

**Qagan Tayagungin Tribe
P.O. Box 447
Sand Point, Alaska 99661
Regular Meeting
Thursday, December 19, 2002
City Council Chambers**

1. Call to Order:

President David Osterback called the meeting to order at 6:15 p.m.

2. Roll Call:

<i>Present::</i>	David Osterback	President
	Jack Foster Jr.	Vice President
	Dorothy McCallum	Secretary/ Treasurer
	Melaine Rotter	Council Member
<i>Absent/Unexcused :</i>	Peter Devine Jr.	Council Member
	Sharon Hakala	Council Member
	Peggy Osterback	Council Member
<i>Others Present:</i> and Janet Wilson	Edith Jacobsen, Dick Jacobsen, Susie Osterback, Joel Ludvick, Mary Ann Krone	

3. Approval of Agenda:

Changes made to the Agenda, under New Business Funding Request moved to Executive Session . Suggestion Box moved under New Business G. H. Under New Business should be Council Vacancies , instead of Board Vacancies. Under Old Business as D. Budget 2003. Under Old Business as E. Presidents Salary. Under 10 Additional Business add schedule next regular meeting As B. Under New Business Special and Regular Meetings discussion with Dan Duame A/PIA lawyer and Council by teleconference. Under New Business as M. Add Special Meeting , Nov 20, 2002. Under 11, Additional Business , add Resignation of Council Member.

MELAINE ROTTER MADE A MOTION TO APPROVE THE AGENDA WITH CHANGES AND ADDITIONS.

Jack Foster Jr. Seconded. All in Favor – Unanimous – Motion passes.

4. Tribal Comments:

Edith Jacobsen had questions on funding for fisheries. President David Osterback explained that monies expended have been put on hold until we have an approved budget.

5. Minutes – November 20, 2002:

President David Osterback stated that we would set this item aside until we are on teleconference with Dan Daume, Attorney for A/PIA.

6. New Business:

a. Constitutional Amendment

Dan Daume was connected by teleconference. Dan explained that that the process has become a bit complicated and that it is important to move forward with this document. Dan doesn't feel that the draft is ready to take to an Annual/ Membership meeting, but we could take it for discussion . He recommends that the draft be taken to one more Workshop and then Council would possibly be able to present two products with suggested changes to Membership. President David Osterback said several Council Members have suggestions they would like to make on the changes to the Constitution. Council Member suggested that we should postpone the Annual /Membership Meeting until Council has another workshop to make the needed changes as a group, before presenting the draft to our Membership. Dan Daume agreed that this was a better solution. Council Member questioned the legality of Membership attending the workshop. Dan Duane said that would be fine as long as the workshop didn't become to unwieldy.

b. Special Meetings versus Regular Meetings

November 20, 2002 Minutes was then bought up for discussion.

Corrections were made to November 20, 2002 upon the advice of Dan Daume.

Dan Daume informed Council that in his opinion there were too many items on the Agenda for it to be identified as a Special Meeting and that no other additions should have been added to the Agenda despite the fact that the Chairperson, Jack Foster Jr. had requested of Council if there were any additions or deletions to the November 20, 2002 Agenda before the approval of the Agenda. Dan Daume advised Council that the added items to the Agenda should be declared null and void for this particular meeting. The items in question would be then added to the next regular Meeting to be addressed at that time. President David Osterback stated that this matter in no way reflects on the Council's abilities, it is a matter of following proper procedures such as Roberts Rules and the Constitution. As a result some of these items will be moved to our regular meeting, as these items do need to be addressed. November 20, 2002 Agenda items under #7 Old Business B. C. and D. was then moved to the tonight's regular meeting, as were A. B. E. F. and H. under New Business.

President David Osterback called a recess at 7:15 p.m.

President David Osterback called the meeting back to order at 7:30 p.m.

President David Osterback stated that on item # 5 Minutes – November 20, 2002, a motion was needed to reflect the legal advice of Attorney Dan Daume.

JACK FOSTER JR. MADE A MOTION TO REDO THE MINUTES OF NOVEMBER 20, 2002 TO REFLECT THE LEGAL ADVICE OF ATTORNEY DAN DAUME.

David Osterback Seconded. All in Favor - Three yeas – One nay – Motion Passes.

6. New Business:

a. Constitutional Amendment

This Item has already been discussed on teleconference with Dan Daume and Council.

b. Special Meetings Versus Regular Meetings

This Item has also been addressed during the teleconference with Dan Daume and Council.

c. 2001 Audit Draft Approval

President suggested that Council have our financial person, Maren Carey, review the audit draft before taking action on this item.

DOROTHY McCALLUM MADE A MOTION TO APPROVE THE 2001 AUDIT, PENDING REVIEW AND APPROVAL BY MAREN CAREY.

Jack Foster Jr. Seconded.

Roll Call Vote: David (YES) – Jack (YES) – Dorothy (YES) – Melaine (YES) – By Majority Vote of Assembled Quorum Motion Passes.

d. ANA Grant

President explained that the ANA grant would provide funds for training for Council on Policies and Procedures, Administration training, Presidents salary, Tribal Operations, Etc.

JACK FOSTER JR. MADE A MOTION TO DIRECT MICHELLE ZERBETZ, OUR GRANT WRITER TO WRITE A ANA GRANT TO PROVIDE TRAINING FOR THE COUNCIL, STAFF, TO SET POLICIES AND PROCEDURES, ENROLLMENT FUNDING AND ALSO TO PAY THE PRESIDENT.

Dorothy McCallum Seconded. All in Favor – Unanimous – Motion Passes.

Some discussion followed on the amount paid to the Grant Writer for her services. Mary Ann was directed to research this and provide Council with the information.

e. EAT request for Tribal Membership List

Mary Ann clarified this item for Council, explaining that EAT needed the list for their audit.

Council explained that Tribes enrollment files are confidential and can not be let out to anyone.

No action taken, only discussion. Direction was given to re-visit this subject and also to address enrollment needs at next regular meeting.

Council bought up previous motion on ANA Grant under d. New Business to reconsider and add to the motion, Enrollment funding.

F. Lease Agreement / City of Sand Point

This is the QTT office space lease agreement and it needs to be signed and returned to the City.

MEALINE ROTTER MADE A MOTION TO ACCEPT THE CITY OF SAND POINTS LEASE AGREEMENT.

Dorothy McCallum Seconded.

Roll Call Vote: David (YES) – Jack (YES) – Dorothy (YES) – Melaine (YES) By Majority Vote of the Assembled Quorum Motion Passes.

G. Roberts Rules

Jack Foster Jr. spoke on this subject at length. He stated that his goal is to have our Special meetings conducted properly according to Roberts Rules. He also informed Council that there is a training session in Anchorage in January on Roberts rules. It was suggested that we should have and use our own Policies and Procedures for meetings as the newer Roberts Rules are becoming very complicated.

h. Suggestion Box

DOROTHY McCALLUM MADE A MOTION TO ESTABLISH A SUGGESTION BOX FOR OUR TRIBAL MEMBERS, TO BE LOCATED OUTSIDE OF QTT OFFICES. OUR TRIBAL OFFICE STAFF WILL READ THROUGH THE SUGGESTIONS.

Melaine Rotter Seconded. All in Favor – Unanimous – Motion Passes.

I. Council Vacancies

DOROTHY McCALLUM MADE A MOTION SEATS C. AND D. BE DECLARED VACANT.

Melaine Rotter Seconded.

Lengthy discussion ensued. It was stated that it is difficult to get a quorum together to conduct business with two Members not living in Sand Point and there are people living in town who would like to be a part of the Tribal Council. Others felt that one should reside in Sand Point in order to sit on the Council. The President informed Council that Peggy Osterback had informed him that she would be resigning and Dan Daume had advised him that when a Council Member has changed their residency, that persons seat is considered a vacancy and the Council has the right to post that seat. On the matter of seat D. the President informed Council that person has informed him that their residence is still Sand Point and he feels that the Council does not have the authority to remove this person unless they have missed three consecutive regular meetings or has been gone for ninety days. A suggestion was made that this problem should be taken to the Annual/ Membership Meeting and presented to the Membership for their consideration. Proof of Residency was discussed in farther detail. It was stated by a Council Member that the person filling Seat D. has already been gone ninety days. A Council member stated that he wouldn't vote anyone off the Council without proof of residency and felt that Council should write the Council Member a letter informing them of the problem and he feels Council does not have the authority to remove the Council member from Seat D. Council consensus is a letter should be written to council member informing her of the problem. President recommended that a letter be written to Dan Daume asking his advice on this matter. A Council Member suggested that Roberts Rules be checked again on this matter, as the Council Member may be allowed access to the meetings via teleconference.

Question was called.

All in Favor – Two Yeas – Two Nays – Motion Fails

MELAINE ROTTER MADE A MOTION TO WRITE A LETTER TO SHARON HAKALA EXPRESSING OUR CONCERNS OVER THE FACT THAT SHE IS NOT HERE CONDUCTING BUSINESS AND ASK HER WHAT HER INTENTIONS ARE., AND DOES SHE FEEL THAT HER ABSENCE MAY BE DETRIMENTAL TO THE NORMAL OPERATIONS OF THE COUNCIL. ALSO, COUNCIL EXPECTS A RESPONSE TO OUR LETTER.

Dorothy McCallum Seconded. All in Favor – One nay – Three yeas. Motion Passes.

Discussion followed. Council directed Mary Ann to write the letter to Sharon Hakala and to have President David Osterback sign it.

Council and President also directed Mary Ann to post requesting Letters of Interest for vacant Seat C.

DOROTHY McCALLUM MADE A MOTION TO RECESS DECEMBER 19,2002 MEETING UNTIL 1:00 P.M. FRIDAY 20, 2002.

Melanie Rotter Seconded. All in Favor – Unanimous – Motion Passes.

Recessed December 19,2002 Meeting was called back to order at 1:15 p.m. on Friday, December 20,2002 by President David Osterback.

Roll Call :

Present:	David O. Osterback	President
	Jack Foster Jr.	Vice – President
	Dorothy McCallum	Secretary/Treasurer
	Melaine Rotter	Council Member
Absent/unexcused:	Peter Devine Jr.	Council Member
	Sharon Hakala	Council Member
	Seat C.	Vacant
Also present:	Mary Ann Krone	

President David Osterback informed Council that he would like to request Council to move into Executive Session regarding Council Members before continuing regular business.

DOROTHY McCALLUM MADE A MOTION TO MOVE INTO EXECUTIVE SESSION.

Jack Foster Jr. Seconded. All in Favor – Unanimous – Motion Passes.

Council moved into Executive Session at 1:25 p.m.

Council moved out of Executive Session at 1:55 p.m.

No Action taken in Executive Session.

Constitution Workshop was set for December 27, 2002 at 3:00 p.m. Annual/Member Ship Meeting has been postponed.

J. Marine Mammal Representative:

Place on next regular meeting agenda under proper name, Alaska Sea Otter and Stellar Seal Lion Commission. Resolution will be addressed at that time. Contact Peter Devine Jr. regarding information on this subject.

K. Membership Art Display:

DOROTHY McCALLUM MADE A MOTION TO BRING THIS ITEM TO THE TABLE FOR DISCUSSION BY COUNCIL.

Melanie Rotter Seconded. All in Favor – Unanimous Motion passes.

Discussion followed.

Our Constitution stipulates that we are to foster and encourage the Arts and Crafts of our Membership. Council Member stated that any Tribal Members wishing to display their Arts and Crafts at the Airport Terminal and at the Community Bldg. should be allowed and encouraged to do so at no charge to our Members.

Another Council Member recommended that a policy on space for lease be written up to cover the Hold Harmless clause regarding any items displayed in the event of natural disasters, fire, etc. Mary Ann was directed to find correct verbiage to insert this clause into policy.

DOROTHY McCALLUM MADE A MOTION TO PROMOTE AND ENCOURAGE TRIBAL MEMBERSHIP TO DISPLAY ARTS AND CRAFTS ON THE WALLS AT THE AIRPORT TERMINAL AND AT THE COMMUNITY BLDG. AT NO CHARGE.

Melanie Rotter Seconded. All in Favor – Unanimous - Motion Passes.

JACK FOSTER MADE A MOTION THAT A SUBLEASE POLICY BE WRITTEN UP FOR FLOOR SPACE FEES FOR SALES OF ARTS AND CRAFTS BY TRIBAL MEMBERS AND A HOLD HARMLESS POLICY BE INSTILLED INTO THE POLICY IN REGARDS TO ITEMS DISPLAYED.

David Osterback Seconded.

More discussion followed. Definition regarding Tribal members selling items versus commercial lease should be stated in a Policy. Policy should also give preference to Tribal Membership.

Also Mary Ann was directed to find out how other communities go about subleasing space and arriving at a fee structure.

Roll Call Vote: David Osterback (YES) – Jack Foster (YES) – Dorothy McCallum (YES) –Melanie Rotter (YES)

Four Yes Votes – By Vote of the Majority of the Assembled Quorum Motion Passes.

L. Tribal Management Class U.A.F.

Council Member wanted to inform Council of this class being offered in Fairbanks at the University. She wanted to know if Membership should be advised of this class, as they are all potential Council Members and could also benefit from this class.

The fee is approximately two hundred and eighty- seven dollars and it can be done by teleconference.

DOROTHY McCALLUM MADE A MOTION THAT COUNCIL INFORM TRIBAL MEMBERS OF THIS TRIBAL MANAGEMENT CLASS BEGINNING ON JAN. 20,2003 THROUGH MAY 1,2003 AND COUNCIL WOULD ENTERAIN THE CONCEPT OF PAYING THE COSTS OF CLASS UPON COMPLETION.

Melanie Rotter Seconded.

More discussion followed. Funding may be a problem.

DOROTHY McCALLUM CHANGED HER MOTION TO READ, COUNCIL WILL PAY FOR THE CLASS UPON COMPLEATION, FOR COUNCIL MEMBERS ONLY, WHO RESIDE IN SAND POINT.

Melanie Rotter Seconded.

Roll Call Vote: David Osterback – YES) – Jack Foster Jr. –(YES) – Dorothy McCallum –(YES) – Melanie Rotter – (YES). By Vote of the Majority of the Assembled Quorum Motion Passes.

7.Old Business:

a. IRR Planner

President explained that back in July, Council expressed concern for this project, as Council was not involved in the interviewing or hiring process of the IRR Assistant.

President David Osterback directed Mary Ann to schedule a meeting with Alice Jackson our Transportation Coordinator, himself, and Mary Ann to discuss IRR Grant and have some solid information to present to Council for the next regular meeting.

Direction was given to Mary Ann to research where the funding on the Red Cove Road Re-paving stands as soon as possible.

b. EAT Alternative Representative Posting Appt.

President David Osterback said that he would volunteer for the position of Alternate EAT Representative.

DOROTHY McCALLUM MADE A MOTION TO SUPPORT DAVID OSTERBACK AS ALTERNATE REPRESENTATIVE TO EAT BOARD.

Melanie Rotter Seconded. All in Favor – Unanimous – Motion Passes.

c.AHA Resolution 02-17

No action was taken on this Resolution at this time. President David Osterback directed Mary Ann to draft a letter to AHA requesting an accounting of the monies in AHA that are our Tribes share. Also inquire as to the status of the units that were proposed for Sand Point well over a year ago. State very firmly that QTT wants an accounting of what AHA is doing for the Tribe. Inform AHA that if we do not receive a written response we will take our concerns to the Granting Authority. Mary Ann was directed to inquire of Unga and Pauloff where they stand on the units that they were to receive.

JACK FOSTER JR. MADE A MOTION TO DRAFT A LETTER TO AHA CONTAINING ALL OF THE ABOVE DIALOGE, REQUESTING AN ACCOUNTING OF THE MONIES WITH AHA THAT ARE OUR SHARE, AND INQUIRING AS THE STATUS OF THE UNITS THAT WERE PROPOSED FOR SAND POINT OVER A YEAR AGO. ALSO STATE VERY FIRMLY THAT QTT WANTS TO KNOW WHAT IT IS AHA IS DOING FOR THE TRIBE AND UNLESS WE RECEIVE A WRITTEN RESPONSE TO OUR INQUIRES WE WILL TAKE OUR CONCERNS TO THE GRANTING AUTHORITY.

Melanie Rotter Seconded. All in Favor – Unanimous – Motion Passes.

d. Budget 2003

President directed Mary Ann to contact Dan Daume on the budget for 2003.

Dorothy read a letter from Maren our Finance person with CFO Growth Solutions, and Maren said she reviewed the audited FY01 financial statement prepared by Newhouse & Volgar and it looks fine.

It was recommended by the President that Steve Glaser of the Shumagin Corp. be contacted to bring our system up to par in our office. Steve had said he would help us to accomplish this. Council agreed with this

recommendation. Mary Ann also made a recommendation to get disc information from Maren to get our files up to date. One of the goals of the Council is to bring the finances back to Sand Point.

e. Presidents Salary

Council went over Oct 9, 2002 Minutes where Presidents salary was discussed. Dorothy said that she signed check requests for Presidents salary, but she feels they need to budget the salary into the Grants. She also informed Council that the salary most likely could be budgeted into the indirect costs. As of now the salary is still coming out of BIA monies.

Special Meeting –Nov.20, 2002

This agenda had several items moved to this agenda. Items found below

f. Karluk

Council discussed Karluk invoice which is approximately thirty thousand dollars that we are being told that we owe Karluk. President David Osterback informed Council that he has spoken with both Roger Debrock and Lloyd Miller, our attorneys and they advised him that any billings be sent to them for review, and that we should not pay them at this time. A recommendation from our lawyers should be forthcoming after the holidays.

g.AHA

No action will taken until unresolved questions are answered.

JACK FOSTER MADE A MOTION THAT QTT WILL NOT BE SIGNING RESOLUTION 01-17 UNTIL THERE IS A ACCURATE ACCOUNTING OF FUNDS ALLOCATED FOR OUR TRIBE.

David Osterback Seconded. All in Favor – Unanimous - Motion Passes.

President stated that we need to contact Dan Daume and inform him that our Annual/membership has been postponed until after our Constitutional Workshop when at that time we will be able to present the Membership with a completed draft.

President David Osterback called a recess at 4:25 p.m.

President David Osterback called the meeting back to order at 4:35 p.m.

b.Food Bank

MELANIE ROTTER MADE A MOTION TO APPOINT DOROTHY McCALLUM AS QTTS REPRESENTATIVE FOR THE FOOD BANK OF ALASKA.

Jack Foster Seconded. All in Favor – Unanimous – Motion Passes.

Secretary/ Treasurer

MELANIE ROTTER MADE A MOTION TO RE-APPOINT DOROTHY McCALLUM TO THE SECRETARY/TREASURER POSITION AS SHE FEELS DOROTHY IS BETTER QUALIFIED FOR THIS POSITION THAN HERSELF.

Jack Foster Seconded. All in favor – Unanimous – Motion Passes.

8. Reports:

a.Karluk This has already been addressed.

b.This item has already been addressed.

c.Morriset

This item was moved into Executive Session at request of Council and President.

d. A/PIA

President David Osterback gave a brief report on the meeting he had attended in Anchorage with A/PIA. Some ideas, green houses and bottling water was discussed. Also discussed was the growing concern over

AHA fulfilling its obligations to the Tribes. They also discussed the need for a representative from the Tribe to work with the Boys and Girls Club. Melanie Rotter offered her services as the representative.

9. Executive Session:

Personnel

Maintenance

Non – Tribal Expenses

DOROTHY McCALLUM MADE A MOTION TO MOVE INTO EXECUTIVE SESSION.

David Osterback Seconded. All in Favor – Unanimous – Motion Passes.

Moved into Executive Session at 5:20 p.m.

Moved out of Executive Session at 5:42 p.m.

No action taken in Executive Session

10. Additonal Business:

. Mason Morriset would like to meet with the QTT Council, Other Tribes, Tribal Members and Fishermen in mid January. Mary Ann was directed to review the funding for Mr. Morrisets travel. Council Agreed.

MELANIE ROTTER MADE A MOTION TO SEND A LETTER TO MR. MORRISSET INVITING HIM TO MEET WITH COUNCIL, TRIBES AND FISHERMEN TO FORMULATE A PLAN OF ACTION.

Jack Foster Seconded.

Discussion followed.

Roll Call Vote: Dorothy McCallum –(YES) - Melanie Rotter – (YES) – David Osterback –(YES) – Jack Foster Jr. – (YES) .

Four Yes Votes – By Majority Vote of Assembled Quorum Motion Passes.

MELANIE ROTTER MADE A MOTION TO RESEARCH FUNDING SOURCES FOR A FUNDING REQUEST THAT WAS MADE BY A MEMBER FOR REHABILITATION.

Dorothy McCallum Seconded.

Roll Call Vote: Dorothy McCallum –(YES) - Jack Foster Jr. –(YES) – Melanie Rotter – (Yes) – David Osterback .

By Majority Vote of the Assembled Quorum Motion Passed.

President David Osterback made a request for per diem for the meetings he attended in Anchorage and also for the extra time spent in talks with Mason Morriset in Seattle.

JACK FOSTER JR. MADE A MOTION TO PAY DAVID OSTERBACK FOUR DAYS PER DIEM FOR EXTRA TIME SPENT IN SEATTLE WITH MASON MORRISSET AND FOUR DAYS PER DIEM FOR TIME SPENT IN ANCHORAGE AT MEETINGS.

Melanie Seconded.

Roll Call Vote: Dorothy McCallum –(YES) – Jack Foster Jr. –(YES) – Melanie Rotter –(YES) – David Osterback –(Abstained)

Three Yes Votes – One abstained.

By Majority Vote of the Assembled Quorum Motion Passes.

Date was set for the next regular meeting. Regular meeting was set for January 30, 2003 which is the last Thursday of the month.

DAVID OSTERBACK MADE A MOTION TO ADJOURN.

Jack Foster Jr. Seconded. All In Favor – Unanimous- Motion Passes.

11. Adjournment:

Meeting adjourned at 6:05 p.m

Respectfully Submitted,

Janet C. Wilson - Administrative Assistant

Janet C. Wilson

Passed this 30th, Day of JANUARY 2003