



Executive Council

Central Council Tlingit & Haida Indian Tribes of Alaska
November 19, 2021– 10 AM (Alaska Standard Time)
VIRTUAL MEETING
MINUTES

CALL TO ORDER

President Peterson assumed chair without objection and called the meeting to order at 10:00 AM.

ROLL CALL

Richard J. Peterson, President	Present
Catherine Edwards, 1st Vice President	Present
Will Micklin, 2nd Vice President	Present
Rob Sanderson, Jr., 3rd Vice President	Present
Tasha Hotch, 4th Vice President	Present
Delbert Kadake, 5th Vice President	Present
Ralph Wolfe, 6th Vice President	Present
Jalen Ketah, Emerging Leader	Present

Also present: Chief Operating Officer Roald Helgesen, Chief Financial Officer Theresa Belton, Chief Development Officer Will Ware, General Counsel Madeline Soboleff Levy, Government Affairs Manager Heather Gatti, Office of the President Manager Ralphenia Dybdahl, Secretary to the President/Recording Secretary Carley Jackson, Tlingit Haida Tribal Business Corporation Chief Executive Officer Richard Rinehart, Director of Public Safety/Tribal Emergency Operations Center Incident Commander Jason Wilson.

INVOCATION

3rd Vice President Rob Sanderson, Jr. led the meeting in invocation.

ADOPTION OF THE AGENDA

M/S 3rd Vice President Rob Sanderson, Jr. moved to adopt the agenda. U/C.

4th Vice President Tasha Hotch requested the removal of the discussion item regarding support for Yakutat Tlingit Tribe to act in protection of sacred sites on the grounds that it would be discussed at a separate meeting. No objection, M/C.

PUBLIC COMMENT

Public comment was provided by Ken Southerland, President of the Juneau Tlingit & Haida Community Council.

Yak-Tat Kwaan, Inc. Director Marvin Adams requested that the Executive Council schedule a meeting with the Board of Directors to discuss EC 21-50 Support for Yakutat Tlingit Tribe to Act in Protection of Historic Sites and Sacred Places.

Public comment was provided by Bob Sam, a member of the Sharing Our Knowledge Conference Planning Committee. Mr. Sam requested Tlingit & Haida financially support the Conference.

Public comment was also provided by Violet Sensmeier, thanking the Executive Council for its adoption of EC 21-50 Support for Yakutat Tlingit Tribe to Act in Protection of Historic Sites and Sacred Places.

REPORTS

President's Report

President Peterson provided a verbal report of recent activities. The President and other Tribal Leaders spoke at the White House Tribal Nations Summit on its housing infrastructure and energy panel to share related policies of the communities they represent. Invitations were extended to Secretaries Buttigieg and Granholm to visit the Tribe. There was an announcement that the USDA is going to rollback the Roadless Rule.

President Peterson expressed gratitude for the work of Melanie Bahnke and Nicole Borromeo, for their work with the Alaska Redistricting Board to combat the gerrymandering that has deprived Alaska Natives of representation in state government.

President Peterson spoke at the Achieving 30x30 for Our Coasts, Oceans, and Communities Conference on a panel concerning reflections and future opportunities. Discussion highlighted the Tribe's climate resilience work and the work of the Climate Change Committee that is led by 2nd Vice President Will Micklin. President Peterson also advocated for inclusion of indigenous voices in the discussion of climate resilience.

President Peterson attended the Alaska Federation of Natives board meeting to discuss modification of the organization's dues structure. He supported a motion to preserve the current dues structure because sufficient data was not provided in support the suggested dues increases.

There are ongoing community visits to discuss American Rescue Plan Act (ARPA) funding and expressed his gratitude toward the staff, many of whom have been working hard to support these community meetings.

President Peterson discussed the overall success of the Tribe's first town hall meeting. Tribal citizens who attended the meeting were appreciative of the fact that they were able to participate. Future town hall meetings will be held on a monthly basis until April, at which point the meetings will be held on a quarterly basis.

President Peterson will work with Marvin Adams to determine whether a discussion item related EC 21-50 Support for Yakutat Tlingit Tribe to Act in Protection of Historic Sites and Sacred Places will be added to the next Executive Council meeting agenda.

President Peterson encouraged everyone in attendance to watch the 2020 President's Awards Virtual Ceremony at 6:00 p.m. on November 20, 2021. He discussed the award of the President's Lifetime Achievement Award to Dr. Dennis Demmert from Ketchikan who has a long-standing history with Tlingit & Haida. Other awardees are:

- Culture Bearer Virginia Oliver
- Emerging Leader Simon Friday
- Hold Each Other Up Award Recipient Matt Carle, Sr.
- Inspiring Educator Mary Cruise
- Language Warrior David R. Boxley
- Tribal Ally Colleen Echohawk
- Youth Mentor Kyle Worl

President Peterson commended the Seattle Child Welfare Office for the amazing work it has accomplished since its establishment. The office has more than 50 cases, serving at least 40 families. He also commended the office for its collaboration with the State of Washington.

President Peterson introduced Ralphenia Dybdahl as the new Office of the President Manager. Ms. Dybdahl introduced herself and expressed gratitude for her new position.

Discussion ensued.

General Counsel Report

General Counsel Madeline Soboleff Levy gave a verbal summary of her written report. Questions were offered.

Special Assistant's Report (Heather)

Special Assistant to the President Heather Gatti gave a verbal summary of her written report. Questions were offered.

Chief Development Officer's Report

Chief Development Officer Will Ware gave a verbal summary of his written report. Questions were offered.

Chief Operating Officer's Report

Chief Operating Officer Roald Helgeson gave a verbal summary of his written report. Questions were offered.

Public Safety Report

After a verbal report, an opportunity to pose questions regarding Public Safety was provided. Discussion was focused on the State of Alaska's refusal to take on liability to permit the use of firearms by Village Public Safety Officers (VPSOs).

Public Safety Manager Jason Wilson reported on issues related to the arming of VPSOs. He indicated that arming VPSOs would require substantial policy changes, insurance, and a

resolution of issues related to liability. While insurance is in place, the State refuses to be held responsible for any VPSO-involved shooting, which means that any related liability may rest with the Tribe. This is inappropriate because the Tribe operates the VPSO program for the benefit of the State. The Tribe is constantly looking at solutions to this problem because having VPSO's who are equipped to respond to the rising levels of violent crime is a top priority.

Mr. Wilson also provided a recruitment update.

Chief Financial Officer Report

Chief Financial Officer Theresa Belton gave a verbal summary of her written report.

Ms. Belton also discussed the Tribe's submission of a Notice of Intent to apply for State Small Business Credit Initiative funds. The State indicated that the Tribe was potentially eligible for \$6.7 million in funding. The application for funding will be open from November 26, 2021 through February 11, 2022. Once the application is open, Ms. Belton will work with Grants & Resources before bringing the item back to the Executive Council.

Questions were offered.

Tribal Emergency Operations Center Report

An opportunity to pose questions regarding the Tribal Emergency Operations Center was provided.

Tlingit Haida Tribal Business Center/KIRA Report

Tlingit Haida Tribal Business Corporation Chief Executive Officer Richard Rinehart, Jr. gave a verbal summary of his written report.

Questions were offered.

M/S 2nd Vice President Will Micklin moved for the adoption of EC Resolution 21-65, appointing Lieutenant General Wendy M. Masiello as a director of the THTBC Board of Directors. U/C.

DISCUSSION ITEMS

CARES Act Assistance Closeout

The completed closeout of the Tribe's CARES Act 1.0 and 2.0 applications was discussed.

Community Councils

Some confusion has arisen regarding the authority over ARPA funds of community councils self-identifying as political subdivisions. Outside counsel issued an opinion in 2013 concluding that community councils are instrumentalities of Tlingit & Haida, rather than political subdivisions. To clarify, the General Counsel Office was encouraged to prepare a presentation detailing the extent of community council authority.

The term "political subdivision" is a term of art in federal tax code. The Tlingit & Haida Constitution, related legislation, and the Congressional Record clearly indicate that the community councils were created to elect delegates to represent those communities at Tribal Assembly and to vote on the composition of the Executive Council.

Youth Commission

President Peterson relayed that Emerging Leader Jalen Ketah had requested that the Youth Commission and Murdered and Missing Indigenous People be added as discussion items on the next meeting agenda. No objection, so ordered.

VPSO Program, Working Relationship with Sealaska, Rescue Act Program

These topics were addressed in earlier reports and discussion.

Whitehouse Tribal Nations Summit

Joint Secretarial Order No. 34-03 concerning collaboration and co-stewardship of federal public lands, two related memorandums concerning indigenous knowledge and sacred sites, and the executive order on public safety and criminal justice with regard to murdered and missing indigenous women were discussed. All of these items, which are the result of advocacy on the part of President Peterson and other tribal leaders, are steps toward actively working with the federal government on these matters of great concern; however, all of the proposed work is lacking the (federal) funding required for robust expressions of collaboration and co-stewardship. Furthermore, history indicates that there is reason to believe that support at the federal level does not always translate into follow-through at the bureau level. As such, proper implementation may require tribes to demand ample funding. Discussion ensued.

Facebook

The reliance of tribes and their citizens on social media as an avenue of individual and political expression was discussed. 2nd Vice President Micklin shared concerns related to Facebook's algorithmic amplification development strategy that depends on division and polarization. Discussion ensued.

BUSINESS (ACTION) ITEMS

Ratification of Polled Resolutions

EC 21-61 Authorization to Create a New Investment Account

EC 21-62 Authorization to Create a New Investment Account to Deploy a Short-Term Investment Strategy

M/S 4th Vice President Tasha Hotch moved to ratify EC Resolutions 21-61 and 21-62. U/C.

Resolutions

EC 21-65 Appointment of Lt. Gen. Wendy M. Masiello, ASAF (Ret.) as a Director for the Tlingit Haida Tribal Business Corporation Board of Directors (*Approved at the Close of Reports*)

EC 21-66 Authorization to Apply for the American Rescue Plan Act Good Jobs Challenge

M/S 4th Vice President Tasha Hotch moved to approve EC Resolution 21-66. U/C.

Tribal Rules of Judicial Conduct, Redline 2021.11.19

M/S 2nd Vice President Will Micklin moved to adopt the Tribal Rules of Judicial Conduct, as amended. U/C.

Food Distributions

Anchorage Community Council ARPA Funds Request for Turkey and Rice Distribution
Juneau Community Council ARPA Funds Request for Food Distribution

M/S 3rd Vice President Rob Sanderson, Jr. moved to accept the ARPA funding requests for food distributions in Anchorage and Juneau. U/C.

GOOD OF THE ORDER

Comments were provided for the good of the order.

ADJOURN

The chair called for adjournment at 1:58 PM No objection, so ordered.