully addressed. The Advisory Council By Laws have been written and they were brought in but what this Council will do is handle some of these issue about the food or services that are needed.

Larry Greene – the incident that you mentioned was handled by the Kamiah enforcement. The authorities were notified, FBI, prosecutor was notified. I didn't know the ball was dropped; I'll follow through with hat.

Joanna Marek – any time the police are called where there is a non native perpetrator the non Indian officer is supposed to arrest the non native perpetrator.

Mac Oatman – It would be my recommendation that we have quarterly meetings with our elders so that they can make their concerns know.

Brooklyn Baptiste – unfortunately have not obtained the grant monies for a couple of years for the Language Program. Hopefully the Table can come up with more for the Language Program.

Susie Weaskus – I just want you to listen with your hearts and not respond. Why can't you just walk up there and have lunch with the Elders instead of having quarterly meetings. These non Indian Tribal Police have no cultural sensitivity towards us. There was an elderly man who happened to be at a drug bust. This elderly man addressed in NP language about is they were also going to be arrested and the non Indian officer yelled at them to shut up and stop speaking NP. When I've tried to call to get information on my land leases but wasn't able to get them and didn't get a call back. The horse list from the last sale, there were horses that were in bad shape and should have been put down. These horses aren't being taken care of. I thought these horses were for the youth. I'm concerned about the money that goes to the schools and I don't know if NPTEC knows that 60 kids dropped from Lapwai School. I'm worried about the care of this new sweat house that was put up because it's not being maintained now. I urged that pamphlets be put at the NPTEC offices for the services that they offer. So we know how or if we qualify. It seems that this is pick and choose services. Tracy Lawrence Concert was the worst conference was terrible. I went in early and had to stand outside. There was no control at the concert; there was a lot of drinking. I never saw so many white drunk people on the reservation.

Erik Holt – the emphasis that we are putting into enrollment but we don't see that same emphasis on any of the other large issues such as the gaming allocation. Checks and balances are not across the board. We're not getting the information out to the people. The water under the bridge approach is how things are handled. We pay good money for the managers and directors that should be here to hear our concerns. Budget & Finance, yesterday we heard 2 million in contracts when out. Were these reviewed to see if these were beneficial to the Tribal people? The language in these contracts place barriers between our people's employment for these contracts. I think these issues aren't being addressed as far as policies and procedures to ensure that these issues are addressed. Our NPTEC needs to be more involved and actually get in there and show that we want to support our people and programs through all these inter agency agreements. These are all very important issues and they all need see the same time or attention that is given to enrollment.

Brooklyn Baptiste – I've heard some of these concerns. We are looking at getting information out as soon as things are resolved. We will be looking at the agreements with outside agencies.

Larry Greene – we are addressing issues with TERO for what's available to CIB's to get the CIB's certification for small business administration.

Tami Padilla – Officers have been abusing authority just because they have a badge, non Native officers. The individual has expressed that nothing will be done because he's protected since he is an Employee. Nothing has happened against this individual that works with Law Enforcement. No responses to my repeated complaints or issues against this individual. What's the use of our court process if the officers are above the law? It's sad to be on your own reservation and afraid to call the police for help.

Larry Greene – I'd like to receive the statement in writing so that I can follow-up on the issue.

Tess Greene – My issue was brought up several years ago and action from the floor was taken but here I am again today with the same concerns. Our people are not being adequately represented at court. The

prosecutor is there for a plea bargaining before any legal representation is given. Sometimes these plea bargains aren't even the best for our people. The public defender hasn't even won one case for our people. He's timid. We need a public defenders office. At other courts, it never happens that the prosecutor is able to talk with the person before the defender has a chance to talk to the client. I hope that Law and Order will address this issue.

Maple Stavinga – The EMS is important service to our smaller communities and it takes a lot of work for the upkeep. It's a lot of hours to become an EMT. There was talk about looking into the matter of bringing back to the Lapwai area an ambulance or Quick Response unit that first the Tribe looks to the City so there isn't a duplicate service at a large expense. Our Tribal Police in Kamiah are very good about responding and helping with emergency situation with our ambulance. The concern is not only with Tribal Police and with the City, but when I'm on call for the ambulance sometimes when we call for Tribal Police they have said over the radio that an officer must be dispatched from Lapwai. It would be better to have them call the local officer rather than having someone come clear across the reservation. The education fund isn't very much but it does help but we're still paying a very large expense. I really appreciate Rachel Edwards for all she does in the front office.

Sara Sedgwick – NPTEC took action in 2002 or 2003 regarding the Law Enforcement officers that allowed officers to take the patrol cars to travel to and from their homes. There are still officers that live a long ways out that get the gas paid for to travel to and from home. We are supposed to have 23 officers, we have 13. We have 5 in the office, 8 on patrol. Why are our officers leaving so frequently? The accountability of the employees and also about the reports from NPTEC delegations. That those reports be made public for use to see and read.

Jamie Five Crows – I have a child in ECDP at the new facility. I don't think that the fence system is adequate. There are kids all over the place, cars in and out it's very congested area. Who is the person that the health and safety is in compliance for that facility? I have addressed this issue with Policy Council, but it's was very uncomfortable with that process. It was my understanding that this is the parents place to address concerns that will be later followed up with the administrative staff. The administrative staff does retaliate against parents or council members or family members who work for the program. Who is the inspector or compliance officer and what are their qualifications?

Julia Davis – we have Emmett Carter who is a qualified inspector that works for the Tribe. We had to get those buildings because the old facility was in adequate. We will talk with the inspector for adequate ventilation. Regarding the Parent Policy Council, there are regulations that do state that it is supposed to be the parents on that council and not administration. We will look into that as HR subcommittee especially on retaliation against policy council. We'll get back to you.

Elliott Moffett – I asked for the resolution on the strategic plan but was told that is still out for managers and directors comments. Which direction are we going in? General Council has taken actions but we haven't heard any report on those. One in particular is the roll call vote which was an amendment to the constitution and to date it still hasn't been implemented. We still don't have roll call vote and we still don't know how our NPTEC is voting. Are we going to implement things that general council passes? We took a vote of no confidence, what ever became of that. The strategic plan says we're going to look into it until May 2009. Need to stop looking into and just do it.

Allen Slickpoo Jr. – As General Council Chair I received documents on enrollment that I don't want. I have 22 documents that I didn't want and have asked if I can do something about it. These documents have been hand delivered to OLC and Chairman but these documents reflect child custody case. Was there two NPTEC delegates authorized to write a letter to the court was OLC authorized to write letters to the court? Under the constitution that is abuse of authority. NPTEC members have been removed for less. This child or children are not enrolled and are not eligible for enrollment. Office of Legal council is supposed to be use that the election ordinance and law and order code is working properly. What are we going to do about it? Will we run through the same thing again this May? Beautification of the reservation. What are we as

NPTEC doing to have those removed ASAP. Does NPTEC review all the leases from BIA? Why was a NPTEC member sitting up next to Tribal Attorneys at Tribal Court? Was that NPTEC member authorized to sit with that Tribal Attorney at tribal Court? Drug and Alcohol abuse at fishing sites. We can't tell people what walk of life to walk. We can't set down laws that say we can't exercise our treaty right if we are seen drinking. It's a civil rights violation. F&W or NPTEC has to be more active in the big horn sheep harvest. That s a resource available to us what are we doing about that. We have settlement monies state that they are enhancement of our tribe's education and culture. Where is our long house? These monies are being used for salaries. We asked to Tribal Officers if they could be in attendance to assist with the procession to put our brother away. Where is my law enforcement? Where is the CHR where are the Senior Citizens Director where is the social services. The ender stayed in his home with no water. We still don't have anything that is making a difference for our people. These are the same concerns for the last three years.

Brooklyn Baptiste – I know this is a tough situation on the drug and alcohol law. There tribal members who stated they were afraid to fish or harvest because of the atmosphere. The environment for harvest has to be safe for all members exercising their Treaty Right. We have to create a safe atmosphere for all our Tribal Members. There have been tribal members who have died because they were harvesting while under the influence. We have an obligation to protect our Tribal Members.

Rebecca Miles – The short time we've been involved in big horn sheep and we are now trying to document the significance of the big horn sheep. When we go to court we have to have this. My hope that the very first dollars spent from the SRBA will be on the Longhouse. We do have people working hard to get the plans finalized. We're trying to make sure that the plan is what the people want. It's wrong what happened to your family with your needs for Law Enforcement. They need to hear what our people are saying. It's very insensitive to not offer the same services to each tribal member in need. There were two letters, separate letters. There was never NPTEC action to authorize those letters. We made it clear from the beginning that we couldn't be involved. The family did ask for NPTEC to get involved and we told them that we couldn't. Only the NPTEC can speak on enrollment, no staff or anyone else. The only thing the Tribe could say is that we had an interest in the child. There was neither application for enrollment nor a resolution for a denial of enrollment. No action was taken by Tribal Court. The second letter was written by the Chairman was written for the family. It was an affidavit that he wrote. That letter was only meant for the district court, he was not asked permission for the use of that letter in Tribal Court or any other Court. The letter that did go from the NPTEC was to only clarify the interest in the child. The family did think NPTEC was going to do an emergency enrollment. We've never made an exception for the child but we didn't. The enrollment was one issue, custody was another.

Julia Davis – There was a motion to hold more meetings and report back to general council for all the meetings held on Enrollment. We were supposed to work together with General Council to hold those meetings. The issue about the letters being sent for a custody case. We were contacted as members of NPTEC regarding that case. We did write a letter saying that we are looking at enrollment but that the child wasn't eligible for enrollment at this time. We lost the child, that child went back to California last Wednesday. We did try to help keep that child here on the reservation. Sovereignty is the most important work that we NPTEC can push forward. We use that constantly with state and federal entities. Leases to come over from BIA, what we have found are that there is a flaw in the lease process. We are looking at changing the process but we're not going to rely on the BIA but we'll do the resolutions and then give them to BIA. It's been a real process approving those leases. We are looking at the Big Horn issue and as well as the SRBA.

Allen Slickpoo – follow up on the leases. There was action at the Table that NPTEC review all the leases that come from BIA. The lease process has the language that the BIA superintendent has the right to negotiate any lease on our behalf. I only wanted to know if there delegated authority?

Joanna Marek – we do review all the leases from the BIA, if the Tribe does not own 51% we can't negotiate that lease. It's up to the land owner to negotiate that lease. We had a meeting with Superintendent and Lease staff about the need for the whole packet being given to each of the land owners. You have the right to get the full packet. I will follow up on your lease with the Mill through the BIA.

Tonia Garcia – I would like to respond to the issue of an NPTEC member being at Tribal Court. I was sitting in on the hearing representing figuratively.

Naomi Wood – We've been talking about all the different ways we want to invest money, we want to see more employment but one of the things I see is that we just purchased the Cadillac Ranch. Why not have more tribally owned business here in Lapwai. Is there a way to have our Tribal dollars go right back to our own business? It'd be in our best interest to build our own businesses. Why don't we invest in our own uses for our land rather than leasing them out all the time? Maybe that would be more beneficial to us. I think our alcohol issues should be just as much of a concern as the drugs. Its very easy for kids to get alcohol on the reservation. We have a bar down the street, express and valley foods all sale alcohol. That's why we have this stereo type about alcoholic Indians. I think we need to look at other issues with our people.

Joel Moffett – Thank you for questions and comments. There were negotiations in the past for the valley foods in the past. I'm not sure how that went but at that time the decision was made. I think we are moving in the right direction on the leases. It's usually the same farmers getting these leases. When we have competitive bids the pricing goes up dramatically. We are trying to make the most off our land. How many acres to do we lease? What are we getting for leases? How many lands could be in lease? We are looking at a land use plan for the Tribe.

Justine Miles – Are we ever going to get the students down for spaying and neutering of animals. I don't know what the agreement is with the City of Lapwai, but the new garbage contract is the son of an employee at the City. He isn't bonded and has to take the garbage to Montana.

39. Orders of the Day have been called for. Next order of business is the election of the Boards and Commission. After the next two speakers we'll recognize the orders of the day.

David Miles, Jr. – I have concerns with the fairness, the lack of employment opportunities. I have a degree and have a lot of years of experience but still I'm being screened out. Talked about his life and experiences. We have a choice daily to live. It's easy to hate, it don't take a college degree to hate, I have to work at everyday to live a good life. I know what it is to be poor; I know what is to have the door shut on my face for employment opportunity. You're discriminating against our tribal members who work hard and get their education.

Aaron Miles, Sr. – Anytime we talk about the non Indian, it's really tough. We should watch what we say because there are non Indians that support us. Our language is dying really fast. There is no time left. Everyone wants the conveniences to learn the language as home and we can't take very elder to our homes. When you look at the language, when the elders are able to teach; don't wait until their life is failing. We need to make an effort to get the language into the highest levels of our government, being able to converse and conduct our meetings in our language. We need to make it one of our goals to start infiltrating the goal

40. Accept Reports Motion\Kenneth Sherwood, Second\Vera Sonneck to accept the reports and dismiss the Subcommittee Members and move into the elections. Motion Carried.

Announcements & Five Minute Break at 3:57 pm. Called back order at 4:03 pm

41. Board and Commission Elections:

NMPH Board Position 1 a 3 year term: Leslie Randall nominates Dr. Claudia Long, accepts.

Mary Jane Souther nominates Tim Stone, accepts.

Marell Simpson, nominates Jackina Trail, accepts

Motion\Leslie Randall, Second\Elliot Moffett to cease nominations. Motion Carried.

Votes Cast 150, Dr. Claudia Long received 66, Tim Stone received 30, Jackina Trail received 52, 2 Invalid Votes

Run off between Dr. Claudia Long and Jackina Trail

Votes Cast 155, Dr. Claudia Long received 83, Jackina Trail received 68, 4 Invalid Votes

Congratulations Dr. Claudia Long

42. Plurality Vote Motion\OJ Waters, Second\Allen Slickpoo, Jr. to vote by plurality. Voice vote was too close, hand vote conducted. Votes cast 145, 86 for the motion, 59 against the motion. 2/3<sup>rd</sup> would have been 96 so the motion fails.

Discussion:

Brian Samuels – If these Boards are really valuable to our people. Some people don't know who these people are, but we're electing these people with less than half the people who were year in the last two days. If we are going to get a true consensus of our Tribe with any sort of diligence to our people we need to make a more collective effort to screen and select these people we elect to these boards. We still have a long process to go, I know it's tiring but these people are the ones who are going to work for us. I would hope that we would as a people to select as a process that people who want to fill these positions apply with their resumes before elections.

Elliot Moffett – I oppose the motion, we're supposed to be ruled by majority vote, 2/3<sup>rd</sup> votes would be required to change the vote process.

OJ Watters – over the past years we have been electing these positions by plurality so there should be no problem.

43. Board and Commission Elections:

NMPH Board Position 2 a 3 year term: Vern Ellenwood nominates Tim Stone, accepts.

Meredith Moffett nominates Shirley Sheballa, accepts.

Alice Spaulding, nominates Paulette Smith, accepts

Tina Bullock nominates Jackina Trail, accepts

Motion\Trish HeavyRunner, Second\Lee Bourgeau to cease nominations. Motion Carried.

Votes Cast 159, Tim Stone received 36, Shirley Sheballa received 35, Paulette Smith received 24, Jackina Trail received 60, 3 Invalid Votes

Run off between Tim Stone and Jackina Trail

Votes Cast 147, Tim Stone received 53, Jackina Trail received 91, 3 Invalid Votes

Congratulations Jackina Trail

Fish and Wildlife Position 1 a 3 year term: Tess Greene nominates David Cunningham, accepts

Garry Greene nominates Wilfred Scott Sr., accepts

Motion\Quincy Jackson, Second\Chloe Halfmoon to cease nominations. Motion Carried.

Votes Cast 150, Wilfred Scott received 97, David Cunningham received 51, 2 Invalid Votes

Congratulations Wilfred Scott

Fish and Wildlife Position 2 a 3 year term: Tess Greene nominates David Cunningham, accepts

Pat Geundru nominates Elmer Crow, accepts

Motion\Mary Arthur, Second\Vera Sonneck to cease nominations. Motion Carried.

Votes Cast 142, Elmer Crow received 84, David Cunningham received 57, 1 Invalid Votes

Congratulations Elmer Crow

Fish and Wildlife Alternate Position a 2 year term: Vic Holt nominates Eric Holt, accepts

Tess Greene nominates David Cunningham, respectfully declines

Motion\Virgil Holt Sr., Second\Chloe Halfmoon to cease nominations and accept by acclimation. Motion Carried.

Congratulations Eric Holt

NP Housing Authority Board of Commissioners Position 1 a 4 year term:

Tracy Whitegrass nominates Richard Arthur, accepts

Allen Slickpoo Jr. nominates Dawn Samuels, accepts

Motion\John Strombeck, Second\Allen Slickpoo Jr. to cease nominations. Motion Carried.

Votes Cast 133, Richard Arthur received 61, Dawn Samuels received 71, 1 Invalid Votes  
 Congratulations Dawn Samuels

NP Housing Authority Board of Commissioners Position 2 a 4 year term:

Paula Moody nominates Chris Nahsonhoya, accepts

Mary Johnson nominates Richard Arthur, accepts

Motion\Elliott Moffett, Second\Dave Holt to cease nominations. Motion Carried.

Votes Cast 124, Richard Arthur received 67, Chris Nahsonhoya received 53, 4 Invalid Votes

Congratulations Richard Arthur

Enterprise Board Position 1 a 3 year term: Justine Miles nominates Bill Picard, accepts

Elaine Ellenwood nominates Elliott Moffett, accepts

Kenneth Sherwood nominates Ann McCormack, accepts

Motion\John Strombeck, Second\Vera Sonneck to cease nominations. Motion Carried.

Votes Cast 117, Bill Picard received 60, Elliott Moffett received 32, Ann McCormack received 22, 3 Invalid Votes

Congratulations Bill Picard

Enterprise Board Position 2 a 3 year term: Kenneth Sherwood nominates Ann McCormack, accepts

Elaine Ellenwood nominates Elliott Moffett, accepts

Motion\John Strombeck, Second\Kenneth Sherwood to cease nominations. Motion Carried.

Votes Cast 115, Ann McCormack received 27, Elliott Moffett received 40, Leslie Randall received 47, 1 Invalid Votes

Run off between Leslie Randall and Elliott Moffett

Votes Cast 116, Leslie Randall received 64, Elliott Moffett received 46, 2 Invalid Votes

Congratulations Leslie Randall

Enterprise Board Position 3 a 3 year term: Jackie Taylor nominates Brian Samuels, accepts

Kenneth Sherwood nominates Ann McCormack, accepts

Elaine Ellenwood nominates Elliott Moffett, accepts

Motion\Bill Picard, Second\Kenneth Sherwood to cease nominations. Motion Carried.

Votes Cast 112, Brian Samuels received 47, Elliott Moffett received 38, Ann McCormack received 23, 4 Invalid Votes

Run off between Brian Samuels and Elliott Moffett

Votes Cast 108, Brian Samuels received 58, Elliott Moffett received 49, 1 Invalid Vote

Congratulations Brian Samuels

44. Adjournment Motion\Julia Davis-Wheeler, Second\John Strombeck to adjourn. Motion Carried.

Closing Prayer by Colleen Lupe

Retire the Colors, Drum: Spirit of the Renegade

Eagle Staff: Cecil Carter, U.S. Flag: Al Wheeler, Tribal Flag: Ken Sonneck

In any of the motions, the exact motion as the Chairman clarified at the time of said motion has been recorded even where the motion maker or second is not documented. Discussions are summarized in part and are not verbatim but are recorded to document the discussion and tone of the General Council to better represent the wishes of General Council. All discussion is subject to correction by the speakers named. The recording of General Council did not begin until Friday as there was no recorder available. The recording does not encompass nor fully represent the entire Meeting. The Draft Minutes are subject to change until adopted at the Spring General Council Meeting in May 2008.

Submitted:

Attest:

\_\_\_\_\_  
 Danae Wilson, Secretary      Date

\_\_\_\_\_  
 Jennifer Oatman, Chairman      Date