Quil Ceda Village

Regular Council Meeting
June 15, 2004
Minutes

9:15 AM: Village Council Meeting: Roll Call

President Herman Williams, Jr. – Here
Council Member Stan Jones, Sr. – Absent: In Reno-TERO presentation
Council Member Don Hatch, Jr. – Here (In at 9:30 a.m.)
Council Member Marie Zackuse – Absent: In Sioux Falls, SD
Council Member Mel Sheldon, Jr. – Here
Council Member Les Parks – Here
Council Member Marlin Fryberg, Jr. – Here

Staff & Visitors Present:

John McCoy, Village General Manager
Steve Gobin, Sr. Policy Analyst, ED Health & S.S.
Nina Reece, Village Administrator
Mike Taylor, Attorney
Tom Gobin, QCV Utilities
Foley Cleveland, Special Projects
Cal Taylor, Liquor Store Manager

1) Approval of Agenda
June 15, 2004
Motion made by Les Parks to approve the agenda as presented with amendments: Add discussion on a bike race; Add after agenda item 13, a closed session to provide update on 116 th; Add visitor has 6 items from Retail Center Tenants, i.e. variance to lease, sign design, taxation variance to Cigarette Tax Ordinance.
Seconded
Discussion
4 for 0 against
Motion carried

2) Approval of Minutes
Unavailable

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Old Business:

3) Taxation/Washington D.C. Update
Discussion: John McCoy; Herman Williams; Mike Taylor

Amending the Buck Act would not be the best way to go. It would not work through legislation to amend language with states because of the State Act. The legislation that is being considered is an approach to bring states to the table with tribes to do revenue sharing. This could be a very long process. Atmosphere in D.C. is not favorable at this time. Many departments may take a deduction in their federal funding. Many bills do not appear to be moving. It is the opinion that the Village and the tribe may need to pursue other courses of action. The tribe is very aware of the costs associated with the Village and the infrastructure. Council would like a strategic planning session on just taxation. The federal government dictates to states all the time in what they should and should not do. Tribes are under the federal government not states. Village must consider all strategies.

4) Retail Center
A) Improvement
Discussion: Cal Taylor; Les Parks; Mel Sheldon

There has been an on going discussion regarding employee smoking in front of their suites. Back of building does not have a covered area. The weather is not good here in the Village. Staff would cooperate with request if this is provided.

Staff should be immediately sent to the back of the building regardless of a covered area. Village staff should get a bid on an awning that will be in the corner of the back of the building and find a funding source. Council is requested to appropriate a dollar amount.
Motion made by Les Parks to appropriate up to $3,000 from the Retail Center Capital Improvement fund and direct that employees are not to smoke in the front of the building from this day forward.
Seconded
Questions
5 For 0 Against
Motion carried

B) Request for Liquor Store Sign on East Side of Retail Center
Discussion: Cal Taylor

Quil Ceda Liquor Store is requesting a variance for an unlit sign in the back of the building. Business Park staff can review this. A cost for design review by Ruhl Parr will be passed on to the liquor store.

C) Request for variance to allow newspapers outside Liquor Store Suite F
Discussion: Cal Taylor; John McCoy; Steve Gobin; Mel Sheldon; Don Hatch

There are three machines that sell newspapers. They are located near the Quil Ceda Liquor Store. The alcove could be designated for the liquor store's exclusive use and could allow the papers to stay there.

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Liquor Store is asking for a variance to its lease to allow the newspapers to stay outside the liquor store. The Village does have an Ordinance that prohibits retail sales outside of the buildings. Leases within the Retail Center also say that tenants cannot have sales outside in the common areas. The lease should be amended to allow this.

Motion made to amend the Liquor Store lease to allow newspapers to be sold in front of their stores.
Seconded
Questions
5 For 0 Against
Motion carried

D) Request for variance to Cigarette Tax Ordinance 36A
Discussion: Cal Taylor; Don Hatch; Les Parks; John McCoy; Steve Gobin; Herman Williams, Jr.

Cigarette Tax Ordinance requires that all sales of cigarettes are sold only to Tulalip tribal members. The auditors were not able to verify that cigarettes were sold to only tribal members. They required surveillance tapes to verify that I.D. was shown for each sale. Cashiers are now asking everyone every time to show their tribal I.D. Manager is asking the Council to ask the Tulalip Tribes Board of Directors to amend the Cigarette Tax Ordinance 36A to allow tribal member spouses who bring in the tribal member spouse's I.D. to purchase cigarettes. Council members would really like to stay away from opening this up. It is too hard to control the sales now. How easy is it to begin using the card swiping system? In the negotiations, this issue was very upsetting to the State. They wanted it to be the tribal member only. Let's stay with how we are doing business now in regards to tribal member cigarette sales. Using the card swiping system can be very easy at the liquor stores but integrating other stores and software systems would require other retailers to allow TDS to have access to their sales data. The liquor store has two point-of-sales systems. TDS will look at the two systems to see if they are compatible. The liquor store manager is working with his POS system to see if they can provide the card swiping system but they have not been unable to accomplish it, yet. Staff within TDS is working on a pilot program to accomplish this. It may take a little bit of time but staff is moving in that direction. The Village is going to reach out to the larger stores to work out these issues.

Break at 10:00 a.m.
Mel Sheldon excused himself to attend a funeral for a lost soldier in Iraq.

Continue discussion on variance to Cigarette Tax Ordinance 36A:
The tribal member is entitled to the tax free status not the spouse. To move in this direction, would be creating an entitlement for people who are not entitled to the right by extending benefits to people who are not tribal members. What the tribe does with their hard dollars is one thing but tax dollars must be bound by the laws set forth.

E) Parking/Loading Zones
Discussion: Cal Taylor; Les Parks;

The nice landscaping in the back of the building is not helping anyone. The fire zone does not allow parking in the back. When trucks are back there it becomes a problem. Tenant is asking to have the

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landscaping removed. Business Park staff is asked to look at the design and see how this area can be reconfigured.

5) Maintenance Storage Building Update
A) 12 month rental agreement/Williams Scotsman
i) 20 x 8 Office Bldg. @ $169.00 per month
ii) 2 – 20 x 8 Storage Units @ $75.00 each per month
Discussion: Marlin Fryberg Jr.; Don Hatch; John McCoy

Motion made by Les Parks to approve the rental agreements for the storage buildings for the maintenance buildings and allow the Village General Manager to sign the documents.
Seconded
Questions: Need to put a time limit on this. Council does not want to see this extended out.
Amendment to the motion to put this in the 2005 budget.

Questions: The tribe has many priorities and it maybe unfair to put this at the top of the list. This expresses the Village's position to do this.
Second withdrawn after discussion
3 For 1 Against The reason for voting against motion is: without a time limit we will not be able to accomplish this task within the necessary time frame.
Motion carried

New Business:

5) Equine Rescue Association
Donation Request-Soil, 20 loads (200 yards)
Discussion: Les Parks; Don Hatch

Motion made to authorize 200 yards of topsoil to Equine Rescue Association and they must provide trucking and loading at their own expense.
Seconded
Questions
4 For 0 Against
Motion carried

6) Tulalip Casino-Public Assemblage Permit Approval
A) Mustang Rally-Friday, July 16, 2004
B) 2nd Annual Tulalip Rod & Custom Show, August 21 & 22, 2004
C) I-5 Extravaganza 3 on 3 Basketball Tournament, August 27-29, 2004
D) Bicycle Racing Club of Washington State, August
The east shoulder of 27th Avenue and one lane of 99th, 34th and 105th would need to be closed for the race. They would have sufficient people to provide traffic control. 250-300 people would be racing all day long.

This is an FYI

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7) Little Joe's Towing-Impound Agreement Approval
Discussion: Native American towing business would like a contract with the Village. Allow tribal members this opportunity. Advertise in the See-Yaht-Sub. Staff opinion that the Village do both. Contract should be open-ended and can be terminated at will by either party. It is not the responsibility of the Village to provide impound lots. Village will issue an RFP

8) Parametrix-Contract Approval
A) Consultant-Chelsea/Seattle Premium Outlet Mall Plan Review
Not to exceed: $9,996.00
B) Consultant-Evaluation of MBR SCADA System Alternatives
Not to exceed: $4,760.00
C) Consultant-Limited design package and revisions to 88 th Street
For installation of two pressure transducers and two data
Loggers for QCV Utilities Staff installation
Not to exceed: $12,900.00
Discussion: Steve Gobin; Tom Gobin

8 C will provide a fix to the problems with the backup system for the water so that it will not fail as it has done twice. 8 B will help us monitor the water & sewer systems within the Village.

Motion made to approve the contracts with Parametrix to approve the Chelsea Seattle Premium Outlet Mall Plan Review not to exceed $9,996.00
Seconded
Questions
4 For 0 Against
Motion carried

Motion made to approve contract with Parametrix to approve the evaluation of the SCADA system alternative not to exceed $4,760.
Seconded
Questions: Could we please try to work with Tulalip Utilities because they are putting in a SCADA system.
4 For 0 Against
Motion carried

Motion made to approve consultant contract for design package for two pressure transducer/Data Logger Design and Installation not to exceed $12,900.00
Seconded
Questions
4 For 0 Against
Motion carried

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9) Trading Post
Rental of 1 bay for Nature Pictures/Mouse Pads
Discussion: Peter Mills; Don Hatch; Les Parks

The rent seems to be too high for tenants to want to move in. Advertise it at a lower rate and see if we can make it work. Please make this specific to this suite and not all tenants. The Trading Post can work if we can get some tenants in there. This space was created for tribal members and tribal members are not stepping up and renting the space. If we can start marketing the Trading Post, it can become successful.
Motion made to amend the Trading Post rent to $350 per unit per month and lease a space to Wood Stock Images, Inc.
Seconded
Questions: This was put in for a business. We need to bring in revenue. If this does not work we need to make a change. Let staff take a look at this and if they can't make it work then change it to something that can. Staff would like one year to make it work.
4 For 0 Against
Motion carries
Motion carried

10) Pony Rides
Discussion: Pulled back until next Village Council Meeting.

11) Financial Statement-FYI

12) Closed Session-New Positions-FYI
A) Ground Maintenance/Laborer
B) Custodian-Awaiting agility test
C) Marketing Specialist-Interviews this afternoon (7 applicants)

13) Closed Session-BP Personnel Issue
Closed Session began at 11:30 a.m.
Don Hatch Jr. left for previous commitment.
Lost Quorum
Special Council Meeting called for Friday, June 18, 2004 @ 9:00 a.m. Tulalip Tribes Board Room, 6700 Totem Beach Rd

Reconvened on June 18, 2004 at 11:32 a.m. at the Tulalip Tribes Board Room,
6700 Totem Beach Road, Quil Ceda Village, WA 98271

Council Members present: President Herman Williams Jr.; President Pro Tempore Mel Sheldon Jr.; Stan Jones Sr.; Don Hatch Jr.; Marie Zackuse; Les Parks; Marlin Fryberg Jr.
Staff: Steve Gobin; Nina Reece; T. Peter Mills; Mike Taylor; Linda Jones
Closed Session

Reconvened open session 11:55 a.m.

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Motion made by Les parks to adopt the Quil Ceda Business Park re-organization as presented.
Seconded
Questions
7 For 0 Against
Motion carried

Motion made by Don Hatch Jr to have the legal staff with Peter Mills to negotiate a settlement on the personnel issue.
Seconded
Questions
7 For 0 Against
Motion carried

Motion made by Marie Zackuse to adjourn the Village Council meeting at 11:58 a.m.
Seconded
Questions
7 For 0 Against
Motion carried

14) Next Village Council Meeting-July 20, 2004 @ 9:00 a.m., Quil Ceda Village Conference Center.

Closed Session

Adjourn Meeting

Minutes approved at the regular Village Council Meeting of July 20, 2004.

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Recording Secretary Date

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