



**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 July 6, 2022-5:30p.m.-8:00p.m.
Available via zoom**

Meeting Minutes

(Approved 7/20/22)

Call to Order

Chairman Brian Weeden called to order the Regular Tribal Council Meeting on Wednesday, July 6, 2022 at 5:41p.m.

Regular session began at 5:41p.m.

Meeting extended to 9:00p.m.

Regular session adjourned at 8:54p.m.

Members in attendance:

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

Absent: Treasurer Marie Stone

Guests: Rebekah Salguero, Jeff Loeb

Quorum (10)

Opening Prayer

Councilwoman Rita Gonsalves

Commencement

Motion made by Secretary Jackson 2nd by Councilman Andrews to commence the Mashpee Wampanoag Tribal Council Regular meeting at 5:41p.m via zoom.

All those in favor: Unanimous by all present.

Motion Passed.

Approval of Agenda

Motion made by Secretary Jackson 2nd by Vice Chairman Hendricks to accept and approve the MWTC meeting agenda of 7/6//2022.

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

All those opposed: Councilman Tobey

Motion passed.

Meeting Minutes

Motion made by Secretary Jackson 2nd by Councilwoman Avant to accept and approve meeting minutes of 6/22/22 with edits.

*All those in favor: Unanimous by all present.
Motion passed.*

Public Comment

Cori Didabo, Councilman David Weeden

Appointments/Resignations

Discussed.

OLD BUSINESS

Motion made by Secretary Jackson 2nd by Councilman Tobey to accept and approve 2022-RES-036 Ratification of 2022-RES-027 Amended and Restated Code of Conduct.

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

All those opposed: Councilman Tobey.

Motion passed.

NEW BUSINESS

Article VIII Section 2B Expulsion

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to call hearing for Treasurer Stones removal pursuant to Article VIII section 2B of the Constitution with the allegations set forth in notice dated June 23, 2022.

All those in favor: Secretary Jackson, Vice Chairman Hendricks, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilwoman Avant

All those recused: Councilwoman Johnson-Graham

All those opposed: Councilman Tobey

Motion passed.

***Note: The following grounds of malfeasance and nonfeasance are listed below and were read into record during the regularly scheduled Mashpee Wampanoag Tribal Council meeting on July 6, 2022.**

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. Transmittal of E-Mail Correspondence dated March 30, 2022 sent to David Greendeer, Brian Weeden, Rebekah Salguero with courtesy copy to Rita Lopez with subject "Treasurer Resignation: Weekly GL/Check Register/ARPA Report" resulting in two-week suspension without pay for conduct unbecoming a Treasurer, see Attachment 1;
2. Unauthorized use of Tribal American Express on the following dates, see Attachment 2:
 - a. 10/5/21; 10/26/21; 11/19/21; 1/14/22; 1/16/22; 2/24/22; 3/2/22; 3/5/22; 3/7/22; 3/16/22; 3/19/22; 3/23/22;
3. Communications with tax consultant, Sara Roberts of Lee & Company, in October 2021, causing them to terminate relationship with the Tribe and resulting in verbal reprimand by the Tribal Council Chairman, see Attachment 3;
4. Treatment of Tribal staff and employees, See Attachment 4.1 and 4.2:
 - a. Denise Hathaway complaint
 - b. Imani Frye complaint
 - c. Kayla Gomes Complaint
 - d. Finance Department Complaint
5. Abandonment of Duties

For the nonperformance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty

This nonperformance being:

1. Failure to submit annual reporting for The Mashpee Wampanoag Village Limited Partnership year 2019 and 2020;
2. Failure to submit tax returns for The Mashpee Wampanoag Village Limited Partnership year 2020;
3. Failure to execute payment for Tribal member TERA payments;
4. Failure to submit reporting for ARPA funding;
5. Failure to report to Tribal Council meetings without adequate prior notification and approval - 4/6/22 and 4/8/22.
6. Abandonment of duties

Motion made by Vice Chairman Hendricks 2nd by Councilman Tiexeira to take a conflict of interest vote pursuant to Treasurer Stones Section VIII 2B Expulsion hearing for Councilman Tobey.

All those in favor: Secretary Jackson, Vice Chairman Hendricks, Councilman Tiexeira, Councilwoman Gonsalves, Councilwoman Avant

All those recused: Councilman Tobey

All those opposed: Councilwoman Johnson-Graham, Councilman Weeden

Motion passed.

Motion made by Councilman Tiexeira 2nd by Vice Chairman Hendricks to take a conflict of interest vote pursuant to Treasurer Stones Section VIII 2B Expulsion hearing for Councilwoman Johnson-Graham.

All those in favor: Secretary Jackson, Vice Chairman Hendricks, Councilman Tiexeira.

All those opposed: Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilman Tobey, Councilwoman Avant.

All those Recused: Councilwoman Johnson-Graham

Motion failed.

Motion made by Councilman Tiexeira 2nd by Secretary Jackson to extend meeting to 9p.m.

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

All those opposed: Councilman Weeden

All those not present: Councilman Tobey

Motion passed.

Councilwoman Johnson-Graham left meeting at 8:30p.m.

Councilman Tobey returned to the meeting at 8:35p.m.

Motion made by Secretary Jackson 2nd by Councilman Tiexeira to expel Treasurer Marie Stone from office pursuant to Article VIII section 2B of the Constitution with the allegations set forth in notice dated June 23, 2022.

All those in favor: Secretary Jackson, Vice Chairman Hendricks, Councilman Tiexeira, Councilwoman Gonsalves, Councilman Andrews, Councilman Weeden, Councilwoman Avant

All those not voting: Councilman Tobey

Motion passed.

***Note: The following grounds of malfeasance and nonfeasance are listed below and were read into record during the regularly scheduled Mashpee Wampanoag Tribal Council meeting on July 6, 2022.**

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This wrongful act and conduct being the following acts:

1. Transmittal of E-Mail Correspondence dated March 30, 2022 sent to David Greendeer, Brian Weeden, Rebekah Salguero with courtesy copy to Rita Lopez with subject "Treasurer Resignation: Weekly GL/Check Register/ARPA Report" resulting in two-week suspension without pay for conduct unbecoming a Treasurer, see Attachment 1 (consensus taken);
2. Unauthorized use of Tribal American Express on the following dates, see Attachment 2:
 - a. 10/5/21; 10/26/21; 11/19/21; 1/14/22; 1/16/22; 2/24/22; 3/2/22; 3/5/22; 3/7/22; 3/16/22; 3/19/22; 3/23/22 (consensus taken);
3. Communications with tax consultant, Sara Roberts of Lee & Company, in October 2021, causing them to terminate relationship with the Tribe and resulting in verbal reprimand by the Tribal Council Chairman, see Attachment 3 (consensus taken);
4. Treatment of Tribal staff and employees, See Attachment 4.1 and 4.2 (consensus taken);
 - a. Denise Hathaway complaint
 - b. Imani Frye complaint
 - c. Kayla Gomes Complaint
 - d. Finance Department Complaint
5. Abandonment of Duties (consensus taken)

For the nonperformance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty.

This nonperformance being:

1. Failure to submit annual reporting for The Mashpee Wampanoag Village Limited Partnership year 2019 and 2020 (consensus taken);
2. Failure to submit tax returns for The Mashpee Wampanoag Village Limited Partnership year 2020 (consensus taken);
3. Failure to execute payment for Tribal member TERA payments (consensus taken);
4. Failure to submit reporting for ARPA funding (consensus taken);
5. Failure to report to Tribal Council meetings without adequate prior notification and approval - 4/6/22 and 4/8/22 (consensus taken);
6. Abandonment of duties (consensus taken)

Motion made by Councilman Tiexeira 2nd by Secretary Jackson to accept and approve 2022-RES-037 Approval of Purchase and Sale Agreement with B&C Property Enterprises, LLC for Purchase of "Plaza Del Sol".

All those in favor: Unanimous by all present.

Motion passed.

MWT / Town of Mashpee Joint meeting July 18 @ 6:30p.m. Agenda

IGA – Amendments

Tax Exemptions Advocation

Wastewater Issues

Land Discussions / Negotiations

Tribal Member Issues

Adjournment

Motion made by Secretary Jackson 2nd by Councilwoman Avant to adjourn the meeting at 8:54p.m.

All those in favor: Unanimous by all present.

Motion passed.

Respectfully Submitted,

Cassie D. Jackson

MWTC Secretary