



**MASHPEE WAMPANOAG TRIBE
REGULAR TRIBAL COUNCIL MEETING**
Mashpee Wampanoag Tribe Community/Government Center
Tribal Council Chambers – 483 Great Neck Rd S – Mashpee, MA 02649
Wednesday, January 11, 2023-5:30p.m.-8:00p.m.
Also available via zoom

**Meeting Minutes
(Approved 2/8/2023)**

Call to Order

Vice Chairman Carlton Hendricks, Jr. called to order the Regular Tribal Council Meeting on Wednesday, January 11, 2023 at 5:46p.m.

Regular session began at 5:46p.m.

Meeting extended to 8:30p.m.

Meeting extended to 9:00p.m.

Regular session adjourned at 8:55p.m.

Members in attendance:

Vice Chairman Carlton Hendricks, Jr., Secretary Cassie Jackson, Councilwoman Edwina Johnson-Graham, Councilman Domingo Tiexeira, Councilwoman Rita Gonsalves, Councilman Nelson Andrews, Jr., Councilman David Weeden, Councilman Aaron Tobey, Jr., Councilwoman Yvonne Avant

Excused Absence: Chairman Brian Weeden

Quorum (9)

Opening Prayer

Deacon Wayne Jackson

Commencement

Motion made by Councilwoman Johnson-Graham 2nd by Councilman Weeden to commence the Mashpee Wampanoag Tribal Council Regular meeting at 483 Great Neck Road South, Mashpee, MA 02649 and via zoom on Wednesday, January 11, 2023 at 5:46p.m.

All those in favor: Unanimous by all present.

Motion passed.

Approval of Agenda

Base Motion: Motion made by Secretary Jackson 2nd by Councilman Weeden to accept and approve meeting agenda of January 11, 2023.

Amended Motion: Amended motion made by Councilman Tiexeira 2nd by Councilwoman Gonsalves to discuss legal update regarding Treasurer vacancy update and Chairman legal update matters in open session.

All those in favor: Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those opposed: Councilwoman Johnson-Graham, Councilman Weeden

Motion passed.

Final motion: Motion made by Secretary Jackson 2nd by Councilman Weeden to accept and approve the agenda of January 11, 2023 with edits to discuss legal update regarding Treasurer vacancy update and Chairman legal update matters in open session.

All those in favor: Unanimous by all present.

Motion passed.

Approval of Meeting Minutes

Motion made by Councilman Weeden 2nd by Councilman Tiexeira to accept and approve the Mashpee Wampanoag Tribal Council Emergency meeting minutes of December 9, 2022 with edits.

All those in favor: Unanimous by all those present.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to accept and approve the Mashpee Wampanoag Tribal Council Emergency meeting minutes of December 10, 2022 with edits.

All those in favor: Unanimous by all present.

Motion passed.

Note: Edits to reflect “resignation of Rita Gonsalves from Election Committee”.

Motion made by Councilman Weeden 2nd by Secretary Jackson to approve the Mashpee Wampanoag Tribal Council Special meeting minutes of November 21, 2022 with edits.

All those in favor: Unanimous by all present.

Motion passed.

Motion made by Councilman Weeden 2nd by Secretary Jackson to accept and approve the Mashpee Wampanoag Tribal Council Emergency meeting minutes of December 21, 2022 with edits.

All those in favor: Councilwoman Johnson-Graham, Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those abstained: Councilman Weeden.

Motion passed.

Appointments/Resignations

MWT & Affordable Housing Committee Liaison

Motion made by Secretary Jackson 2nd by Councilwoman Johnson-Graham to accept and approve Stephanie Coleman as the Tribal Liaison between the Tribe and the Town of Mashpee Affordable Housing Committee.

All those in favor: Unanimous by all present.

Motion passed.

Broadband Liaison

Base Motion: Motion made by Councilman Tiexeira 2nd by Councilwoman Johnson-Graham to appoint Secretary Cassie Jackson as the Liaison of the Broadband Project.

Amended Motion: Amended motion made by Councilwoman Avant 2nd by Councilwoman Johnson-Graham to add Councilman Weeden as Co-Liaison

All those in favor: Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those Abstained: Secretary Jackson, Councilman Weeden

Motion passed.

Final Motion: Motion made by Councilman Tiexeira 2nd by Councilwoman Johnson-Graham to appoint Secretary Jackson and Councilman Weeden as Co-Liaisons of the Broadband Project.

All those in favor: Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those Abstained: Secretary Jackson, Councilman Weeden

Motion passed.

Enrollment Committee

Motion made by Councilman Weeden 2nd by Secretary Jackson to table appointment of Enrollment Committee member.

All those in favor: Councilwoman Johnson-Graham, Secretary Jackson, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey, Councilwoman Avant.

All those abstained: Councilman Tiexeira.

Motion passed.

Public Comment

Katurah Peters, Sassamin Weeden, Wayne Jackson, Kimberly Frye, Daryl Frye, Shirley High Rock, Ellen Frye, Nathan Mills, Sonya Frye, Yvonne Tobey, Miles Bernadett, Councilman Domingo Tiexeira,

OLD BUSINESS

Emergency Votes/Ratifications

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to extend the approval of 2022-ORD-001 Emergency Tribal Ordinance Amending the Mashpee Wampanoag Tribe Election Ordinance for The 2023 Regular Election for an additional 30 days. (Emergency approval accepted 12/9/2022; Extended on 12/21/2022)

All those in favor: Councilwoman Johnson-Graham, Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those recused: Councilman Weeden.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to accept and approve with edits 2023-RES-001 Ratification of 2022-RES-072 Emergency Approval of Seventh Amendment to Memorandum of Understanding with Town of Mashpee (Emergency Approval accepted 12/9/2022 Extended 12/21/2022)

All those in favor: Councilwoman Johnson-Graham, Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those recused: Councilman Weeden.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilman Weeden to accept and approve with edits 2023-RES-002 Ratification of 2022-RES-073 Emergency Approval of Extensions for Genting Financing Documents and Other Related Matters. (Emergency Approval accepted 12/9/2022; Extended 12/21/2022).

All those in favor: Unanimous by all present.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to ratify transmittal to Assistant U.S. Attorney of documents in support of the Tribes request for restitution. (Request circulated on 11/30/2022; Extended 12/21/2022).

All those in favor: Unanimous by all present.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilman Weeden to accept and approve with edits 2023-RES-003 ratification of approval of Sullivan and Sullivan benefits renewal proposal. (Request circulated on 12/1/2022; Extended 12/21/2022).

All those in favor: Unanimous by all present.

Motion passed.

*Motion made by Secretary Jackson 2nd by Councilwoman Johnson-Graham to ratify funeral assistance for tribal member F-001-60 in the amount up to \$4,0000. (Request circulated on 12/1/2022; extended 12/21/2022). All those in favor: Unanimous by all present.
Motion passed.*

*Motion made by Secretary Jackson 2nd by Councilman Weeden to ratify the resignation of Rita Gonsalves from the Election Committee effective December 7, 2022. (Emergency acceptance on 12/10/2022; extended 12/21/2022)
All those in favor: Unanimous by all present.
Motion passed.*

*Motion made by Councilman Tiexeira 2nd by Secretary Jackson to ratify the resignation of Delscena Hicks from the Election Committee. (Emergency Acceptance on 12/21/2022)
All those in favor: Unanimous by all present.
Motion passed.*

*Motion made by Secretary Jackson 2nd by Councilman Weeden to ratify the resignation of Cecelia Martinez from the Enrollment Committee. (Emergency Acceptance on 12/21/2022)
All those in favor: Unanimous by all present.
Motion passed.*

*Motion made by Secretary Jackson 2nd by Councilwoman Johnson-Graham to ratify the consensus vote circulated on 12/20/2022 to approve additional funding for L-028-93 funeral outstanding balance in the amount of \$897.
All those in favor: Unanimous by all present.
Motion passed.*

*Motion made by Secretary Jackson 2nd by Councilman Tiexeira to accept and approve with edits 2023-RES-004 ratification of 2022-RES-074 Emergency Approval of Financing and Business Consulting Agreement from Financial Advisory Group, LLC (Approved at the 12/21/2022 Emergency Meeting).
All those in favor: Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.
All those abstained: Councilwoman Johnson-Graham, Councilman Weeden
Motion passed.*

*Motion made by Councilman Weeden 2nd by Secretary Jackson to ratify a temporary 90-day waiver of conflict of interest for Councilwoman Avant to assist the ICWA department. (Approved at the 12/21/2022 Emergency Meeting).
All those in favor: Secretary Jackson, Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey
All those recused: Councilwoman Avant.
Motion passed.*

Election Committee update

Discussed.

Meeting Dates –

Budget Review and approval

*Motion made by Secretary Jackson 2nd by Councilman Tiexeira to schedule an all-day budget review and approval for January 18, 2023.
All those in favor: Unanimous by all present.
Motion passed.*

Operations Update-

Motion made by Secretary Jackson 2nd by Councilman Weeden to accept and approve with edits 2023-RES-005 Clean Energy Technology Deployment on Tribal Lands Grant.

All those in favor: Unanimous by all present.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilwoman Johnson-Graham to accept and approve with edits 2023-RES-006 Approving 2023 Recognized Holiday Schedule.

All those in favor: Secretary Jackson, Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilwoman Avant.

All those not present: Councilman Tobey.

Motion passed.

Motion made by Secretary Jackson 2nd by Councilwoman Johnson-Graham to accept and approve with edits 2023-RES-007 Approving 2022-2023 Police Department and Security Recognized Holidays.

All those in favor: Secretary Jackson, Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews Councilman Tobey, Councilwoman Avant.

All those abstained: Councilman Weeden.

Motion passed.

Motion made by Councilman Tiexeira 2nd by Councilman Andrews to accept and approve a waiver for Carla Riley.

All those in favor: Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey, Councilwoman Avant.

All those abstained: Secretary Jackson

Motion passed.

Meeting Extension

Motion made by Councilman Tiexeira 2nd by Secretary Jackson to extend the Mashpee Wampanoag Tribal Council Regular Meeting to 8:30p.m.

All those in favor: Unanimous by all present.

Motion passed.

NEW BUSINESS

Article VIII Section 2B Expulsion Hearing

Motion made by Councilman Tobey 2nd by Councilman Tiexeira to call hearing for Chairman Brian Weeden's removal pursuant to Article VIII section 2B of the Constitution with the allegations set forth in notice dated December 29, 2022.

All those in favor: Secretary Jackson, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those abstained: Councilwoman Johnson-Graham, Councilman Weeden.

Motion passed.

The following notice was read into record:

Dear Chairman Weeden,

Pursuant to Article VIII, Section 2(b) of the Tribal Constitution, the Tribal Council is empowered to take action to expel a member of the Tribal Council from office on grounds of malfeasance as defined under Article I of the Tribal Constitution. Tribal Council, pursuant to this Constitutional authority, shall consider your official expulsion as Chairman of the Tribal Council at a meeting scheduled for Wednesday, January 11, 2023 from 5:30 PM to 8 PM on the following grounds of malfeasance:

For the wrongful act which the actor has no legal right to do, or any wrongful conduct which affects, interrupts, or interferes with performance of official duty, or an act for which there is no authority or warranty of law or which a person ought not to do at all, or the unjust performance of some act, which party performing it has no right, or has contracted not to do.

This wrongful act and conduct being the following acts:

1. Charges of Breaking and Entering at night and larceny over \$1000 set forth in the Incident Report filed by the Plymouth Police Department on December 9, 2022 and docket entry for Commonwealth v. Weeden, Brian M. filed on December 9, 2022 in Massachusetts Trial Court.

Please be advised that pursuant to Article VIII, Section 2(b), you are entitled a full opportunity to be heard at the scheduled meeting to consider your official Expulsion as Chairman of the Tribal Council to occur on Wednesday, January 11, 2023 from 5:30 PM to 8 PM and to confront any and all adverse witnesses. In addition, Section 2(b) allows you to seek “prompt review by the Tribal Judiciary” of the Tribal Council’s decision concerning your Expulsion.

Thank you for your attention to this matter. Please govern yourself accordingly.

Respectfully,

Rebekah Salguero

Legal Counsel on behalf of the Mashpee Wampanoag Tribal Council

Enclosures:

Incident Report filed by the Plymouth Police Department (including unredacted portion) Docket entry for Commonwealth v. Weeden, Brian M.

Meeting Extension

Motion made by Councilman Tobey 2nd by Councilman Tiexeira to extend the Mashpee Wampanoag Tribal Council Regular meeting up until 9:00p.m.

All those in favor: Unanimous by all present.

Motion passed.

Motion made by Councilman Tobey 2nd by None On Monday, November 7, 2022, approximately 3 AM, MWT Chairman Brian Weeden was involved in the theft of two hand woven ‘Bull Rush’ mats and two ‘black skin’ rugs from a wetu at Plymouth Patuxet museum. His involvement in this theft has interfered with his duty of protecting the political integrity of the Tribe, as stated in Article VI, Section 2 of the MWT Constitution. His wrongful conduct has affected his performance as the Leader of the Tribe. Tribal Council has relied on the evidence stated in the Plymouth Police report dated December 9, 2022, and testimony of Brian Weeden to expel Brian Weeden from the office of Chairman on the grounds of malfeasance in accordance with Article VIII, Section 2(b) of the MWT constitution.

Motion failed.

Motion made by Councilman Tobey 2nd by None to expel Chairman Brian Weeden from office pursuant to Article VIII section 2B of the Constitution with the allegations set forth in notice dated December 29, 2022.

Motion failed.

Hearing Closure

Motion made by Councilwoman Johnson-Graham 2nd by Councilman Tiexeira to close the hearing at 8:38p.m.

All those in favor: Secretary Jackson, Councilwoman Johnson-Graham, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Tobey, Councilwoman Avant.

All those abstained: Councilman Weeden.

Motion passed.

Legal Update

Treasurer Vacancy Update

Base Motion: Motion made by Secretary Jackson 2nd by Councilwoman Avant to accept and approve with edits 2023-RES-009 Approval of Filling of Treasurer Vacancy in Accordance with Article VIII, Section 4(A) (1)- Appointment of Charles Foster.

Amended Motion: Motion made by Councilman Tiexeira 2nd by Councilwoman Johnson-Graham to amend the previous vote to reflect the vacancy be filled on January 30, 2023.

All those in favor: Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey, Councilwoman Avant, Councilwoman Johnson-Graham

All those opposed: Secretary Jackson

Motion passed.

Final Motion: Motion made by Secretary Jackson 2nd by Councilwoman Avant to accept and approve with edits 2023-RES-009 Approval of Filling of Treasurer Vacancy in Accordance with Article VIII, Section 4(A) (1)- Appointment of Charles Foster and the vacancy to be filled on January 30, 2023.

All those in favor: Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey, Councilwoman Avant, Councilwoman Johnson-Graham

All those opposed: Secretary Jackson

Motion passed.

Chairman Legal Update

Discussed.

Signet Agreement Extension

Motion made by Councilman Tobey 2nd by Secretary Jackson to accept and approve with edits 2023-RES-008 Approval of Agreement between Signet and MWT Central Monitoring Extension.

All those in favor: Unanimous by all present.

Motion passed.

Horse Farm Proposal

None.

EXECUTIVE

Litigation Update

None.

Tribal Council Issues

None.

Adjournment

Motion made by Councilman Tiexeira 2nd by Councilwoman Johnson-Graham to adjourn the Mashpee Wampanoag Tribal Council Regular meeting at 8:55p.m.

All those in favor: Unanimous by all present.

Motion passed.

Respectfully Submitted,

Cassie D. Jackson

MWTC Secretary