

10/7/2012

NEZ PERCE TRIBE GENERAL COUNCIL

MINUTES – Fall Meeting 2012
September 27, 28, and 29, 2012 – Lapwai, Idaho

Carla Timentwa, Chairman
Jennifer Oatman, Secretary

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NEZ PERCE TRIBE GENERAL COUNCIL

*MINUTES – Fall Meeting 2012
2012 – Lapwai, Idaho*

September 27, 28, and 29,

The General Council 2012 Fall Meeting was called to order on Thursday, September 27, 2012 at 8:34 a.m. by Chairman Shannon Jackson. Invocation offered by the NPTEC Chaplain McCoy T. Oatman. The Nez Perce Tribe Flag song was presented by Wap Ka Quan. Color Guard was presented by Wilfred Scott, Julian Matthews, Maurice Wilson, Erik Holt and Charles Axtell.

The Nez Perce Tribe General Council in regular session at its meeting on September 27, 28, and 29, 2012 took the following actions:

1. **Smoking policy** - Motion Julian Matthews / Second Erik Holt for the General Council membership will abide by the smoking policies of the NPT. Motion carried.
2. **House Rules** – Motion Julian Matthews / Second Vera Sonneck to approve the House Rules. Motion carried.
3. **Amend Agenda** – Motion Judy Oatman / Second Julian Matthews to amend the agenda to include discussion on the Treaty at 1:00 p.m. on Friday, September 28, 2012 and to have the NPTEC, program managers and directors present that could answer questions and requesting information from the last 10 years that are critical to our treaty rights. Motion carried.
4. **Agenda** - Motion Carla Timentwa / Second Nancy Wheeler to approve the Agenda as amended. Motion Carried.
5. **Minutes** – Motion David Holt / Second Agnes Weaskus to table the General Council Spring 2012 minutes until after lunch. Motion carried.
6. **Youth Advisory Board** – Motion Danae Wilson / Second Rebecca Miles to adopt the resolution approving the establishment of a Youth Advisory Board, and its by-laws and guidelines. Motion carried.
7. **Accept Report** – Motion Sherry Lozon / Second Gia Paul to accept the Resolutions Committee Report and excuse the panel. Motion carried.
8. **Election for General Council Chairman**
 - Carla Timentwa nominates Melvin Wheeler. Mr. Wheeler respectfully declines.
 - Mary Arthur nominates Carla Timentwa. Mrs. Timentwa accepts.

- Anna Warden nominates Mary Jane Oatman. Ms. Oatman accepts.

9. **Close General Council Chairman nominations** - Motion by Julian Matthews / Second Dallon Wheeler to cease nominations. Motion carried.

10. **Results for General Council Chairman** -

- Carla Timentwa - 67
- Mary Oatman - 51
- Total votes - 118
- Invalid – 2

Carla Timentwa is elected to serve one year term as Chairman of the Nez Perce Tribe General Council. Mrs. Timentwa's term expires in 2013.

11. **Election for General Council Secretary**

- Robert Kipp nominates Jenny Oatman. Ms. Oatman accepts.
- Mary Jane Souther nominates Mazie Daniels Wilson. Ms. Wilson respectfully declines.

Motion Judy Oatman / Second Dallon Wheeler to accept by acclamation Jenny Oatman as General Council Secretary. *Motion carried.*

Jenny Oatman is elected to serve a one year term as Secretary of the Nez Perce Tribe General Council. Ms. Oatman's term expired in 2013.

12. **Election for General Council Resolution Committee Seat 1**

- Judy Oatman nominates Diana Warden. Ms. Warden accepts.

Motion Robert Kipp / Second David Holt to accept by acclamation Diana Warden to General Council Resolutions Committee Seat1. *Motion carried.*

Diana Warden is elected to serve a one year term on the Resolutions Committee. Ms. Warden's term expires in 2013.

13. **Election for General Council Resolution Committee Seat 2**

- Mary Oatman nominates Shelley Higheagle. Ms. Higheagle accepts.
- June Stewart nominates Aqua Greene. Ms. Greene respectfully declines.

Motion Judy Oatman / Second Lucinda George to accept by acclamation Shelley Higheagle to General Council Resolutions Committee Seat 2. *Motion carried.*

Shelley Higheagle is elected to serve a one year term on the Resolutions Committee. Ms. Higheagle's term expires in 2013.

14. Election for General Council Resolution Committee Seat 3

- Robert Kipp nominates DelRae Kipp. Ms. Kipp accepts Motion Nancy Wheeler / Second Lee Bourgeau to accept by acclamation DelRae Kipp to General Council Resolutions Committee Seat 3. Motion carried.

DelRae Kipp is elected to serve a one year term on the Resolutions Committee.

Mrs. Kipp's term expires in 2013.

15. Election for General Council Resolution Committee Seat 4

- Melvin Wheeler nominates Mary Tallbull. Ms. Tallbull accepts.

Motion Judy Oatman / Second ----- to accept by acclamation Mary Tallbull to General Council Resolutions Committee Seat 4. Motion carried.

Mary Tallbull is elected to serve a one year term on the Resolutions Committee.

Ms. Tallbull's term expires in 2013.

16. Election for General Council Election Judge Seat 1

- Mary Tallbull nominates Eric Kash Kash. Mr. Kash Kash accepts.
- Dallon Wheeler nominates Shirley Allman. Ms. Allman accepts.

Motion Nancy Wheeler / Second Lee Bourgeau to cease nominations. Motion carried.

Motion Judy Oatman / Erik Holt to vote by hand count for Election Judge Seat 1. Motion carried.

Election Results for Election Judge Seat 1:

- Eric Kash Kash - 95
- Shirley Allman – 49
- Invalid – 0
- Total votes: 144

Eric Kash Kash is elected to serve a one year term as an Election Judge. Mr. Kash Kash's term expires in 2013.

17. General Council Election Judge Seat 2

- Danae Wilson nominates Melissa King. Ms. King accepts.
- DelRae Kipp nominates Molly Ellenwood. Ms. Ellenwood accepts.

Motion Danae Wilson / Second Trish HeavyRunner to cease nominations. Motion carried.

Motion Judy Oatman / Second Shannon Jackson to proceed with a hand vote.

Motion carried.

Election Results for Election Judge Seat 2:

- Melissa King – 77
- Molly Ellenwood – 44
- Invalid –
- Total votes: 117

Melissa King is elected to serve a one year term as an Election Judge. Ms. King's term expires in 2013.

18. Election for General Council Election Judge Seat 3

- DelRae Kipp nominates Molly Ellenwood. Ms. Ellenwood accepts.
- Mary Tallbull nominates Shirley Allman. Ms. Allman accepts.

Motion Danae Wilson / Second Trish HeavyRunner to cease nominations.

Motion carried.

Motion Danae Wilson / Second Judy Oatman to vote by hand count. Motion carried.

Election Results for Election Judge Seat 3:

- Molly Ellenwood - 37
- Shirley Allman – 73
- Invalid – 0
- Total votes: 100

Shirley Allman is elected to serve a one year term as an Election Judge. Ms. Allman's term expires in 2013.

19. **Agenda** - Motion Aqua Greene / Second Mazie Wilson to proceed with the agenda. Motion carried.

20. **Fuels Tax** - Motion Julian Matthews / Second Alene Powaukee to have NPTEC track the number of Nez Perce tribal members who purchase fuel at the Express stores and have NPTEC bring the total amount that is paid by tribal members to the next General Council meeting (May 2013). Motion carried.

21. **Accept Reports** - Motion Shannon Jackson / Second Mary Jane Souther to accept the Chairman and Treasurer's report and to dismiss the panel. Motion carried.

Orders of the day was called at 4:48 p.m. on Thursday, September 27, 2012. Meeting recessed at 4:52 p.m. McCoy T. Oatman, NPTEC Chaplain, offered the closing prayer.

FRIDAY, SEPTEMBER 28, 2012

Chairman Timentwa called the meeting to order at 8:38 a.m. McCoy T. Oatman, NPTEC Chaplain, opened the meeting with a prayer.

22. **Tabled Minutes** - Motion Lee Bourgeau / Second Marie Arthur to lift the minutes from the table. Motion carried.
23. **Verbatim Minutes** – Motion David Holt / Second Kari Picard to have the minutes verbatim. Motion carried.
24. **Minutes** – Motion _____ / Second _____ to approve the Spring 2012 General Council Meeting minutes. Motion carried.
25. **Amend Agenda** - Motion Danae Wilson / Second Mary Tallbull to amend the agenda to add the Land Commission and BIA reports to the agenda at 8:50 a.m. today, 9/28/2012. Motion carried.
26. **Executive Session** - Motion Danae Wilson / Second Mary Tallbull to go into executive session at 9:13 a.m. Motion carried.
27. **Executive Session** - Motion Gloria Greene / Second Joanna Arthur to come out of executive session at 10:45 a.m. Motion carried.
28. **Accept Reports** - Motion Mary Jane Souther / Second Lee Bourgeau to accept the Land Commission and BIA reports and excuse the panel. Motion carried.
29. **Auditors' Reports** - Motion Jesse Paul / Second Agnes Weaskus to hear from the auditors. Motion carried.
30. **Executive Session** - Motion Lee Bourgeau / Second Mary Arthur to go into executive session for the auditor's report at 10:54 a.m. Motion carried.
31. **Executive Session** - Motion Mary Jane Souther / Second Rebecca Miles to come out of executive session at 11:25 a.m. Motion carried.
32. **IHS** - Motion Shannon Jackson/ Second Mary Arthur to hear the report from Portland Area Indian Health Service. Motion carried.

33. **NMPH Feasibility Study** - Motion Aqua Greene / Second _____ to request the NPTEC to proceed with a study of the feasibility of NMPH just serving Nez Perce tribal members and Nez Perce descendants with the report to be presented in May 2013. Motion carried.
34. **Accept Reports** - Motion Shannon Jackson / Second Joanne Arthur to accept the HR subcommittee and its board and commission reports and excuse the panel. Motion carried.
35. **Executive Session** - Motion Erik Holt / Second Shannon Jackson to go into executive session at 2:54 p.m. for Treaty discussion with just tribal members and with Lorraine. Motion carried.
36. **Executive Session** - Motion Judy Oatman / Second OJ Watters to come out of executive session and excuse the panel after the last speaker on the list right now. Motion carried.
37. **Treaty Sessions** - Motion Judy Oatman / Second Rebecca to require that the NPTEC and work with OLC to develop four (4) strategic planning sessions regarding the treaty cases, conflict with the Law and Order Code, and a holistic discussion of the treaty of 1855 with the tribal membership before May 2013. Motion carried.
38. **Amend Agenda** - Motion Danae Wilson / Second Mary Arthur to amend the agenda to include the Board and commission elections tomorrow after lunch and all subcommittee reports before noon. Motion carried.

Lack of quorum. Meeting was Recessed at 5:57 p.m. due to lack of quorum. Closing prayer by Chaplain McCoy T. Oatman.

SATURDAY, SEPTEMBER 29, 2012

Chairman Timentwa called the meeting to order at 9:21 a.m. NPTEC Chaplain McCoy T. Oatman opened the meeting with prayer.

39. Motion Mary Tallbull / Second Ben Arthur Sr. to adopt the resolution . Motion Carried. The resolution number is: **NPGC 12F-02.**
40. **Sports Complex** - Motion Lee Bourgeau / Second Harold Williamson for the NPTEC to identify this land Allotment 235G as a sports complex. Motion carried.
The resolution number is **NPGC-12F-03**
- a. *Subsidiary Motion Jennifer Oatman / Second Julian Matthews to refer this resolution to the youth advisory board. Motion carried.*

41. **Excuse Panel** - Motion Judy Oatman / Second Timothy Wheeler to excuse the Natural Resources, Law and Order, and the Budget and Finance Subcommittees and associated Boards & Commissions panel after the last speaker on the current list. Motion carried.

BOARD AND COMMISSION ELECTIONS

42. **Hand Vote** - Motion Danae Wilson / Second Judy Oatman that all elections this afternoon be conducted by hand vote. Motion carried.

43. NPTHA Board Seat 1

- Julian Matthews nominates Richard Arthur. Mr Arthur accepts.
- Erik Holt nominates Judy Oatman. Ms. Oatman accepts.

Motion Danae Wilson / Second Alene Powaukee to cease nominations. Motion carried.

Election Results for NPTHA Board of Commissioners Seat 1:

- Richard Arthur - 66
- Judy Oatman - 35
- Total Votes - 101

Richard Arthur is elected to serve a four (4) year term on the Nez Perce Tribal Housing Authority Board of Commissioners. Mr. Arthur's term will expire in 2016.

44. Nez Perce Tribal Housing Authority Board Seat 2

- Larry Greene nominates Dawn Samuels. Ms. Samuels accepts.
- Pam Eneas nominates Judy Oatman. Mrs. Oatman accepts.

Motion Danae Wilson / Second Melvin wheeler to cease nominations. Motion carried.

Election Results for Nez Perce Tribal Housing Authority Board of Commissioners Seat 2:

- Dawn Samuels - 73
- Judy Oatman - 47
- Total votes – 120

Dawn Samuels is elected to serve a four (4) year term on the Nez Perce Tribal Housing Authority Board of Commissioners. Ms. Samuels' term will expire in 2016.

45. Fish and Wildlife Commission Seat 1

- Delrae kipp nominates Herb Jackson. Mr. Jackson accepts.
- Julian Matthews nominates Gary Dorr. Mr. Dorr accepts.

Motion Danae Wilson / Second David Miles to cease nominations. Motion carried.

Election Results for the Fish and Wildlife Commission Seat 1:

- Herb Jackson - 71
- Gary Dorr - 53
- Total votes cast - 124

Herb Jackson is elected to serve a three (3) year term on the Nez Perce Tribe Fish and Wildlife Commission. Mr. Jackson's term will expire in 2015.

46. Fish and Wildlife Commission Seat 2

- Timothy Al Wheeler nominates Wilfred Scott. Mr. Scott respectfully declines.
- Justine Miles nominates Gary Dorr. Mr. Dorr accepts
- Scherri Greene nominates Jeff Scott. Mr. Scott accepts.

Tonia Garcia / second danae cease nominations. Motion carried.

Election Results for the Fish and Wildlife Commission Seat 2"

- Gary Dorr - 70
- Jeff Scott - 48
- Total votes cast - 118

Gary Dorr is elected to serve a three (3) year term on the Nez Perce Tribe Fish and Wildlife Commission. Mr. Dorr's term will expire in 2015.

47. Fish and Wildlife Commission Alternate position (one year term).

- Bonnie Ewing nominates Larry Greene. Mr. Greene accepts
- Scherrie Greene nominates Jeff Scott. Mr. Scott accepts

Danae / gia paul to cease nomination. Motion carried.

Election Results for the Fish and Wildlife Commission Alternate Position:

- Larry Greene - 76
- Jeff Scott - 52
- Total votes cast - 128

Larry Greene is elected to serve a one (1) year term as the Alternate on the Nez Perce Tribe Fish and Wildlife Commission. Mr. Greene's term will expire in 2013.

48. Nez Perce Tribe Enterprise Board Seat 1

- Bernce Moffett nominates Scherri Greene. Ms Greene accepts.
- Pat Arthur nominates Judy Oatman. Mrs. Oatman accepts.

Motion Danae Wilson / Second Melvin Wheeler to cease nominations. Motion carried.

Election Results for the Nez Perce Tribe Enterprise Board Seat 1:

- Scherri Greene - 68
- Judy Oatman - 51
- Total votes cast - 119

Scherri Greene is elected to serve a three (3) year term on the Nez Perce Tribe Enterprise Board. Ms. Greene’s term will expire in 2015.

49. Nez Perce Tribe Enterprise Board Seat 2

- Harold Williamson nominates Larry Greene. Mr. Greene accepts.
- Sara Moffett nominates Julian Matthews. Mr. Matthews accepts.

Motion Danae Wilson / Second Ann McCormack to cease nominations. Motion carried.

Election Results for Nez Perce Tribe Enterprise Board Seat 2:

- Larry Greene - 46
- Julian Matthews - 72
- Total votes cast - 118

Julian Matthews is elected to serve a three (3) year term on the Nez Perce Tribe Enterprise Board. Mr. Matthews’ term will expire in 2015.

The 2012 General Council Fall Meeting was adjourned at 7:00 p.m. on Saturday, September 29, 2012 by Chairman Carla Timentwa. Benediction offered by Mary Jane Souther. The Colors were retired and the Color Guard was Julian Matthews, James Lawyer, and Erik Holt. The Nez Perce Tribe Flag song was presented by Wap Ka Quan.

Jennifer D. Oatman, General Council Secretary

Date: _____

Carla Timentwa, General Council Chairman

Date: _____