

**Nez Perce Tribe
Fall General Council
September 24, 25, 26, 2009
Kamiah Idaho**

Meeting called to order at 9:00 am, by Chairman Jennifer Oatman. Invocation by NPTEC Chaplin Julia Davis-Wheeler. Flag song by Lightening Creek. Flags brought in by Samuel Penney, Delbert Ellenwood, and Walt Broncheau.

1. House Rules – Motion Made by Marilyn Bowen to approve the House Rules; Seconded by Lee Borgeau; Motion Carried

2. Agenda – Motion Made by Julia Davis-Wheeler to approve the Agenda, Seconded by Bernice Moffett; Motion Carried

Subsidiary Motion Made by Scherri Greene to amend the agenda on Friday at 2:00 pm to include the 2010 Census, Seconded by Kay Kidder; Motion Carried

3. Minutes – Motion Made by Kay Kidder to approve the minutes from May 2009; Seconded by Julia Davis-Wheeler; Motion Carried.

Discussion:

Kay Kidder - Good to see the full report with discussion. I'm not sure if the General Council itself has guidelines to standardize how we report to the General Council from here on out. If we keep this format, can we have the motions from the floor highlighted within the document?

4. Resolutions Committee Report - Mary TallBull & Betty Kinzer gave report and went over the list of concerns provided to NPTEC in June with responses. Copies are being made and will be available on the tables.

Discussion:

Mary Jane Souther - I didn't get the full report until just now. I would like to speak to the children comments. I've worked with children for many years with Indian Child Welfare. At that time we had no Law and Order Code. We did work closely with Social Services. When we did pick up a child we wrote up a plan on how to reunify the family. There has been separation with our children placed at the Children's Home because they are being told to have no communication with their families. We need to have an investigation on the Children's Home. What is the protocol? If we don't start stabilizing our families we are abusing them. I do hope that through the Resolution Committee there is an investigation on why it isn't working the way it should be.

Bernice Moffett - I have been concerned about the same situation that was brought up regarding the Children's Home. The whole intent of ICWA is to put families back together. There are a lot of steps to ICWA you can't make flat decisions.

Kay Kidder - I don't know if the Resolution process is working. I've just heard the report with items of merit. Are there solutions generated? What is it that we can do create solutions? As a

governmental entity we were required to have our reports printed and ready for the General Council.

Mary Tall Bull – Resolutions does have By-Laws. After the meetings we do have work sessions to review the items presented to Resolutions. We vote and by majority vote decide how things will proceed. We do attempt to address every concern. We don't ignore people. If we can make contact we do. In regards to the report, for printing, we haven't been able to work on this sort of things. We are missing some of our stuff like badges, and other things. We just got our responses from NPTEC last night and Betty got her response Wednesday.

Susie Weaskus - I'd like to see the Resolutions Committee take this one step further and develop resolutions to the NPTEC. I agree with Mary Jane Souther, I worked for 15 years with service programs. First thing that should be done is to find a family member to take the children. ICWA is for non-Indians we are a sovereign nation.

Pat Pablo - I lost children through adoption. This is not a Resolutions problem but it is a Social Program. I do have contact with the children and have a relationship with them now but this is a little late coming up.

Motion Made by Mary Jane Souther to accept the Resolution Committee report; Seconded by Dallon Wheeler; Motion Carried

5. General Council Officer Elections

6. The floor is now open for nominations for Chairman

Bernice Moffett nominates Maple Stuvienga, Declines

Sylvia Mitchell nominates Jennifer Oatman, Accepts but then Withdraws

Mary TallBull nominates Carla Timentwa, Accepts

Mary Jane Souther, nominates Allen Slickpoo Jr, Not Presnet.

Motion Made by Jennifer Oatman to accept Carla Timentwa by Acclimation; Seconded by Bernice Moffett; Motion Carried

7. The floor is now open for Secretary

Bernice Moffett nominates Maple Stuiivenga - Accepts

Kay Kidder nominates Danae Wilson - Accepts

Motion Made by Julia Davis-Wheeler nomination cease; Seconded by Robert Kipp; Motion Carried

Discussion: Included voting is done by show of hands for this position rather than secret ballot. Other comments included that vote by show of hands prevents some from voting due to emotions.

First vote taken by show of hands resulted in an invalid vote due to tellers double counting sections. Another vote was called for by Chairman Timentwa.

Results - Maple Stuivenga 52; Danae Wilson 36

8. Floor is open for 1st position of Resolutions committee

Jenny Oatman nominated Paula Moody – Accepts

Robert Kipp nominates Mary Tall Bull – Accepts

Motion Made to cease nominations by Bill Picard; seconded by Julia Wheeler; Motion Carried.

Results - Paula Moody 61; Mary Tall Bull 37; Invalids 2; 100 votes cast

9. Floor is open for 2nd position of Resolutions Committee

Jenny Oatman nominates Stacey Cash Cash – Accepts

Sandy Davis-Warden nominates Mary Tall Bull – Accepts

Motion Made by OJ Watters that remaining resolution positions vote by show of hands and election judges by secret ballot; Seconded by Constance Watters; Motion Failed.

Constance Watters made motion to cease nominations; Seconded by Robert Kipp; Motion Carried.

Results – Stacey Cash Cash 73; Mary Tall Bull 36; Invalids 2 – 111 votes cast

10. Floor is open for the 3rd position of Resolutions Committee

Danae Wilson nominate Jamie Five Crows - Accepts

Bruce Lawrence nominates Leslie Randall - Accepts

Motion Made by Danae Wilson that nominations cease; seconded by Bill Picard; Motion Carried

Concern that elders don't know who some of the elders don't know the younger people nominated. Those nominated for 3rd position introduce themselves.

Results – Jamie Five Crows 59; Leslie Randall 52; Invalids 2 – 113 votes cast

11. Floor is open for the 4th position of the Resolutions Committee

Jennie Oatman nominates Marci Bailey – accepts

Bruce Lawrence Nominates Leslie Randall – declines

Robert Kipp nominates Betty Kinzer – accepts

Motion Made by Robert Kipp that nominations cease; Seconded by Julia Davis-Wheeler; Motion Carried

Results - Marci Bailey 76; Betty Kinzer 39; Invalids 7 – 122 votes cast

Mary Jane Souther acknowledges Wilfred Scott as NPTEC member

Tonia Garcia gave update on her son who was shot; he's coming home on Saturday. She thanks everyone for their prayers and support.

12. Motion Made by Sara Sedgwick to recess for lunch and return to agenda at 1:00 pm;
Seconded by Della Wheeler; Motion Carried.

Recessed for lunch at 12:00 pm

Reconvene – called back to order at 1:16 pm

13. Floor open for nominations for Election Judge Seat 1

Jenny Oatman nominates Melissa King.

With no further nominations Motion Made by Danae Wilson that nominations cease and accept Melissa King by acclamation; Seconded by Jenny Oatman; Motion Carried.

14. Floor open for nominations for Election Judge Seat 2

Jenny Oatman nominates Feather Broncheau – Accepts

Autumn Lawyer nominates Del Rae Kipp – Accepts

Motion Made by Danae Wilson nominations cease; Seconded by Lee Borgeau; Motion Carried.

Results – Feather Broncheau 52; Del Rae Kipp 47; Invalids 2 – Total votes cast 100

15. Floor is open for nominations to Election Judge Seat 3

Feather Broncheau nominates Del Rae Kipp – accepts

Sylvia Mitchell nominates Mazie Daniels – accepts

Motion Made by Danae Wilson that nominations cease; Seconded by Bernice Moffett; Motion Carried.

Results – Del Rae Kipp 64; Mazie Daniels 56; Invalids 3 – Total votes cast 123.

16. Cultural Arts - Dave Penney and Lee Borgeau gave a presentation on the use of tulle-mats. A tulle mat was presented to NPTEC members on behalf of the Lapwai school district. Chairman Penney thanked the school district and the students on preserving their cultural crafts.

17. NPTEC Reports

18. Chairman's Report - Chairman Samuel N. Penney directed the General Council to his reported provided to the General Council and read the report. (see Chairman's report)

The Chairman further reported on other committee meetings regarding education; discussed various needs of the colleges and universities in serving our students. They help to work toward

meeting the needs of the students. Also working toward retaining current and future Native American staff at the universities and college.

October 20-29 will attend a meeting in Minneapolis on law and order issues on the reservations. They will address issues in Tribal communities in all aspects of law and civil rights issues.

19. Treasurer's Report - Joel Moffett, Treasurer. A portion of the report will be turned over to the representative from Moss Adams Accounting Firm to report on the enterprises budget. (see Treasurer's report)

Motion made by Mary Jane Souther to go into executive session for report from Moss Adams Accounting; Seconded by Marilyn Bowen; Motion Carried.

Discussion:

Kathy Taylor – ask that Thomas Rickman and Fred Clark to remain in the meeting since they are from Enterprise Budget and Finance Office.

Joel Moffett will finish his treasurer's report before going into executive session.

In Executive Session at 2:25

20. Mr. Jeff Oka. Moss, Senior Manager, Spokane Office of Adams Accounting Firm

Motion Made by Lee Borgeau to come out of executive session; Seconded by OJ Watters; Vote - 57 Yes; 25 No; Motion Carried.

Out of Executive Session at 4:35

Motion by OJ Watters to accept NPTEC Reports; Second by Lee Borgeau; Motion Carried

Motion made by MJ Souther to recess for the day and continue with State and Federal Agencies in the morning; Second Tony Johnson; Motion Carried

Discussion:

Rebecca Miles – against the motion. The federal officials are hard to schedule and we need to hear their reports.

Bernice Moffett – against the motion. Stated that General Council used to run until all business is concluded.

Meeting recessed at 4:40 pm

Nez Perce Tribe
Fall General Council
Friday, September 25, 2009

Quorum Present – Meeting called to order at 8:42 am by Chairman Carla Timentwa. Opening prayer presented by Constance Watters.

21. State and Federal Agencies Reports

Nez Perce National Historic Trail Administrator – Sandi McFarland (see report)

Vacant Public Affairs position was filled by Roger Peterson who has 21 years experience with FS. His office will be located in Missoula MT and Sandi's position will also be located in Missoula in the future.

Several Challenge Cost Share projects have been completed. The Nez Perce Trail Foundation, Annual Meeting will be held October 9th 2009.

Nez Perce National Historic Park, Spalding – Scott Eckberg (see report)

Report included park purpose and historical facts to formation of the park; Goals and objectives now and for the future; Activities and accomplishments both locally at Spalding Park and other visitor centers and culturally sensitive sites; upcoming personnel changes; Fiscal management of the National Park Service budget for FY 2009; Upcoming meetings and events for the 2009 calendar year; and provided contact information including phone numbers and email addresses.

Forest Service Tribal Liaison - Christine Bradbury

- Forests covered by the Liaison are the Clearwater, Nez Perce, and Payette National Forest.
- Introduced Sara Crump, Tribal Liaison on the Wallowa Whitman; Sara is new on to the job and looks forward to working with the Nez Perce Tribe. Also introduced Monte Jujishin, Pomeroy Ranger District.
- Completed the Musselshell Fence project; work was completed in cooperation with the Nez Perce Tribe
- Watershed Restoration on the South Fork Clearwater; funds provided by the Tribe. Funding and employees were provided by the Tribe.
- Payette National Forest analysis to protect the Big Horn Sheep; draft analysis has been sent out and received 14,000 comments. Comments range from protection of the wild sheep and protection of the domestic sheep. Final analysis planned to completed by the fall.
- Natural Resources Inter-Tribal Youth Camp – 5 National Forests and 5 Tribes are involved in this camp. The week long camp is designed to introduce youth to careers in Natural Resources.
- Personnel – Tom Reilly, Forest Supervisor for the Clearwater and Nez Perce National Forests has retired. Rick Brazel, Forest Supervisor from the Colville National Forest was selected to

fill behind Reilly. Rick will begin on October 15. He plans to travel to Lapwai to meet NPTEC as one of his first orders of business.

- Regional Forester Tom Tidwell was appointed as Chief of the Forest Service. A new Regional Forester has been named.

Lochsa Land Exchange – Comment forms were handed out and comments can be turned in to the Tribe's cultural department. Proposed Lochsa land exchange is proposed to exchange lands in the Idaho Panhandle, Clearwater and Nez Perce National Forests for the private ownership in the checkerboard area in the upper Lochsa region. In 2005, Western Pacific Timber purchased the private land in the checkerboard. This area and the land exchange are important because of treaty rights, watershed, fisheries, wildlife and other resource management. Management concerns include but are not limited to fire protection in the due to private ownership. Fire can be used for natural resource benefits, but due to private ownership it cannot be allowed to burn. Why it is important to acquire the lands; possible building of homes or other development on private; management challenges in restoration and ridge top to ridge top restoration. Western Pacific contacted the Forest Service to exchange lands. Feasibility analysis was done to determine if there were enough lands available to trade. Proposed lands to trade are within the Idaho Panhandle; Clearwater lands proposed are on the Palouse Ranger District; and the Nez Perce National Forest block of land around Elk City. Timeline – Draft NEPA March 2010; Issue Decision September 2010; Cultural resource analysis is on-going. Need to hear from individuals and Tribe to complete the analysis.

Bureau of Indian Affairs - Greg Lafranz

- Taking a pro-active change in the operation of the BIA
- Some duties for probate of wills are being moved to the Portland Office
- Recent policy change has affected lease payments. Letters were sent to farmers and granaries regarding payment process.
- Reviewed the duties and responsibilities of the Director, Deputy Director, and Regional Directors of the BIA.

Natural Resource Conservation Service - Roger Peterson

- Came to introduce himself and covered possible services available to land owners
- The NRCS does not have a land base they manage but rather do natural resource work on private lands within Idaho.
- They do watershed restoration work for water quality, wildlife habitat, and other resource benefits.
- Have offices in Orofino, Lewiston, Grangeville, and Nez Perce, Idaho.
- NRCS works with departments within the Nez Perce Tribe and other Federal Governments.

Motion Made by Danae Wilson to accept and excuse the panel; Seconded by Ann McCormack; Motion Carried

Discussion:

Eric Holt – Against the motion - there are important issues that need to be addressed by the General Council with this panel.

22. Public/Private Sector Reports

Rebecca Miles, Executive Director

- First day on the job was August 17
- September 14, Deputy Director Wendy Thomas started phasing out the admin director position and replacing it with the Deputy
- SRBA funds dedicated to the Long House; cedar poles have been purchased and been delivered. Solicitation is out to accept bids for the design and building of the long house. This has been a long awaited event that Horace Axtell has wanted to see to completion
- Appaloosa Express has grown and will be fully staffed and in the future have a Director and Planner for Appaloosa Transit. Have a \$500,000 grant from government and allocation from Tribe. Have approximately a 1 million dollar budget.
- Emergency Preparedness – emergency and response plan in place with some trained people. H1N1 is top concern at the time. The organization needs an assessment of sick leave to have a baseline for comparison. A component of the plan is not to come to work sick. Have staff engage with local health agencies to know when there is a risk. Plan to address no retaliation for staying home sick.
- Finance – Software change to Springbrook Finance Software package that will include finance, payroll, HR, records keeping, etc. Key personnel are involved with the Springbrook Company to obtain information needed to startup. Springbrook representative will come in October to give a presentation on the suite of programs provided within the package.
- Finance manager interviews were held with 9 applicants; down to the top 2 applicants. Hopefully can make an announcement this week on the selection. Kathy Taylor has been interim Finance Director.
- Economic Development Planner is Ann McCormack. See pages 31 through 33 of the General Council reports. Has been serving as the transportation planner. Was involved with the Economic Summit and will have CD's available from the Enterprise. Working with research and development of the enterprises for future projects; working with Tony Johnson and Lily Kauffman.
- At economic summit there were a lot of presentations on the 1855 Treaty and how we do business within the treaty. CDFI Plans initiatives help to native communities with economic development
- Transportation planning – inventory roads update completed. Inventory needed to be completed to obtain dollars to maintain roads. An Indian Reservation Roads 20 year plan was completed in July by Della Wheeler.
- Transportation Planner interviews will be started. Have 4 or 5 Nez Perce applicants.
- Education – Education Manager Position approved and will be advertised. They will handle all education issues for the Tribe.
- Information Systems – Provide broadband service to the entire reservation. Contract approved in July but was rescinded and now contracted with FirstStep to provide internet service. Danae Wilson has been the lead on all aspects of information systems.
- Radio Station – Budget has been reduced. Frequency has been purchased and this is the last year that we can use the freq. Infrastructure of the station needs to be put in place first and will start with a grant writer. This is a future project. Needed matching funds to keep frequency.

- Software for NPTEC – meeting management software for conducting meeting with real time voting. Credit goes to Danae, Joel, and Joanna Merck. Access to NPTEC meeting can be provided live to Tribal members.
- Strategic Plan – NPTEC adopted a plan on March 2009; provided drafts to General Council in past. Keep the focus in the management and NPTEC to “not leave the people behind” as stated by James Lawyer. Julia Wheeler pushed to keep it on the agenda within the NPTEC meetings to discuss.
- Weekly managers meetings are being established. There is a gap and miscommunication between the managers and NPTEC. Meetings are crucial to measure and benchmark projects and to be accountable for tasks and projects. This is an opportunity to let NPTEC know what’s going on in your departments and bring to their attention key issues. Bring work of the Tribe back to being service oriented. Make accountability to NPTEC and the General Council more measurable and reportable.
- Census 2010 – stop by booth outside. Funding that States and Tribes receive are often directly tied to the Census.

Mary Beth Frank, Enterprise Executive Officer

- Enterprise report was prepared in newspaper style as it was last year
- Have served 19 months as interim Executive Officer; permanent EO should be announced soon. As Interim there have been challenges and changes to accomplish – as title of first article in paper “If there is No Stuggle, There is No Progress!”
- Human Resources – hired a Human Resource Manager, Debbie Henry. Will be working on retention and streamlining the gaming licenses. Hiring practices are being revised through the HR Manual and is being reviewed. Benefits specialist was re-advertised and will be hired.
- In-house training is being offered to increase staff performance in all aspects to succeed.
- Reviewed the number of total employees enrolled Tribal members, other Tribes, and non-Indian; total number of employees has went down from last years report. This also increased the number of employees who are Nez Perce Tribal enrolled and other native employees.
- Fiscal Condition – hired controller Frank Clark from the Colville. Working with Moss Adams Firm, spent \$170,000 to date on their assistant. Findings from their report are being resolved and moving forward to decrease number of findings with each audit.
- Local economy and recession has affected the casinos and made the decision to have zero growth in the organization; did not approve COLA’s; assured that performance appraisals were being completed and documented for any merit increases.
- Camas Express is the new enterprise added and has been a success.
- Gave an overall view of the costs for the casinos – surveillance and MIS are the major costs of the casino.
- CCR Patrons comparison from FY 08 and 09 helps to direct the type of marketing strategy they put in place. Local economy does have an impact to the drop in patrons.
- IYY Patrons drop has been affected by close of businesses and other local economy issues.
- Promotions Funds – FY 09 \$56,200 with 18 organizations participating. If you are interested in accessing promotion funds contact their office.
- Accountability – Hold weekly manager meetings and work closely with the budget and finance office. Departments report monthly and are provided to NPTEC. Have a Strategic

Plan in place and follow it. We have also established a 2 year business plan that works in conjunction with the Strategic Plan.

- Accomplishments – for 2010, be creative but stay within the Strategic Plan and move forward with future developments. Tony Johnson – draft reports of economic summit are available. Looking at potential sites for the IYY casino (in idea stage); address it from a future project; Aht'Wy Plaza development to expand opportunities; Camas Express A&E planning for the site; Tribal Unit 45 in Orofino to clean up old mill site to put in business (in brainstorming phase); wholesale distribution and competitive advantages to create economic viability for the Tribe.

Discussion

Kay Kidder – Believe in vision for future. Why did it take 4 years to build a 2 year strategic plan? Don't leave the people behind. Need to have a more service oriented organization for all businesses and organizations within the Tribe and businesses. There are concerns about service in casino and restaurant. Good to hear that there will be telecommunications for the Tribes meetings to Tribal people. Status of Enterprise Officer?

Rebecca Miles – The EO applicants will be interviewed and selection will be announced soon. The Strategic plan is not viewed or does not mention that the plan is only 2 years. When being discussed in NPTEC it was viewed as where we will be in 10 to 100 years from now; not viewed at 2 years.

Mary Jane Souther – TERO was not involved with the Strategic plan. Hopefully they will be involved with future projects. Concern in TERO with the building of the casino. Have national issues and hopefully will not be an issue on the reservation.

Rebecca Miles – Managers meetings need to look at the plan and the overall goals that NPTEC want to accomplish. TERO is needed in the plan and managers and departments will need to see how they can use TERO to meet their needs.

Solo Greene – Applaud the work that has been done with the Tribe and Casino. Listening to the report is that we are headed in the right direction. Rough idea when we will use the software? Good to hear that telecommunications will be available; will subcommittee agendas be posted on the website? Radio station can be an educational tool. Should utilize technology and possibly use SRBA funding. Emergency Management; NMPH need to be a big part of the planning. Schools also have their emergency plans; need to make sure we are on the same page with all organizations involved in emergency planning. Strategic Plan; encourage tribe start planning for the next steps.

Mary Beth Frank – Software system should be on-line within 3 months. It will work with the accounting system.

Rebecca Miles – Goal to improve public relations; access and availability to Tribe; improve internal communication. Internally communications need to improve, Springbook software will be helpful. Whole communications is a key. Utilizing local EMS agencies and Nimiipuu Health in emergency management

Sara Sedgwick – Weekly manager meetings are a good idea. Senior citizens bus maintenance and upkeep is a concern regarding reports from seniors about air conditioning and condition of bus; other or new transportation for seniors is needed. Employees are going to NPTEC with employee issues and hope that you will hold to HR grievance process.

Rebecca Miles – Gaming allocation increase were due to benefits and COLA. Budgets are approved through NPTEC and given to Departments by October 1; hoping to stick to budgets and not go back to NPTEC for other funding. When funding has ran out need to look at how the funds are used and need. Uncontrollable budget issues such as burial assistance or emergency assistance. Apologize for bus issue and will look into it.

Marissa Rickman – Employment within the tribe has prospered due to Tribe's growth in enterprises; which also prospers individuals within the Tribe. Able to obtain credit and purchase needed items such as transportation. Glad to see the water at the fountain. Would like to see the casino employees dressed more professionally. A little improvements would help to make the business more professional.

RC Oatman – Motion that \$1,500 per year match in their 401K be reduced to \$250; Seconded by OJ Water. Motion declared out of order due to non-clarification.

Discussion:

Kathy Taylor – asked to repeat the motion.

Gloria Greene – What is the marketing budget? Appearance of the grounds of other Tribes Casino's are kept up. The fence at CRC needs repaired. Appearance of the Casino reflects on the Tribe. Tribal members who are on-call employees have been there for a long time; when will they be moved to permanent positions? This reflects on the Tribe as well. Surveillance cameras are out of order and need to be checked and maintained.

Mary Beth – Promotions budget has increased for FY 2010; don't have total amount. Dress code is being revamped for specific dress and standard clothing. 53 or 54 people in maintenance and at times pull the events people to do repairs. They cover the plaza, casinos, and Camas express. Some employees have requested to be on-call. Surveillance cameras do get checked for routine maintenance to stay within compliance.

Recess for lunch at 12:00 pm and return at 1:00 pm with current panel.

Meeting called back to order at 1:05 pm

Private Sector and Enterprises (con't)

Discussion Continued

OJ Watters – 4000 Nez Perce enrolled and not all have income or retirement; when will you start distributing from various enterprises annually to enrolled Nez Perce. Not just for one fiscal year but all years. In various departments of the tribe employees receive matching funds to 401K

even non-Indians. Reimburse people for loss of this or that, water rights. When will we start giving to enrolled tribal members? Refers to RC Oatman's previous motion

Rebecca Miles – within the organization there is a match of \$1,500 for all employees in their 401k annually. In the strategic plan goal is to make per capita payments to tribal members and is up to the NPTEC and Treasurer. Plan B in the Strategic Plan. Congress wrote into the SRBA that per capita payments cannot be made out of those funds or any interest earned under those funds. It is approved as a goal to make per capita payments to Tribal members.

Kay Kidder – Is there a reason why other sectors of the Tribe not covered in ED report?

Rebecca – Did not have HR statistics; natural resources are not in the strategic plan. Natural resource and fisheries report would come from the Natural Resources Subcommittee.

Motion made by Kathy Taylor to accept the ED and EO reports; Seconded by Lee Borgeau; Motion Carried.

23. Budget and Finance Subcommittee Chair and Enterprise Board Chair

Enterprise Board Chairman, Bryan Samuels

- Committee members include Cecil Jose, Paul Sherwood, Bill Picard, Leslie Randall, Joel Moffett, Joanna Marek. Next meeting will be held at the Camas Express.
- Overpass at Ah'tway plaza; working with the Highway Department.
- Economic Summit held September 10-11; brought forward economic issues they will be addressing.
- Philosophy is to work toward using the strategic plan and finding out where we need to address issues.
- Meetings held 1st and 3rd Thursday of the month.
- See update in Enterprises General Council News; Volume 1, Issue 2

Chairman to Budget and Finance Committee, Joel Moffett

- Report on page 21-23 of the General Council Report.
- See pages 8 through 11 of General Council reports for investment reports.

Discussion:

Vera Sonneck – Item 14 and 16; how much time do we have for those items. People will be able to see requests on line; will programs be able to get their requests back the same day.

Joel Moffett – purchase of Wallowa Lake Lodge decision is pushed back until Feb 2010. Turn around time on resolutions and minutes are not known at this time; but going paperless should reduce the time for program managers to receive decisions on requests.

OJ Watters – Is there anything in the plans to utilize the source of wind or solar to generate electricity?

Bryan Samuels – The Enterprise Board is always looking for people for new ideas. There is always a possibility; need to find opportunities to look at harnessing energy. Tony Johnson – alternative to energy is a part of the economic strategy plan.

Bernice Moffett: - Goal 5 of Strategic Goals – have you looked at other tribes who do loans rather than through local banking.

Joel Moffett – There are other tribes who have capital who are willing to loan to other tribes; we know they are there and hope that they will step up and give a proposal for loan.

Motion Made by Tess Greene to require the Nez Perce Tribal Gaming Enterprise to provide a break down of FY 09 and 10 by the next General Council; Seconded Paul Sherwood; Motion Carried.

Leslie Randall – Tony is looking at the possibility of obtaining loan from other tribes.

Mary TallBull – Expenditures of the Tribe; is bid processes being completed? Assure that contractors are bonded and guarantee their work. Less than 10 years ago the Wa-a'yas has been remodeled and there is damage due to leaking roof which damaged the new gym floor. The contractor has not been called to fix their guaranteed work and the Nez Perce Tribe has footed the bill by fixing it. Rain gutters installed need repaired and fixed correctly. Advertising positions within the Tribe?

Motion Made by Mary Tall Bull; General Council Resolution for Fall General Council Meeting. 1. The Nez Perce Tribe will create and/or develop an allocation plan for disbursement of Gaming Funds. And will include 2 per capita payments of \$1,500. 2. That such plan will be completed within 30 days of the Fall General Council. 3. That such plan will be submitted for approval of the National Indian Gaming Commission on completion of the allocation plan. 4. The plan will include disbursement of per capita payment to enrolled tribal members. 5. The first payment shall be disbursed in form of per capita payment by Friday, December 18, 2009 in the amount of \$1500. 6. A plan for the second payment to be made in the spring of 2010 on or about June 18, 2009 (2010?) and such payment will be in the amount of \$1500. Be it further resolved that the Nez Perce Tribe shall create/develop a plan for future per capita payments with a development plan to be available to Tribal members at the May 2010 Spring General Council meeting. Seconded by Elaine Ellenwood. (After discussion and failed subsidiary motion the Motion Carried)

Discussion:

Robert Kipp – how will this affect other programs that dollars are allocated.

Mary Jane Souther – Do we have the money for a per capita? We are being told we are in the red and what will it do to our other programs. We are behind in progressing in searching for grants for programs. Not for or against. Can we afford a per capita?

Joel Moffett - \$3,000 per tribal member would be approximately \$10 million. We do have \$16 million to have a per capita payment but does deplete 2/3 of what is in the account. It will affect tribal programs. There would be some sacrifices.

Patricia Pablo – In favor. Put it in a plan for at least 2 years and see how it goes. Other tribes get per capita's and it's frustrating that we don't get anything. For a limited time we do need some.

Jennifer Oatman – Echo what Mr. Kipp and Ms. Souther; want it to be done responsible and approach it knowing what our risks are. Don't over promise.

OJ Watters – See how it goes then decide; and before the allocation of the NPTEC Budget.

Allen Pinkham – Opposed – for seniors who need it that's ok but not for any working adults.

Elaine Ellenwood – In Favor. The casinos are there to help the people.

Vera Sonneck – Could we look at the 638 funds again. Are those funds being used in the right places? If we had more of those funds then I would not be looking at allocation

Subsidiary Motion Made by Danae Wilson – Refer the resolution for per capita to the May General Council with options provided to General Council with impacts of the full per capita on our enterprises; and that the full \$10.2 million be put in an interest bearing account for the future per capita payments. (After discussion the motion was defeated.)

Discussion on Subsidiary Motion:

Mary Jane Souther – opposed to the subsidiary motion because the treasurer already said it would deplete the account.

Elliot Moffett – Does not want to see per capita payments seen as handouts.

Joel – Bid process; if it is a sole source contract it has to come to the table to see if there were any other viable bids.

Elaine Ellenwood – Against the subsidiary motion because the treasurer already said the funds are there.

Paul Sherwood – In favor – Leave our balances until we know the impacts.

OJ Watters – Against – Various programs have been pulling funds rather than finding grants to fund their programs. Funds used for budgets do not go to the full members

June Stewart – Against – For years we have talked about having a per capita and it is always pushed to the back burner. A lot of people don't have jobs and we should receive from the casinos. Programs should find their funding.

Mary Tall Bull – Against - the main motion says that a payment will be paid in December and then looked at in the May General Council

Dane Wilson – Treasurers report is drawing funds from the gaming allocation; if we are looking at taking those funds see how they affect the programs; and let's build a sustainable fund.

Motion Made by Elliot Moffett to vote by secret ballot. Chairman Timentwa called motion out of order.

Challenge to the Chairman's call for vote by hand was made by the Elliot Moffett. Confer with Robert Kipp and Rebecca Miles. It is at the discretion of the Chairman however it is for small meeting to vote by show of hands, the Chair has decided to recognize the motion.

Motion to vote by secret ballot by Elliot Moffett; seconded by Owen Slickpoo. Motion Carried.

Clarification of vote on subsidiary motion - Yes is for the Subsidiary and No is against the Subsidiary.

Results of the vote on the Subsidiary Motion – Yes 75; No 85; Invalids 1; subsidiary motion defeated.

Continue with Discussion of the Main Motion submitted by Mary Tall Bull.

Bryan Samuels – Against – Appreciate receipt of per capita; would rather see things done for the elders. Need time to develop a plan for that type of distribution. Taking 10 million out of assets can hurt further development for our tribe. We are always compared to other tribes but we have what we have. There aren't tribal members here to vote. If it went through resolutions then they could have meetings to obtain input. Consider endowment for future funding of a per capita. If we take it out then we can shelve the other plans for development.

James R. Spencer – Against – For the spirit of it but the moneys are not there if we hand out that much funds all at once. We are sitting at a cross road again; the payment for Celilo was distributed and now today we don't have the benefits from it. If we do receive the \$1,500 how long will that last? There's an old saying 'give a man a fish and feed him for a day; teach a man to fish and he eats for a life time'

Helen Strombeck – What people decide to do with their money is their decision.

Marissa Rickman – In Favor – Lillian Cloud Smith passed away before she could receive a per capita from enterprises. We have been waiting for many years for one and the money is ours; it's about time we get it and deserve it.

Question called for by Danae Wilson

Mary Tall Bull – Motion Maker – The resolution committee has met with people regarding a per capita. There are always excuses on why we can't. Senior Citizens deserve more than what we

are giving them now. The people who speak against the motion are always the high paid employees. We need to think about those people who cannot get jobs through the Tribe and it's time they receive what's theirs from the Nez Perce Tribal Enterprises.

Chairman re-read motion and called for a vote by secret ballot. Clarification – Vote of Yes is for the motion; No is for against.

Result of the vote for the Main Motion for Per Capita – Yes 95; No 66

Motion Made by Danae Wilson to accept Budget and Finance Subcommittee Chair and Enterprise Board Chair reports; Seconded by Tony Johnson; Motion Carried

24. **Land Commission Chair** – Joanna Marek (see report)

Request that the reporter who is present to keep the report of the plan for land acquisition out of the paper. The funds for acquiring and future lands were to come from gaming allocation funds. (The General Council Chairman talked with the reporter who indicated that he could not confirm that this or any information would not appear in the paper.)

Discussion:

Vera Sonneck – purchase of fee to trust lands and hold public meetings with individual landowners. What's the timeline for finishing the IRMP? Renters are to send payments to BIA and not the landowners; when did this change.

Joanna Marek – The IRMP is scheduled to be completed by December 2009. Need to hang onto allotted land and protect it. There is an upcoming meeting to discuss the trust land topic. Letters were sent to all farmers and granaries to send payment to the lockbox in Prescott AZ. Those funds will then be deposited to IIM accounts and then paid to land owners or their banks. (See letter dated September 10, 2009 from the USDI, BIA, Northern Idaho Agency; signed by Greg LaFrance, Superintendent)

Skip Williamson – My crop has been cut the first of August and do not have crop money. Renters informed him that money is to be sent to BIA.

Joanna Marek – You are not the only one who has run into these problems. It is up to the farmer to follow the letter that funds are to be sent to certified granary, then to Prescott for disbursement. The TAMS database that is being used is not a correct data base to use and they do have a trust responsibility to the land owners.

Leslie Randall – has the same comments as Skip. Payment has gone to Prescott. There is a self determination act in place so why is this happening that payment is going back to BIA. We lost that self determination when we turn back to government; the less we keep for ourselves when we do this.

Joanna Marek – We will address it before NPTEC.

Marci Bailey – Issues with Avista; same questions as last year. Issue of right-of-way is still unresolved. The superintendent has stated that they will be working on those lands that have fewer land owners.

Joanna Marek – Right-of-ways; the bureau is to work with the individual land owners on this right-of-way issues. Will request for authorization for the Chairman to send a letter to the Superintendent to elevate this issue within the BIA.

Robert Kipp – There are several Tribal members who feel the superintendent is not being held accountable to the people he serves.

Joanna Marek – Letters were sent to the superintendent to be accountable to work with individual land owners.

Kay Kidder – Idaho County has no zoning ordinance. Is the Nez Perce Tribe's land use plan tied to the local zoning plan? Does our land services department have the resources to address the issues of our lands? Will there be another land meeting to become familiar with what is going on with our lands. Made reference to the Coeur d'Alene Tribe.

Joanna Marek – Yes. Our land use plan does take into consideration the zoning plans of the counties and state. We will be holding meetings to give information and discuss right-of-way issues. The Coeur d'Alene Tribe is an executive order tribe and the Nez Perce Tribe is a Treaty Tribe.

Motion Made by Robert Kipp to accept and excuse the Land Commission Chair; Seconded by Leslie Randall; Motion Carried.

25. Wilfred Scott – Honor those who serve the country, our Tribe. All Veteran's please come forward. Please have Phyllis Penney and Loretta Isles come forward. There have been 448 Nez Perce who have served since WWI. Welcome home Staff Sergeant Aurora Gomez; daughter of Loretta Penney-Isles, Grand-daughter of Phyllis Penny and the late-Frank Penney also a veteran. Chairman Penney thanked Staff Sergeant Gomes for her service and that we should all remember those who have, are, and will serve. Chairman Timentwa stated appreciation that Aurora is a Nez Perce woman who is serving. She will always remember and be thankful for all the prayers for Aurora coming home. And that she will always remember today and this honor wherever life will take her. Aurora thanked the General Council for the love and support every time she comes home.

26. Census Bureau – Sherri Greene and Alice Soloman

- Having a complete census is important for communities when it comes to funds allocated by information received in the census.
- Census records are available at LCSC for genealogy searches
- Will be recruiting throughout Indian country for people to be census workers
- The Census Bureau is dedicated to establishing a Government to Government relationship
- Questionnaires will be given to each housing areas; please fill out the questionnaire and send them in. For addresses that show as no response calls will be made to get forms filled out.

- Thanked those who were involved including the Nez Perce Tribe, Housing, Nimiipuu Health, and several individuals
- Videos will be provided to show at community centers and offices for viewing (2010 Census Indian Country)
- It is critical that Nez Perce Tribal member's complete census because of funding that is paid to Tribal programs, schools, etc. The numbers from this census will be used for 10 years.

Discussion:

Leslie Randall – Advocate that forms be filled out for the census because of the use of the information to apply for grants; important for the children and yourself.

Robert Kipp – Grant funds are evaluated on the numbers collected; on what Treaty boundary do you use?

Alice Soloman – Tabulate information within the current boundary but also takes into consideration the information of Tribal members outside the area. Always identify what tribe you belong to. Interpretation is a key – home versus residence.

Motion Made by Mary Jane Souther to recess until tomorrow; seconded by Nancy Wheeler; Motion Carried.

Nez Perce Tribe
Fall General Council
Saturday, September 26, 2009

Meeting called to order at 8:52 am by Chairman Carla Timentwa

Elder Timothy A. Wheeler Jr., Opening Prayer

Rev. Mary Jane Miles offered a prayer for the Leslie Randall family

27. Human Resources Subcommittee/Housing Authority/Nimiipuu Health/Senior Citizens Advisory Board

Human Resources Subcommittee Chair, Julia Davis-Wheeler: Report can be seen on Pages 24-26 of the General Council Reports

- Education plan is being reviewed to make changes
- Enrollment – there has been some relinquishments from the Nez Perce Tribe to enroll in other Tribes.
- Enrollment quantum was an issue that was brought up to the General Council in the past. Chairman Penney, after review of enrollment guidelines comes to the conclusion that we were not able to change quantum on any members.
- Meetings were held and input was collected from individuals and reviewed. Enrollment Ordinance resolution is still open for discussion. Possibly have an enrollment summit including other Tribes to look at enrollment ordinances in Indian Country
- This year the burial assistance fund went in the red and had to supplement the budget. Gaming revenue is used to assist in burial assistance.
- The financial assistance plan is used in funding elders, youth, and other service oriented programs. Would like to have input from the General Council on the social services plan. Throughout the year waivers were made in subcommittee. In the future changes will be made to granting waivers at the table. Need to have some guidelines.

Nimiipuu Health Board Chair – Joni Roberts

- Report handed out (power point)
- Report was given by power point
- Main headings of the NMPHB covered were the mission of the board; 2010 goals; current health board members; administration and employment statistics; introduced new website; statistics on appointment and no shows; dental services provided; contract health budget and services provided; community health including men's and women's wellness conference; statistic of Tribal members using fitness centers or exercise equipment on site
- Health Fairs will be held November 6th and November 13th in Kamiah and Lapwai.
- Report also included Statement of Financial Position dated August 31, 2009 and Statement of Activities and Changes in Net Assets for 11 months ending August 31, 2009
- Meetings are held every 3rd Monday of the month.

Senior Citizens Advisory Board – Betty Kinzer filling in for Chair

- Members of the Senior Advisory Board are - Wanda Dunn, Chair; Delbert Ellenwood, Vice-Chair, Pat Pablo, Secretary are the officers of the Senior Citizens Advisory Board.
- Hold meetings in Lapwai, Orofino, and Kamiah. Everyone is welcome to sit in on the meetings and bring concerns.
- There was a request received from the Kamiah Seniors for a computer with internet service and a new van.
- Lapwai Senior Center requested new door for handicap accessible and to fix lights in the restrooms
- Distribution of fresh fruit and vegetables is not taking place in the Orofino area for 2 months. Orofino senior citizens are provided 1 meal per month along with fresh fruit and vegetables.
- Elder abuse has and continues to be a concern across the reservation. Will continue addressing the issue and look for resolution to the abuse
- Seniors will be offered assistance to fill out census forms
- Volunteers have come forward to do public relations and will have ½ page of Tac's Tetoken for articles and updates.
- Senior day was a success. Thank you to the Departments who participated in providing information and prizes.
- Next Elders Day is at Coeur d'Alene October 1.

Nez Perce Tribal Housing Authority - Julian Matthews, Vice-Chair

- See report provided
- Provided information in power point

Discussion:

Jackie Taylor – Sundown heights houses was going good and then stopped. When will they start again?

Marci Bailey – How do you determine which housing projects get repairs? Housing projects in Lapwai look nice and the ones in Kamiah are left undone. Are houses inspected or is it up to the homeowner?

Julian Matthews – Lapwai repairs were done with housing taxes collected. The plan is usually done by project and not by individual house repairs needed. If the home is owned then it's up to the owner to do repairs.

Bernice Moffett – HR question – Have made a request for an Elders Council in General Council last year which passed. An Elders Council could work on tasks not covered by other committees or organizations. The Elder Abuse Plan has been in draft form and is not a workable document. The Elder's Circle is for a specific purpose and not for this type of work. An Elder's Council could address other issues that are not addressed elsewhere. The Senior Advisor Board has certain guidelines as well that is not for this purpose either. The Elders Council could be the avenue to go to NPTEC to take care of these issues.

Julia Davis-Wheeler – Law & Order has passed an adult protection code. A need was addressed that one position is needed to cover this. Law & Order and HR Subcommittee are looking for funding. Social Services program does not have the funding for this position.

A comment on per capita – will need to have meetings to discuss the issue of those elders who get Social Security it will be affected by a per capita. For those seniors who have social security know that you can only earn or receive a certain amount before it affect the SSI payment. Also, any per capita paid out of gaming allocations would be taxable.

Mary Jane Souther – Acknowledge that Julia Davis Wheeler has been on Health Board for many years; she went out to get grants and funds for our Tribe. We are the legislative body of the Nez Perce Tribe. General council is where we can bring up issues. The Nimiipuu Health Board did not inform the general council about firing the Health Director. And that the Health Board was out to obtain negative comments about the Health Director.

Chairman Timentwa informed Ms. Souther of house rules.

Marilyn Bowen – Senior Housing Complex at Kamiah lighting is not very good and sidewalk is in need of repair. Sidewalk edge isn't that high although can cause slips and falls. The back entrance door is not handicap accessible. Senior meals are not very healthy or nutritious. Food is not in good condition; such as freezer burned fish. Elders in Orofino are not receiving fresh fruit and vegetables as scheduled. Would like see some action in the promises made to taking care of our seniors.

Julia Davis-Wheeler – Appreciate the recognition for service on the Health Board. Have been looking at the senior program. Funds have been put in the budget for fresh fruit and vegetables and nutrition. The HR Subcommittee is looking at all issues and will hopefully be working with the new ED, Rebecca Miles, to resolve some issues. Liaisons from NPTEC are McCoy Oatman, Wilfred Scott, and Larry Greene.

Julian Matthews – Senior Citizens centers repair is being pushed in the housing authority meetings. A grant has been submitted do some of the repairs. Have walked around the complexes to survey the repairs needed and noted the lighting, sidewalks, and doorways.

Sara Sedgewick – Nimiipuu Health concern – contract health is not paying bills and patients are being turned into collection agencies. People are being directed to fill out Medicaid forms by Nimiipuu Health. A Medicaid qualification is \$1500 per month. I personally have filled out and turned in 2 denial letters from Medicaid. Why are we being told to go through this? Tribal members need to attend meetings of Subcommittees and Boards.

Joni Roberts – Will check with Nimiipuu Contract Health and get this issue addressed (payment and Medicaid). Will have acting director get back with you.

Patricia Pablo – I have been on the advisory board for a few years. It was clear that we needed leadership for the Silets Trip to know where to go and where we will be staying. How is the decision made on who will go on trips? Some people are being paid for their mileage and rooms

on trips and others have to use their own funds. We are told if we do not participate in the fundraisers then we are not allowed to go on trips. Some people don't have personal funds to go and are not available to help with fundraisers due to work, place, or time. Seventeen issues were presented to NPTEC for Senior concerns; after hearing the concerns there has been no action. I am in support for the Senior Citizens Board. We need a change.

Julia Davis Wheeler – Secretary of NPTEC does have the concerns (17) and would like to have them brought to the next HR Subcommittee meeting. Have worked with the EDs for the senior program to make sure funds are available. NPTEC agreed that seniors should not have to raise funds to go on trips and then people be dropped off because they did not help raise funds.

Motion Made by Gail Jackson; I move to dissolve the Nimiipuu Health Board effective immediately, with the exception of one member with a Masters Degree in Public Health, for the following reasons 1. Lack of qualified members serving on the Health Board, in accordance to the NMPH Board Bylaws. 2. Since the board has been re-established NMPH has been through 9 Executive Directors since 1997 when we went 638. 3. NMPH Board members have lost the true focus and the purpose of serving on the Nimiipuu Health Board. It's regarding Health, not politics. 4. Repeatedly involved with the day to day operations, to the point of showing up at NMPH and then approaching employees and advising them to make negative comments regarding the current Executive Director. Thus failure to adhere to the code of ethics. 5. Current NMPH Board Members are abusing their positions by allowing their personal involvement in personnel issues with certain NMPH employees that strictly goes against policies and procedures according to the NMPH HR Manual. 6. All other Executive Directors report to NPTEC with the exception of the NMPH ED, who reports directly to the NMPH Board; Seconded by Mary Jane Souther. (After much discussion and decision by the Election Judges on vote by plurality or simple majority the Motion Carried.)

Discussion:

Jackie Taylor – Subsidiary Motion to have Julia Davis Wheeler and Sherri Lozon reinstated; Seconded Sara Sedgewick.

Chairman Timentwa - The subsidiary motion would be out of order due to house rules discussion of personnel matters.

Continue Discussion on Main Motion:

Kay Kidder – Opposed to the motion. Don't have the full facts of what's going on. There has been no information shared about our Nimiipuu Health Board concerns or personnel activities in Nimiipuu Health

Julia Davis Wheeler - Do not feel that the subsidiary motion is out of order. It only states to reinstate. Was removed from the board by NPTEC; to be reinstated it would have to go to the NPTEC to make the decision.

Bernice Moffett – The main motion was about the Health Board and not the appointee from NPTEC or the director. The appointee is a NPTEC decision and the Health Board is voted in by the General Council. Those are two separate issues.

Paula Moody – asked to have the motion re-read. (Chairman Timentwa re-read the motion)
There are cliques in the Health Clinic; unprofessional. Those non-Indians at the clinic need to go through cultural sensitivity training. Against the motion; want to see the information on why Julia and Sherri were removed.

(Not concerning the Motion) Delores Wheeler – Housing comment – houses were not built to accommodate gurneys. Do all seniors have a call button to call for help? Make sure all seniors have a call button. Response made by Julian on her issues.

Claudia Long – Support the motion – Board is power happy. The Boards purpose was for the purpose of policy. Need accountability and standards for boards, especially the health board.

Marci Bailey – Investigation was done and need to see the results. Need to discuss the health and not the politics.

Solo Greene – against the motion – the motion includes a requirement of a degree. We're a service and not a business. Positions have been abused on the board. Power and authority has been abused.

Joni Roberts – Against the motion – Board members join and have to follow guidelines and make sure that the HR manual is followed. The board is a group of 4 people and didn't join to put forth personal agenda. Her concern is for the people.

David Scott – Against the motion – There are people on NPTEC that do not have degrees so we cannot require it for the board. Have confidence in the Health Board decisions. They did research and was not out on a witch hunt. Wellness of the people is the concern. Putting someone down is not our way.

Tina Bullock – for the motion – There has been disparity at the clinic and during the investigation there were people who tried to speak in favor of the director and the investigator instructed recorder to turn off the recorder. Included in discussion were personnel issues.

John Strombeck – Against the Motion – the health board is a tight rope to walk. Issues addressed to the Health Board are difficult to deal with. It's good to have those who are educated on the board but we need community people on there who know the needs of the people.

Jackie Taylor – The motion is not personal; it's about being fair. For the motion.

Question Called by Danae Wilson

Clarification - Yes is for the motion and No is against.

Result of vote on Main Motion by Gail Jackson – Yes 53; No 48; Invalids 2
Motion Carried.

Discussion on decision to dismantle the Health Board

Sherri Lozon – Thank you for voting for the motion. Discussion included personnel issues.

Motion Made by Bernice Moffett that the action (motion regarding dismantling of the NMPHB) be sent to the HR Subcommittee for action; Seconded by Mary Jane Souther; after discussion Motion Carried

Discussion:

Robert Kipp – How are day to day operations handled because of the board and does it affect NMPH?

Julia Davis-Wheeler – Refer to the Subcommittee for discussion and then the full NPTEC for approval.

Mary Jane Souther – HR Subcommittee can ask the General Council to vote for new members.

Paula Moody – Patient health concerns have not been addressed in this motion. Disagree with the direction we are headed with this motion.

Elliot Moffett – is in favor of the motion – Subsidiary Motion to hold an election to be held by the general council; Seconded by June Stewart.
Motion withdrawn by motion maker.

Danae Wilson – Feel that motion is out of order because of By-laws. The By-laws are still in effect. Any vacated positions are sent to NPTEC to fill. (Danae read a portion of the by-laws that reflected this statement.)

Sara Sedgewick – Against the motion because of no elections for the health board.

June Stewart – Against the motion, the motion should go to the full NPTEC.

Question Called by Julian Matthews.

A challenge was brought forward regarding the need for 2/3rds vote on motion to dissolve the NMPHB. Discussion continued while Election Judges addressed challenges regarding vote of 2/3rds on Gail Jackson's Motion.

Solo Greene – Veterans are important to our people and request that we get a Tribal Vet representative to our own veterans; request HR support this position. Education is important – tribal education employees are not in the mix and need to be able to give input – Bob at LCSC; Arthur Taylor at U. of I.; and others. Need to include them in the education plan. Nimiipuu Health bill payment is a concern for several members. Health issues for emergency management are needed and Nimiipuu Health should be involved. Housing – paid off house and would like to build on to house but it's difficult to get funding through banks; is there a way to get loans

through housing? There should be a cap on what our people have to pay for their houses. It's difficult on some members to be able to make ends meet. Accountability and responsibility for our seniors are important. Senior citizens concerns are at the director and management level. Programs and departments are a service and should provide service to our seniors.

Julia Davis-Wheeler – looking at funding for veterans position, it is a good idea. Have been working with a Veteran's coordinator on the Colville who has been helpful in getting our Veteran's signed up for Veteran's benefits. Been approached to hold a Veteran's summit. We have been working on issues of housing repair and building concerns. Seniors have been attending our NPTEC meetings and are working with them to resolve the issues.

Julian Matthews – there is a fund available for a dollar for dollar match for repairs. Cap on payments for homes is based on HUD policy. HUD is low income housing and when homeowners receive higher paying jobs their payments go up. Push for Veteran's help for obtaining housings. Offered his personal assistance to Veteran's to assist them.

Shelly Simpson – Housing – Maintenance on senior citizens housing is a concern. I am a homeowner in Sundown Heights and am concerned about the area being littered with trash. Willing to pickup trash and take care of it. If housing can provide the trash bags will help. Skate board ramps are built on the speed bumps causing obstruction of the road. Can law enforcement patrol the area to keep these obstructions out of the road? If there was a place in town or a park built where they can ride skate boards this wouldn't be an issue. Fire control defensible space was created around houses by use of inmates; can it be done again?

Julian Matthews – Senior's housing maintenance will be addressed on the committee. Issues do need to be brought up to the housing committee. It is good to hear them at General Council however we only hear them twice a year. Skateboard ramps issue; need to see if there is a place where kids can go to play. Housing authority does need to work on all these issues. Thank you for bringing them up.

Betty Kinzer – The Senior Advisory Board does want to be an action board. One of our main concerns is to amend our Bylaws which limit us on what we can do. Once the Bylaws are amended we can make more of an impact.

Marci Baily – What are the results or the concerns of the investigation?

Julia Davis-Wheeler – Have not seen a copy of the investigation. It's a personnel issue and cannot be discussed.

Claudia Long – Motion Made by Claudia Long to disband the bylaws of the health board – rescinded the motion after discussion.

Jonelle Whitman – Housing – What is the responsibility of the Tribe, housing authority, and city for sidewalks and cross walks? Concern with caps on the rent – it's even difficult under low income guidelines to make payments and support a family. Character clause for good character – how is that determined? At Sundown Heights what are the guidelines to get a house?

Julian Matthews – right-of-way pays for the sidewalks. 30% rent issue is being addressed – those who are making \$60,000 are making the same payment as someone making \$10,000. Low income guidelines are HUD. Character Clause - Public housing was first established in urban areas that required no drug dealers, felony convictions, or other type of crimes. This is a guideline from HUD. Will bring this concern back to the board.

Jenny Oatman – Request that hours on Friday be changed back to 4:30 pm at Kamiah Nimiipuu Health. What is the alternative or plan for when a provider is not available at the Kamiah Clinic during regular hours? NPTEC prioritize a early head start be included on the development plan. Tribal employment not only in Lapwai but also for the Kamiah.

Julia Davis-Wheeler – page 13 of 25 of the Spring General Council Minutes a lot of discussion on the Kamiah Clinic and will follow-up on those concerns. After hour services is a concern. Strategic plan is amendable and changeable. Prioritizing the head start in Kamiah is important. The employment issue of Tribal employees is addressed and is reported.

Jenny Oatman – Issue is a provider is not available on Mondays and there needs to be a plan what we can do rather than go to Lapwai. Possibly go to St. Mary's Clinic at Kamiah paid by contract health care?

Ann McCormack – Transportation issue to make our communities safer for walking and biking. By walking and using bikes we can encourage our kids to not be sedentary; health issue. Looking at this we noted that there is not adequate sidewalks and safety. Sidewalks are on our radar.

Ms. Greene – Housing issue - If you are not credit eligible within 3 years you will get booted out of your home. Home owners/renters are required to track their past renters. The Character Clause by HUD is used by the housing authority. Maintenance of rentals – renters does not want to tell housing about a problem because they are charged for the repair. Maintenance workers are paid an hourly wage and yet the renter is being charged or the maintenance.

Julian Matthews – The board does not deal with the day to day operations of housing for the use of the Character Clause and decisions made on character can be brought to the board to appeal it. Board meets once a month and all appeals and concerns will be dealt with at the meetings. I don't want to see people kicked out of their homes and we usually only hear of it after the fact. Maintenance is charged to the homebuyer and not being paid by housing. We try to work with home owners and renters on issues; there is a process to go through.

Orders of the day have been called for by Eric Holt; Motion Carried.

Human Resources Subcommittee/Housing Authority/Nimiipuu Health/Senior Citizens Advisory Board Panel was excused and reports were not accepted due to orders of the day called.

Recessed for lunch at 12:30 pm

Reconvened at 1:35 pm

Decision on vote on main motion – challenge of 2/3 vote – It was determined by the Election Judges that a majority vote is upheld and motion passes. Chairman Timentwa calls for voice vote on Motion to refer action to Human Resource Subcommittee – Motion Carried

28. Nimiipuu Language Assessment Project - Angel Sabotta and Phil Cash Cash

Grant was a direct result of the people from meetings held in all three communities. Aaron Miles directed them to write a 1 year assessment grant to assess our language. Thank you to everyone who volunteered their time. Consultant Phillip Cash Cash; independent consultant to do the research; his credentials were presented to the General Council.

Phil Cash Cash presented a power point of information on the language assessment project:

- One year research. Rationale for the project is that a lot of the language is becoming in danger of being lost. Out of the 4,732 Nez Perce population only 47 are estimated as fluent speakers; 25 are highly active speakers.
- Project goals included formal assessment of the language and achieving a vision to preserve the language. Assessment plan – current use and levels of knowledge of use. Research question is what tools we have to teach.
- Evaluation methods – Field research, focus groups, and fluency assessment. Field research included in depth interviews collected with recommendations from the Circle of Elders.
- Focus groups – data collected from each focus group will be used to guide the overall language planning process. Data on key areas use, learning and fluency; four meetings were held at the three communities and LCSC. LCSC was an on line survey.
- Language use – in every day conversation use was high when there was a grandparent in the home. Language was transmitted when 3 generations were present. Language transmission and use was high when there was 3 generations present in the home
- Recommendation – family oriented curriculum and language support.
- Learning summary – three main sources are within the family, school, and culturally (church, etc.) Recognize the conscious choice to use the language.
- Recommendation – language program models need to be enhanced and expanded.
- Fluency findings – no longer restricted to individuals who learn Nez Perce as a first language but expanded to those who learned it as a second language (second language speaker). Fluency is not well understood by most community members.
- Recommendation – need to create language learning that fosters natural authentic spoken language; and create awareness and explore ways to foster fluency in both 1st and 2nd language speakers.
- Fluency level test – six part test was devised that was randomly administered to five age groups emphasizing listening and speaking (oral based language). Stimulus based test by looking at pictures and responding. Language is learned by listening to spoken language and responding. The breakdown of comprehension by percentage was by the five age groups. The second part of the test was to speak. Presented other parts of the test administered.
- Results – at least 50 to 60 percents oral language and comprehension across all age groups. Language competency ranges from general effective to generally not effective. A final report will be submitted to the Circle of Elders.

- Create support networks for teacher certification. Enhance and strengthen capacity for language learning classrooms; equal access to language learning. Re-evaluate and strengthen language planning and program capacities.

Discussion:

Ann McCormack – Give a definition of immersion.

Phil Cash Cash – It's a language teaching methodology to immerse the student in natural spoken language. Student is forced to engage in language; actively use of the language to learn.

Bryan Samuels – Thank them for the effort they are doing to preserve the language. In the No Child Left Behind teaching has definition of high qualified and our language teachers are not paid for their services as other teachers. Recommend that the Tribe, schools, and state recognize them as such.

Robert Kipp – Are the CD's still available? Where can they be purchased?

Angel Sabotta - CD's are available. We need to hear the language from fluent speakers. CD's is one way but the immersion is another way to hear the language and use it.

Kay Kidder – Excited about the language. Nintendo DSI's?

Angel Sabotta - Language phrasalators were about \$3,000 each. Nintendo DS is another learning tool that will be available as we work through getting funding.

Lisa Guzman – Recommend that this becomes a priority to promote the program.

Bernice Moffett – There are grants that can be applied for. Appreciate the words of the day that is shared through email. Elders Circle appreciates the work they are doing. It's up to the young people to carry forward the language.

Mary Tall Bull – Need to work on our language. It starts with our little children and working with them when they are young and continue as they grow up. There is a language class here at the Wa-a'yas where only a few people attend. We need to send our children. At one time our leaders spoke the language only and needed an interpreter for English. Employees should be allowed a half hour to attend language class.

Justin Gould – Awareness to our language – the slide showing the total population and the total number of fluent speakers is sad. How has the immersion process being used in other tribes? We need to have the funding to make this program work and move forward. Make sure that our language is restored back to its wealth.

Vera Sonneck – We need to restore our language here and not have to go elsewhere to learn how to teach it. Gave personal history of family use of language and how she teaches her

grandchildren. In Churches we sing our translated hymn which is another learning tool. Need to teach the meaning of the words no matter what religion; Traditional or Christian.

Chairman Timentwa recognized and remembered those who are past and those present now who speak and teach the language. Appreciation for the young people here today who are teaching and researching ways to learn and retain our language.

29. Mary Jane Oatman Wak Wak – Gave information and presented a video that is for sale for \$10.00. Celebration of the Museum of American Indians in Washington DC.

30. Elections of Boards and Commissions

31. Floor is open to nominations for Fish and Wildlife Commission Seat 1 – 3 year term

Bryan Samuels nominates Timothy A. Wheeler – accepts

Tina Bullock nominates Herb Jackson – accepts

Eric Holt nominates Darryl Reuben – accepts

Jamie Five Crow nominates Billy Henry accepts

Motion Made by Julian Matthews for nominations cease; Seconded by Danae Wilson; Motion Carried.

Results: Total of 101

Timothy Wheeler 31

Herb Jackson 34

Darryl Reuben 19

Billy Henry 17

Run off between Timothy Wheeler and Herb Jackson

Timothy Wheeler - 40

Herb Jackson - 51

Invalids - 2

32. Floor is open for nominations for Fish and Wildlife Commission Seat 2 – 3 year term.

Bryan Samuels nominates Timothy Wheeler – Accepts

Joanna Marek nominates Marie Arthur – Accepts

Eric Holt nominates Darryl Reuben – Accepts

Jamie Five Crows nominates Billy Henry – Accepts

Motion Made by John Strombeck that nominations cease; seconded Sara Sedgewick; Motion Carried.

Results:

Total votes cast - 98
Timothy Wheeler – 29
Marie Arthur – 32
Darryl Reuben – 21
Billy Henry – 16
Invalids – 0

Run off between Timothy Wheeler and Marie Arthur
Total votes cast - 100
Timothy Wheeler - 44
Marie Arthur – 52
Invalids - 4

33. Floor is now open for Seat 1 Nimiipuu Health Board – 3 year term.

Jenny Oatman nominates Lisa Guzman – accepts
Elaine Ellenwood nominates Vonda Bybee – Accepts

Kay Kidder – comment that health board does not state it requires a background in medical and that a degree in social work is considered in the health field.

Motion Made by Danae Wilson that nominations cease; Seconded by John Strombeck; Motion Carried

Total Votes cast - 94
Results:
Lisa Guzman – 66
Vonda Bybee – 28
Invalids - 0

34. Floor is open for Seat 1 – 4 year term on Nez Perce Tribal Housing Authority

Mary Tall Bull nominates Julian Matthews – accepts
Richard Arthur comments to show support for Julian Matthews
Danae Wilson nominates Jonelle Whitman – declines

Move that nominations cease and accept Julian Matthews by acclimation; 2nd Mary Tall Bull; Motion Carried.

The Enterprise Board positions are 3 year terms and current board members are on their second year; there will be no elections for the Enterprise Board until next Fall General Council.

Motion Made by Jenny Oatman that the General Council Chair set up a time and place for General Council officers and those elected to boards and commissions take an oath of office; seconded by Bernice Moffett. (After discussion the Motion Carried.)

Discussion:

Herb Jackson – Fish and Wildlife will take an Oath of Office Monday, September 28th at 10:00 am.

Mary Jane Souther – Our elected officers are the legislative branch of the Tribe.

Wilfred Scott – From Law and Order Code the Fish Commission are appointed by NPTEC

Benediction by Julia Davis-Wheeler, NPTEC Chaplin

Wilfred Scott and Veterans retire colors. Honor Song by Lightning Creek Drum

Meeting adjourned at 4:55 pm

Submitted by Maple Stuiivenga, General Council Secretary