

Minutes of Meeting
82nd Annual Tribal Assembly
Central Council Tlingit and Haida Indian Tribes of Alaska
April 19-21, 2017
Elizabeth Peratrovich Hall
Juneau, Alaska

“Looking to Our Past, Living for Our Future”

Day 3: Friday, April 21, 2017

CALL TO ORDER

Will Micklin, 2nd Vice President, called the meeting to order at 8:09 a.m.

INVOCATION

Jerry Bennett, Juneau Delegate, provided the invocation.

SPECIAL MUSIC

Percy Kunz provided special music.

WORD OF THE DAY

Alfie Price provided the Sm'algyax word of the day.

ADOPT MEETING MINUTES OF APRIL 20, 2017

M/S Janice Hotch/Jerry Hope moved to adopt the meeting minutes of April 20, 2017 with the following amendments: 1) Page 5, 3rd paragraph should read “proposed constitutional changes”, 2) Page 2, paragraph 6, should read: Strike the symbol “&” and write (and). All in favor. Motion carries.

ESTABLISH QUORUM – BALLOTING

In place of roll call, the quorum was established through the electronic voting devices distributed. The report shows 96 devices were issued: (2/3 vote is set at 64) and (50%+1 vote is set at 49).

ELECTIONS

Janet Peele, Chair, Elections Committee, chaired the election of the offices. The person elected for the offices will be by plurality (highest vote getter).

Ballot #1: Elected Delegate/Citizen of the Year

- Jim Price, Seattle Delegate

Ballot #2: Elected 2017 Emerging Leader

- Keenan Sanderson (Ketchikan)

Privilege of the floor was granted to Miciansa Hutcherson, Stephanie Masterman, and Tristan Douville to address the delegation.

DELEGATE RAFFLE SALES

M/S Jessica Dominy moved the Delegate Raffle Sales will be moved to after lunch to allow more time to sell raffle tickets. No objection.

ENROLLMENT COMMITTEE REPORT

Ella Bennett, Chair, Enrollment Committee provided the report.

SMALL / LARGE COMMUNITY COUNCIL OF THE YEAR

The Chair announced San Francisco Council is the Small Community Council of the Year.

There were no submissions for the Large Community Council of the Year.

BREAK

The Chair declared a 20-minute break. No objection.

The meeting was called back to order at 9:30 a.m.

JUDICIARY COMMITTEE REPORT / TRIBAL COURT REPORT

The following reports were presented by:

- Debra O’Gara, Presiding Court Judge
- Michelle Demmert, Chief Justice
- Tate London, Chair, Judiciary Committee

M/S Tate London/Wilbur Brown moved to postpone review of the proposed **Judicial Code of Conduct** to this afternoon to allow delegates more time to review the document. No objection.

M/S Tate London/Marvin Adams moved to adopt the proposed amendments to Statutes: *Title: 4, Child & Family*, *Title 5: Marriage, Divorce & Custody*, and *Title 10: Family Responsibility*. All in Favor with 2-Abstentions. Motion carries.

Cecilia Tavoliero, Seattle Delegate, was granted privilege of the floor. She thanked the committee for their report, requested delegates to fill out an up-dated ANB/ANS Grand Camp form, and asked to be excused to prepare for a celebration of life for a family member. Cecilia Tavoliero is excused.

Michelle Demmert, Chief Justice, administered the Oath-of-Office to Aurora Lehr as the re-elected Tribal Judge.

US CENSUS

Charmaine Ramos, Partnership Specialist, provided the report followed by a brief question and answer period.

RURAL CAP

Dr. Gary Ferguson, CEO of RurAL CAP, provided the report followed by a brief question and answer period.

SEARHC

Chuck Clement, President of SEARHC, provided the report followed by a question and answer period.

AFTERNOON SESSION

The morning session recessed at 12:28 p.m.

CALL TO ORDER

President Richard Peterson, called the meeting back to order at 1:12 p.m.

APPOINT SESSION CHAIR

Rob Sanderson, 1st Vice President, assumed the session chair without objection.

RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

Resolution packets titled Resolutions with Recommended Changes (dated 4/21/17) were distributed to the delegates with each one displayed on screen for live editing. The Parliamentarian clarified the approval of resolutions require a majority vote.

Cultural Heritage Committee - Fred Lauth, Chair

M/S Gerry Hope/Sam Thomas moved to refer TA Resolution 17-12, Title: *Develop Culturally Appropriate Guidelines for Repatriation* to the Judiciary Committee to re-word the language. No objection. Motion carries.

Judiciary Committee Report - Tate London, Chair

M/S Tasha Hotch/Ralph Wolfe, Jr. moved to adopt TA Resolution 17-06, Title: *The Enactment, Revision or Repeal of Tribal Codes*. Amendment M/S Will Micklin/Janice Hotch moved to adopt the version that includes the word ‘conveyed’ to each Delegate in the language as presented under the Tribal Government Rules Committee. Vote on Amendment: Motion carries. Vote on Main Motion. A/F. Motion carries.

M/S Tate London/Gerry Hope moved to adopt TA Resolution 17-07, Title: *A Proposal for Separation of Powers* as amended (in resolution packets). Motion carries.

M/S Tate London/Janice Hotch to approve the proposed **Tribal Rules of Judicial Conduct**. All in Favor. Motion carries.

Tribal Government Rules Committee - Will Micklin, Chair

M/S Will Micklin/Tasha Hotch moved to adopt TA Resolution 17-08, Title: *Rescission of the Notice Deadline Requirement First Implemented During the Eighty-First Annual Tribal Assembly Election Process*. Electronic results require 2/3 (64) vote to pass. Result: 34-Yes, 55-Nay. MOTION FAILS.

M/S Will Micklin/Tasha Hotch moved to adopt TA Resolution 17-09, Title: *Legal Review of Political Subdivision Status of Community Councils*. Electronic results show tied vote: 44-Yes, 44-Nay. The President cast a no vote to break the tie. Results: 44-Yes, 45-No. MOTION FAILS.

M/S Will Micklin/Doug Chilton moved to adopt TA Resolution 17-13, Title: *Tribal Member Public Service Endorsement*. Amendment #1 M/S Edward Hotch/Tasha Hotch moved to insert “and qualifications” after background on 1st page. Electronic vote on Amendment #1 Results: 44-Yes, 47-Nay. MOTION FAILS. Amendment #2 M/S Gerry Hope/Wilbur Brown to ask unanimous consent to change the word “member” to “citizen” within the document. Vote on Amendment #2. No objection. Vote on main motion. Electronic vote shows: 21-Yes, 67-No. MOTION FAILS.

Education Committee - Dionne Cadiente-Laiti, Chair

M/S Dionne Cadiente-Laiti/Tasha Hotch moved to adopt TA Resolution 17-10, Title: *Approval of the Alaska Native Science and Engineering Program (ANSEP) School to be Housed in Wrangell, Alaska*. Electronic voting results: 77-Yay, 9-Nay. Motion carries.

Finance Committee - James, Jack, Sr., Chair

M/S James Jack, Sr. /Stephanie Rainwater moved to adopt TA Resolution 17-11, Title: *Discontinue the Tribe’s Relationship with Wells Fargo Bank* as amended. Stephanie Rainwater asked for and was granted unanimous consent for suspension of the rules to allow Stephanie Masterman, Seattle Youth Ambassador, to address the delegation about the resolution. Vote on motion. All in favor. Motion carries.

Natural Resources/Fisheries/Subsistence Committee - Edward Hotch, Chair

M/S Edward Hotch/Royal Hill, Jr. moved to adopt TA Resolution 17-14, Title: *Waters Closed to Sac Roe Herring Fisheries Within Southeast Alaska*. All in favor. Motion carries.

M/S Edward Hotch/Walter Johnson moved to adopt TA Resolution 17-15 Title: *Exclusion of Commercial Sac Roe Herring Fishing within a Defined Core Spawning and Subsistence Area*. All in favor. Motion carries.

M/S Edward Hotch/Janice Hotch moved to adopt TA Resolution 17-16, Title: *Support for Closure of Certain King Salmon Fisheries to Restore Stock* as amended. Amendment M/S Edward Hotch/Adrea Cesar moved to change the title to “Support for Closure of King Salmon Sport Fisheries to Restore Stock”. Vote on Amendment: All in favor. Motion carries. Vote on Main Motion: Motion carries.

CONSTITUTIONAL AMENDMENTS (CONT'D)

Will Micklin, 2nd Vice President, assumed the session chair without objection.

The Chair proposed to address the remainder of the constitutional amendments up until 4:30 p.m. and defer the remainder to the 2018 Tribal Assembly which is to be reviewed by a different committee. No objection.

Note: To assist the Delegates with reviewing and approving the document as a whole, the proposed constitutional amendments were displayed on screen with staff providing live edits. This is the same document that was used from day 1 for this Assembly.

BREAK

The Chair declared a 10-minute break at 3:49 p.m. The meeting was called back to order at 4:05 p.m.

Preamble (Paragraph 1)

The Chair read the Preamble (paragraph 1) in its proposed amended format, which would read: “We, the Tlingit and Haida Indian Tribes, in order to form a single regional tribal government, establish the Central Council of the Tlingit and Haida Indian Tribes of Alaska as its tribal government and recognizes its roots stem from our traditional clans and villages and honors the Alaska Native Brotherhood and Sisterhood in organizing the Tribe.”

Main Motion: M/S Jackie Pata/Andrea Cesar to adopt changes as displayed. Amendment #1 M/S Gerry Hope/Paulette Moreno moved to amend to strike the word “regional”.

Vote on Amendment: Electronic voting results shows: [97 devices out (2/3 = 65 votes)]. 46-Yes, 42-No, 2-Abstain. MOTION FAILS. Vote on Main Motion: [98 devices out (2/3 = 66)]. 73-Yes, 20-No, 2-Abstain. Motion carries.

President Peterson reports \$560 was collected for family of Lena Farkas.

Preamble (Paragraph 2)

M/S Jackie Pata/Catherine Edwards moved to adopt paragraph 2 of the Preamble to include the correct spelling of Kusti and add the Haida spelling as well. Amendment #1 M/S Joey Ketah/Catherine Edwards moved to strike the word “tribal” between “our inherent and “sovereignty”, *and*, add “wherever located” after “tribal citizens”. Amendment #2 M/S Gerry Hope/Paulette Moreno moved to amend to include “land and” in front of “property”. Amendment #3 M/S Mick Bealsey/Paul Marks moved to amend to add the words “tangible and intangible property” to replace “land and”. Vote on Amendment #3: Vote is in favor of not passing with 2-abstentions. MOTION FAILS. Vote on Amendment #2. Vote is 34-Yes, 52-Nay, 2-Abstentions. MOTION FAILS. Vote on Amendment #1. Vote is 39-Yes, 45-Nay, w-2 Abstentions. MOTION FAILS. Proposed Amendment #4 Appealed. M/S Jackie Pata/Janice Hotch moved to strike “tribal” between inherent and sovereignty by unanimous consent. The Chair ruled this out of order. M/S Edward Hotch/Tasha Hotch moved to appeal the ruling of the chair that the motion was out of order. Motion carries. Amendment #4. M/S Jackie Pata/Janice Hotch moved to strike “tribal” between inherent and sovereignty by unanimous consent. Vote on Amendment #4. Vote shows majority in favor with 2-Abstentions. Motion carries. Vote on Main Motion: Vote shows majority in favor with 2-Abstentions. Motion Carries.

ADOPTION OF THE BUDGET

M/S James Jack, Sr./Royal Hill, Jr. moved to adopt FY 2018 budget. No objection. Motion carries.

CONSTITUTIONAL CONVENTION (CONT'D)

The Chair asked for unanimous consent to defer the remainder of the proposed constitutional amendments to the 2018 Tribal Assembly. No objection.

LATE RESOLUTIONS

The late resolutions packet titled: Amended Late Resolutions Packet (dated 04/21/17) will be deferred to the Executive Council for action. No objection.

James Hart, Haines Delegate, withdraws their resolutions that were late.

The Parliamentarian pointed out you only need majority vote to address the proposed constitutions next year.

OTHER BUSINESS / GOOD OF THE ORDER

Mary Brown was granted privilege of the floor to address the delegation to submit updated information about their local camps to the ANB and ANS Grand Camp.

Delegate raffles were done by Juneau and Seattle.

Shirley Kendall announced hers and her husband's many years of marriage.

Mary Marks was granted privilege of the floor who suggested inviting the Head start class as part of next year's opening ceremonies. President Peterson so ordered this.

Jacqueline Pata offered words of support and encouragement and recognized Juneau's own elders, Selina Everson and Rosa Miller, who were Grand Marshalls for 4th of July.

Will Micklin expressed his love and respect to the delegates during deliberations and is looking forward to next year. Introduced people dear to his heart, John Jay Silva, Sister Girl, and his wife Linda.

Albert Hinchman thanked the kitchen staff who put the food together. He thanked the Hoonah delegates to allow him to be a part of the Hoonah delegation in light of his recent move to Juneau and hopes to see everyone next year.

Paul Marks acknowledged his clan and house leaders who were present. He announced the community of Douglas will be hosting a totem pole raising on May 13, 2017.

Rob Sanderson thanked the Resolutions Committee, staff, and kitchen crew for their contributions, and the elders in the audience, and the support that was shown in support of Keenan as the 2017 Emerging Leader.

Marvin Adams acknowledged his family, the staff, President Peterson, and the delegates for allowing him to serve.

Maxine Thompson thanked President Peterson for a wonderful assembly and asked if the presentations could be posted on the website so she can share this with her community.

Leona Santiago extended words of appreciation and gratitude to President Peterson and acknowledged family and friends who were present and delegates as well.

Edward Hotch shared words of gratitude for CCTHITA.

Benjamin Cornell acknowledged friends and youth brought to Tribal Assembly by delegates and suggested each community to bring one youth to Tribal Assembly.

Frank Wright acknowledged the youth as our future leaders.

Jessica Dominy acknowledged and thanked her family for support shared gratitude towards the delegates and to our tribal citizens.

Tasha Hotch expressed her appreciation to the delegation.

Delbert Kadake spoke about the need for Kake, AK to have a VPSO in their community and his plans of meeting with the VPSO program in the near future.

Wilbur Brown recognized Delbert Kadake and how he helps keep his community safer.

James Jack introduced his wife Gloria Jack. He looks forward to Tribal Assembly every year and will look forward to the next Tribal Assembly. Thanked the community of Hydaburg for the support shown for his family.

Paul Marks II would like to recognize we are to be thankful for our delegation and our President and thanked everyone who helped make Tribal Assembly possible.

Pauline Jim acknowledged her family and expressed words of thanks to the audience and the delegation.

Walter Johnson thanked his wife and staff for support throughout the Tribal Assembly.

Royal Hill, Jr. thanked all delegates.

Edward K. Thomas, President Emeritus, acknowledged his wife, Cathy Thomas who was in the audience.

President Peterson provided closing remarks, expressing gratitude for the elders and their support throughout Tribal Assembly. He was impressed by the emerging youth and their words of wisdom, thanked staff for their hard work, and the Executive Council and all delegates.

ADJOURN

The 82nd Tribal Assembly adjourned at 6:35 p.m. followed by closing prayer, the retiring of the colors, and exit dance performance by the Woosh.ji.een Dance Group.