



**Tribal Workgroup Meeting Notes
August 31, 2009**

ATTENDEES

Tribes

David Neubeck, Lummi
Chris Masse, Miller Nash
Aubrey Seffernick, Miller Nash
Kelly Croman, Marine View Ventures
Deryl Brown-Archie, Muckleshoot
Rion Ramirez, Port Madison Enterprises
Raymond Dodge, Quinault
LeAnn Easton, Samish
Lynn Claudon, Snoqualmie
Nathan Schreiner, Squaxin

Liquor Control Board

Sharon Foster
Pat Kohler
Rick Garza
Pat McLaughlin
Debi Besser
Margee Thompson
James Lunsford
Mona Moberg
Holly Longo

Governor's Office

Craig Bill
Rebecca George

The August 31 workgroup focused on Business Enterprise. Pat Kohler asked Chris Masse and Kelly Croman to walk through the Government to Government Consultation Policy that the tribes provided feedback on. Below are the comments that reflect the “feedback” received and not necessarily any agreement reached.

- Tribal representatives expressed a desire to include more than store siting – more of a general “consultation” policy.
- Tribal representatives envision the consultation policy to be representative of the Board and not an implied agreement with any tribes. It would be beneficial to memorialize how this policy was developed (i.e. solicitation of tribal input). Individual tribes may elect to seek a separate agreement with the Board on such matters.
- Tribal representatives suggested the use of “Indian Country” vs. tribal land and other terms to be consistent.
- Added 2 definitions - tribal alcohol agreement is to have place holder for tribes without stores to receive tax free allocation and tribal vendor agreement is for the tribes who operate off-premise retail purchase and sale of liquor.
- Added licensing issuance and renewal definition – because licensing was added to the policy.
- Added section to create regular on-going meetings with tribes and LCB (consultation section).

- Tribal representatives suggested the removal of reasons for control state...tribes saw this as Board “opinion” for control...tribes didn’t see how it was relevant to policy. Discussion occurred regarding the importance of LCB public safety mission. LCB will work on revision to this area re-phrasing – the Board takes these principles into consideration when making decisions.
- Use of control reasons may be better suited to individual tribal agreement vs. government to government policy.
- LCB thinks it is important for the control principles to be included and be specific as part of background (context) Washington is a control state contributed by:
 - Limited number of stores
 - Limited store hours
 - Higher prices produce lower consumption
 - Enforcement and licensing are coordinated
 - No employee incentive to sell
 - Advertising is prohibited
 - More revenue returned to the state
- Roles – responsibilities didn’t seem to fit with how the consultation policy would work. Not clear how to identify tribal counterparts.
- Tribal representatives – did not want to see reference to Colville Decision or state law – would not change how tribes and LCB would consult.
- (Consultation section)...”while consultation means more than...” was removed. The sentiment is there whether written or not, so text not necessary.
- Signature block removed because not sure tribes would sign off. Is a signature needed? LCB signatures should be there – no agreement on whether tribes should sign. Individual tribal agreements could be where tribes sign.
- This document may be more effective to LCB of how they worked tribes globally vs. each tribe sign.
- Instead of signature – use a paragraph to describe process and collaborative approach used to create the policy (maybe add to the background section of the policy).
- Propose we further discuss the consultation policy at the next meeting and review a new draft. **ACTION: LCB to rework to incorporate feedback then send to Lea Ann to distribute to workgroup prior to next meeting (within two weeks draft to Lea Ann).**
- Tribes noted to pay attention to second paragraph of the “purpose section” to see intent was to address one vs. more than one store.

Store Siting and Allocation Process:

- **ACTION: LCB will send workgroup letter sent to Nisqually to notify of location under consideration for new store as an example of letters that could be sent to tribes in the future of potential locations of interest or concern.**
- Tribal representatives suggested that the tribal tax exemption (shown as part of discount) shouldn't be part of the P & L which shows tribal stores being less profitable in return to the state. The fact is, tribal operations are less profitable. It is important to note that this is the State's income statement not the Tribe's income statement.
- Defer Store Siting Policy to next meeting. **ACTION: Pat Kohler will work with Lea Ann and then will send out to the group.**
- **ACTION: Alan will get together with Lea Ann, Rion, Deryl, and a small group to work on the MOA for the licensing workgoup prior to 10/16.**

NEXT MEETINGS:

October 16, 2009

9:00 a.m. – 1:00 p.m.

Olympia – LCB Headquarters; 2nd Floor; Conference Room 201

Agenda Topics:

- List of items (interests, concerns, issues) to share with at the Nov. 20 mtg.
- Attendees for BAC (Business Advisory Council)
- Government to Government Consultation Policy
- Memorandum of Agreement (MOA)

November 20, 2009

1:00 – 4:00 p.m.

Seattle – Distribution Center

Agenda Topics:

Share workgroup recommendations with Ron Allen and Sharon Foster