



*Executive Council*

Central Council Tlingit & Haida Indian Tribes of Alaska  
December 6-7, 2018 - 10:00 AM (Alaska Standard Time)  
IN PERSON MEETING  
**MINUTES**

**CALL TO ORDER**

President Peterson assumed chair without objection and called the meeting to order at 10:05 AM.

**ROLL CALL**

Richard Peterson, President	Present
Yodean Armour, 1 <sup>st</sup> Vice President	Present
Jackie Pata, 2 <sup>nd</sup> Vice President	Present
Will Micklin, 3 <sup>rd</sup> Vice President	Present
Rob Sanderson, Jr. 4 <sup>th</sup> Vice President	Present
Ralph Wolfe, 5 <sup>th</sup> Vice President	Present
Catherine Edwards, 6 <sup>th</sup> Vice President	Present
Stephanie Masterman, Emerging Leader	Present

Also present: CFO Theresa Belton, COO Ken Truitt, General Counsel Madeline Soboleff Levy, Special Assistant to the President Heather Gatti, Secretary to the President Carley Jackson, Executive Assistant to the COO Helene Bennett, Administrative Assistant to the President Serena Flores and Administrative Assistant to the General Counsel/Recording Secretary Laura May Whistler.

**INVOCATION**

4<sup>th</sup> Vice President Rob Sanderson, Jr. provided the invocation.

**ADOPTION OF THE AGENDA**

M/S 6<sup>th</sup> Vice President Catherine Edwards moved to adopt the agenda as amended. No objection, so moved.

Addition: Department of Energy

## **PUBLIC COMMENT**

Opportunity for public comment was given. No public comment was provided.

## **REPORTS**

### President's Report

The President provided an oral report on his recent activities. He attended meetings with the Alaska Regional Coalition, the Governor's Tribal Advisory Council, the National Congress of American Indians and the Alaska Federation of Natives. He also attended the Tribal Unity Gathering and the STRIVE Leadership Symposium. He plans to engage in additional executive coaching programs for himself and the Executive Team. He provided a presentation about self-governance at Evening at the Egan. The presentation may be found on the University of Alaska Southeast YouTube channel.

The Tribe has continued broadcasting "Minute with the Tribe" on KINY Radio station. "Minute with the Tribe" features short interviews with department managers regarding their department and services. Full interviews are posted on the KINY Radio website.

The Tribe sent a letter to Governor Mike Dunleavy. The letter congratulated him on his election. The Tribe also took the opportunity to identify places where the State and Tribe have shared interests and ways in which we may be able to work together.

President Peterson announced Sitka Delegate and co-chair of the Violence Against Women Task Force Patricia (Pat) Alexander will testify before the Senate Committee on Indian Affairs regarding missing and murdered indigenous women. The testimony will be broadcasted live on the Committee's web page.

### General Counsel Report

General Counsel Madeline Soboleff Levy summarized her written report. *Brackeen v. Zinke* is a case that was filed in Texas and challenged the constitutionality of the Indian Child Welfare Act (ICWA). The federal district judge hearing the case held that ICWA is unconstitutional. Tribes intervened and more than 100 federally recognized tribes, including Tlingit & Haida, and tribal organizations signed onto an amicus brief to support the constitutionality of ICWA. Currently the case is being appealed to the Fifth Circuit Court of Appeals. Discussion ensued.

The Tribe, State and other tribes negotiated one master Support, Services, and Funding Agreement (SSFA). The revised SSFA improves the previous waiver of sovereign immunity language as well as some other small changes.

The Tribe has engaged with a law firm to correct two statutes, the Temporary Assistance for Needy Families and the Village Public Safety Office program. The Tribe is also working internally to amend Title 15 – Enrollment and Title 06 – Tribal Courts.

Furthermore, the Tribe has sent a letter in opposition of the nomination of Eric Miller to serve on the United States Court of Appeals for the Ninth Circuit. The letter was sent to the Chair and

Ranking Member of the Senate Judiciary Committee and a copy of the letter was also sent to Senators Lisa Murkowski and Dan Sullivan.

Regarding judicial seats, Governor Walker has named Dan Schally to serve as the third superior court judge in Juneau. The Governor named Bethany Harbison to serve on the Court of Appeals.

6<sup>th</sup> Vice President Catherine Edwards requested the letter opposing the nomination of Eric Miller to serve on the Court of Appeals in the Ninth Circuit be sent to Senators Maria Cantwell and Patty Murray. President Peterson instructed the letter be sent to Senators Kamala Harris and Dianne Feinstein.

Emerging Leader Stephanie Masterman suggested Tlingit & Haida consider forming a tribal court system in King County, Washington to serve our tribal citizens that live in that area.

President Peterson spoke to the judicial nominations. He stated the Tribe would most likely support those who support indigenous sovereignty.

#### Special Assistant's Report

Special Assistant Heather Gatti summarized her written report. She attended the Tribal Unity Gathering, Indigenous Peoples' Day Fair and Alaska Regional Coalition meeting. She stated the Tribe will be working to enhance relationships with officials like Governor Dunleavy and Juneau Mayor Beth Weldon. She announced that the Tribe will be starting another series of Native Issues Forums soon.

#### Chief Operating Officer (COO) Report

COO Ken Truitt summarized his written report. He stated the Human Resources department is improving the structure and management of the Tribe by revising the Personnel Manual. HR has also hired outside consultant to complete a compensation and classification study. After the study is completed the Tribe will formulate a plan to implement its recommendations.

He also provided an update on the Investment Committee. The Investment Committee solicited proposals for managing the Trust Fund. The Committee, however, ultimately recommended to continue working with Alaska Permanent Capital Management.

#### Chief Financial Officer (CFO) Report

COO Theresa Belton summarized her written report.

### **BREAK**

The Chair called for a fifteen minute break at 10:55 AM. No objection, so moved.

### **REPORTS CONTINUED**

#### Business and Economic Development Department (BEDD) Update

Economic Development Coordinator Jodi Gatti provided an update on BEDD's current projects and enterprises. The Department is actively fundraising to support the construction of Cultural

Immersion Park. One of the preexisting buildings has been burned down to make room for that new construction. Sacred Grounds will be opening a new location at the Sealaska Plaza. Sacred Grounds has also started participating in the First Friday events. Smokehouse Catering is a more recent start-up, as is Sacred Shine, an auto-detailing business. Sacred Shine is booking quickly and shows great promise.

BEDD is also working with the 477 department to fill their growing recruitment needs and provide valuable work experience to tribal citizens.

President Peterson, 6<sup>th</sup> Vice President Catherine Edwards and 4<sup>th</sup> Vice President Rob Sanderson, Jr. thanked and acknowledged BEDD for their efforts and achievements.

## **DISCUSSION ITEMS**

The Chair ordered to remove Tlingit Haida Regional Housing Authority as a discussion item on the agenda. No objection, so ordered.

### National Congress of American Indians (NCAI) Ad Hoc Committee

3<sup>rd</sup> Vice President Will Micklin drafted a letter to NCAI addressing procedural concerns regarding the actions of the Ad Hoc Committee. Discussion ensued regarding the perception of the letter if Tlingit & Haida were to send it.

M/S 1<sup>st</sup> Vice President Yodean Armour moved to send the letter to NCAI. 4<sup>th</sup> Vice President Rob Sanderson, Jr. and 2<sup>nd</sup> Vice President Jackie Pata abstained. M/C

## **BREAK**

The Chair called an hour break at 11:55 AM. No objection, so ordered.

### 2019 Tribal Assembly Priorities

3<sup>rd</sup> Vice President Will Micklin proposed to brainstorm topics to discuss at Tribal Assembly. The Executive Council proposed economic sovereignty, indigenous languages, Roberts Rules of Order and emergency preparedness.

3<sup>rd</sup> Vice President Wil Micklin proposed a Tribal Assembly resolution that would propose a greater investment in active enterprises that will have equal or greater return than the current investments in the stock market, and will be less volatile.

The Chair so ordered without objection to add the Investment Committee's recommendations to the Tribal Assembly agenda.

President Peterson notified the Executive Council that an invitation has been extended to Bentham Ohia, Maori Party Co-Vice President, to be a keynote speaker at Tribal Assembly.

Discussion ensued regarding a training for Roberts Rules of Order for delegates. 3<sup>rd</sup> Vice President Wil Micklin recommended a Roberts Rules of Order training that is specific for session chairs.

Emerging Leader Stephanie Masterman requested to be invited to Tribal Assembly planning meetings that relate to language or culture. Her intention would be to find ways to include more youth in these subjects.

3<sup>rd</sup> Vice President Wil Micklin recommended to include emergency response plans to provide assistance (food, water, etc.) to the needy communities. He requested to have the work be done internally to come up with an emergency preparedness plan.

#### Conservation District and Asserted Jurisdiction

3<sup>rd</sup> Vice President Will Micklin stated that through the Conservation District the Tribe could assert jurisdiction over fisheries or over other similar resources.

President Peterson requested NLR Manager Desiree Duncan and Environmental Coordinator Raymond Paddock to present information regarding the Tribal Conservation District to the Executive Council on December 7<sup>th</sup>.

#### 2019 Executive Council In-Person Meeting Dates

The Executive Council informally agreed on quarterly in person meeting dates.

- 1<sup>st</sup> Quarter: January 10-11, 2019
  - o 5<sup>th</sup> Vice President Ralph Wolfe will not be able to attend this meeting
- 2<sup>nd</sup> Quarter: April 7-8, 2019
- 3<sup>rd</sup> Quarter: July 18-19, 2019
- 4<sup>th</sup> Quarter: December 12-13, 2019

#### Enrollment Code

The General Counsel Madeline Soboleff Levy introduced the amendments to the Enrollment Code approved by the Enrollment Committee and forwarded to the Executive Council. She noted that the Enrollment Committee recommended the proposed amendments be presented to the Tribal Assembly for consideration, rather than considered for adoption by the Executive Council. She welcomed commentary and further revision to the Enrollment Code, but noted that time during the next meeting will be given to continue discussion and revision.

Discussion ensued.

### **EXECUTIVE SESSION**

The Chair called to enter executive session at 3:30 PM. No objection, so ordered.

Executive session concluded at 5:08 PM.

**RECESS**

The Chair called to recess at 5:09 PM.



## *Executive Council*

Central Council Tlingit & Haida Indian Tribes of Alaska  
December 6-7, 2018 - 10:00 AM (Alaska Standard Time)

IN PERSON MEETING

**DRAFT MINUTES – Day 2**

### **CALL TO ORDER**

The Chair called to order at 10:00 AM. No objection, so moved.

M/S 5<sup>th</sup> Vice President Ralph Wolfe moved to accept the recommendation of the investment committee to continue utilizing Alaska Permanent Capital Management. M/C

#### Alaska Permanent Capital Management (APCM) Presentation

Chief Investment Officer of Multi-Asset Strategies Brandy Niclai, Vice President and Director of Institutional Sales Blake Phillips, and Vice President and Director of Client Relations Amber Frizzell provided a presentation reviewing Tlingit & Haida's portfolio and discussed the anticipated return dispersion, financial conditions and accommodations. They summarized the margin balance, asset allocation and long term performance.

COO Ken Truitt requested the net of fees be a part of the report in the future.

The Executive Council requested a follow up meeting to discuss future goals and planning with APCM.

### **BREAK**

The Chair called for a five minute break at 10:35 AM. No objection, so moved.

### **EXECUTIVE SESSION**

The Chair called to enter executive session at 10:43 AM. No objection, so moved.

Executive session concluded at 12:49 PM.

### **BUSINESS (ACTION) ITEMS**

#### Resolutions

M/S 4<sup>th</sup> Vice President Rob Sanderson, Jr. moved to adopt EC 18-53 EC *Authorization to Apply for Center for Native Child and Family Resilience Funding*. M/C

M/S 6<sup>th</sup> Vice President Catherine Edwards moved to adopt EC 18-52 *Authorization to Apply for the Environmental Protection Agency's State and Tribal Response Program Grant*. M/C

#### Minutes

M/S 1<sup>st</sup> Vice President Yodean Armour moved to adopt the July 25, 2018 meeting minutes. M/C

#### **DONATION REQUEST**

M/S 2<sup>nd</sup> Vice President Jackie Pata moved to donate to Healing Hands the same amount as their previous donation in 2017. M/C

M/S 4<sup>th</sup> Vice President Rob Sanderson, Jr. moved to give a discounted rate of the Elizabeth Peratrovich Hall rental to Camp 2 for a medical fundraiser. M/C

M/S 5<sup>th</sup> Vice President Ralph Wolfe moved to donate to AWARE the same amount as their previous donation in 2017. M/C

M/S 1<sup>st</sup> Vice President Yodean Armour moved to donate \$1,000.00 to ANS/ANB Camp 70 “Feed the Mind Campaign”. M/C

M/S 2<sup>nd</sup> Vice President Jackie Pata moved to donate \$1,000.00 to HoopRats Basketball Club. M/C

The Chair ordered to request Yees Ku Oo dance group to resubmit their donation request. No objection, so ordered.

#### Energy Department

3<sup>rd</sup> Vice President Wil Micklin spoke to the work the Department of Energy does and the potential for Indian Country. He requested Tlingit & Haida cover travel cost for his attendance at the Department of Energy meetings. President Peterson approved his request.

#### Executive Council Guidelines

General Counsel Madeline Soboleff Levy presented her proposed edits to the Executive Council Guidelines. She requested the Executive Council’s guidance on several sections. The Executive Council will review the General Counsel’s proposal and will prepare comments for discussion at the following meeting.

#### Titles 03 & 11 Amendments



M/S 3<sup>rd</sup> Vice President Will Micklin moved to adopt the proposed amendments to Title 03 – Development & Operations and Title 11 – Land and Natural Resources. M/C

**EXECUTIVE SESSION**

The Chair called to enter executive session at 2:12 PM. No objection, so moved.

Executive session concluded at 2:53 PM.

**ADJOURN**

The Chair called to adjourn at 2:54 PM. No objection, so moved.