

Resolutions

Resolutions 9441 through 9452

These resolutions concerned Realty items/land purchases by the Tribe. All resolutions were passed by Tribal Council on November 25, 1997.

Resolutions 9441 through 9445, totaling \$11,741.75 in land purchases, were unanimously approved by the Tribal Council. Seven Council members were present; six voted yes; the Chairman did not vote.

Resolutions 9446 through 9452, totaling \$33,737.24 in land purchases, were unanimously approved by the Tribal Council. Eight Council members were present; seven voted yes; the Chairman did not vote.

Total land purchases on November 25: \$45,478.99.

All Resolutions were approved by the Superintendent December 2, 1997.

Resolution No. 9453

Whereas, Michelle Elliott was granted homestead Lease No. 3497 for a term of 25 years which would automatically renew for an additional 25 years on Tribal land described as:

S1/2 SW1/4 SE1/4 SW1/4, Section 34, Township 8 South, Range 11 East, Willamette Meridian, Wasco County, Oregon; Excepting Therefrom, that portion of the above described leased premises lying northerly of the south right of way line of the County Line Road, BIA Route 33, containing 3.92 acres, more or less, after the above exception; and

Whereas, The lessee pay to the Confederated Tribes upon approval of the lease, \$25 for the original term of the lease; and

Whereas, The Lessee has moved out of the house and requests to assign their interest and rights under Homestead Lease No. 3497 to her brother, Travis Wells; and

Whereas, In granting Michelle Elliott homestead Lease No. 3497, Resolution No. 8476 did not provide for the necessary cancellation of the above described tract from Lease No. 2450, Irene Wells, in order that the tract could then be leased to Michelle Elliott; and

Whereas, The Confederated Tribes reserves the right to grant rights-of-way over, under and across the lease premises, such a provision to be written into and made a part of the lease terms; and

Whereas, That except as otherwise provided for in the lease agreement, the Confederated Tribes reserves the right to cancel the lease upon 30 days written notice to lessee, in the event that the lease premises is needed for Tribal community development or land exchange purposes, or for such other substantive reason cancellation may be deemed necessary by the Tribes, such a provision to be written into and made a part of the lease terms; now, therefore

Be it resolved, By the 20th Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V and VII of the Tribal Constitution, that the tract described above be canceled from Lease No. 2450, Irene Wells, by mutual consent, and that the above correction and modification to the legal description of the leased premises under Homestead Lease No. 3497, and the proposed assignment of Lease No. 3497 is hereby approved and Secretary-Treasurer is hereby authorized to sign the necessary documents to carry out the intent of this resolution; and

Be it further resolved, That Resolution No. 8476, which was passed on June 22, 1992, is hereby rescinded in its entirety and is null and void, and is replaced by the Resolution stated herein.

Certification:
Date: November 25, 1997

Present: 5; 5 yes votes; the Chairman did not vote

Approved December 2, 1997 by Superintendent

Resolution No. 9455

Be it resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article III, Section 2 (a) as amended, of the Tribal Constitution and by-Laws, the following are enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon, as of the date set out below in accordance with Resolution No. 4301:

Christian Cash Courtney, Clarissa Queahpama Craig, Selina Jade Jim, Cynthia Yoreli Juarez, Brandon Lee Lucei, Candis Ann Pitt, Austin Iokeapa Calvin Rauschenburg, Arvonius Ke-shone Smith, Stetson Norman Sweowat, Rosebud Kaysee Whipple, Haile Winishut and Rheianna Rayann Lee Wolfe.

Certification:
Date: November 25, 1997

Present: 7; 5 yes votes; 1 no vote;

Chairman did not vote

Approved by Superintendent; date not available

Resolution No. 9456

Whereas, To remedy a long-standing tribal issue concerning the elderly and disabled, the Tribal Council of the Confederated Tribes of Warm Springs plans to build and operate an assisted living facility in 1998; and

Whereas, Elderly and disabled tribal members in need of such care have been required to use off-reservation facilities because of the lack of such services on the Reservation; and

Whereas, Off-Reservation care has resulted in premature use of nursing homes, displacement of elders from their families and friends, along with issues related to diet, nutrition, communication, death and other customs and difficulties; and

Whereas, Tribal Council Resolution 9166 authorized the Secretary-Treasurer to apply for and administer a \$320,000 HUD Community Development Block Grant to help build the Elder Care Facility, which is estimated to cost a total of \$4 million; and

Whereas, The HUD block grant's two-year duration has nearly expired and HUD requires to know by November 30, 1997, whether or not the Confederated Tribes will be requesting project financing authority before the end of March, 1998; and

Whereas, The Tribal Council has decided a tribal referendum shall be held by March 31, 1998 to request project financing authority for the Elder Care Facility and to secure the extended HUD grant; now, therefore

Be it resolved, By the 20th Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section I (f), (l) and (t), as amended, and Article VI of the Constitution, that a Tribal Referendum be held by March 31, 1998 to request financing authority for the Elder Care Facility's construction in 1998; and

Be it further resolved, That the Referendum Question, including the total amount of financing authority requested, the source of repayment, other possible projects and a project budget shall be brought before the Tribal Council for approval by January 16, 1998; and

Be it further resolved, That District and General Council meetings shall be held to provide information about the referendum to the people.

Certification:
Date: November 25, 1997

Present: 8; 6 yes votes; 1 abstained; Chairman did not vote

Approved by Superintendent; no date available

Resolution No. 9457

Whereas, The Tribal Council has completed the yearly budget process including review of financial needs and revenue projections for the next calendar year; and

Whereas, Considerable community involvement had been utilized in the annual budget process, including district meetings and general council meeting; and

Whereas, Tribal revenue from the following sources are estimated for calendar year 1998:

Reservation Timber 1998	\$ 11,500,000
Forest Administration	(1,150,000)
Total Timber Revenue	10,350,000
Interest from Treasury	3,707,880
IIM Interest	192,500
Other Interest	307,120
Allocated Interest	(2,750,000)
Total Interest Revenue	1,457,500
Round Butte Dam	7,703,424
Pelton Dam	1,618,828
Total Enterprise Revenue	9,322,252
Warm Springs Power Enterprise	4,580,000
Total Enterprise Revenue	4,580,000
Court Fines and Fees	67,000
Fishing Permits	100,000
Other Leases and Rentals	20,000
Business Permits	1,400
Cigarette Tax Refund	237,100
Other Income	10,000
Gas Tax Refund	15,000
BPA Right of Way	70,000
Total Other Revenue	520,000
Indirect Income	1,200,000
Total Indirect Revenue	1,200,000
Grand Total Revenue	\$ 27,430,252

Whereas, Tribal member input during the budget emphasized concern about employment, education, housing, natural resource protection, the need for program and employee accountability, the quality of service delivery and the general size of the budget; and

Whereas, The Tribal Council feels that we need to be more innovative, more efficient and more effective in operating our programs; and

Whereas, The amount reflected in the following appropriated budget will serve the needs of the Confederated Tribes of Warm Springs for Calendar year 1998:

	1998 Proposed Budget	1998 Appropriated Budget
Operating Expenses		
Secretary/Treasurer	\$ 459,159	\$ 456,412
Gov't. Affairs/Planning	470,910	468,696
Personnel	340,848	341,093
Comp. & Benefits/MCP	211,976	203,795
Finance	1,182,229	1,180,701
Public Information	532,185	530,373
Admin. Service Center	400,126	395,265
Information Systems	633,133	615,412
Internal Audit	167,879	168,025
Chief Operations Officer	127,985	128,082
Bus./Econ. Development	407,629	388,103
Education Services	2,952,647	2,951,567
Public Utilities	2,834,171	2,693,599
Human Services	1,791,827	1,774,325
Public Safety	2,280,792	2,285,176
Natural Resources	1,280,059	1,281,277
Gen. & Administrative	1,567,734	1,345,734
Tribal Council	614,457	615,122
Committees	427,761	422,445
Tribal Court	431,949	433,044
Tectonics Intrnl.	81,575	81,620
Gaming Comm./Surveillance	725,095	711,011
Cost of Living	-0-	-0-
Performance Appraisals	-0-	-0-
Total Operating Budget	\$20,148,526	\$19,681,705
Community Assistance:		
Ceremonial Fishing	55,000	55,000
Donations	40,000	40,000
Funeral Grants	85,375	85,375
Tribal Access Roads	40,000	40,000
Miss Warm Springs	21,400	21,400
Emergency Relief	11,250	11,250
Rose Garden Skybox	141,859	141,859
Total Comm. Assistance	\$ 394,884	\$ 394,884
Debt Service:		
Other Notes (EDA, FmHA and OEDD)	341,017	341,017
ECE Bldg. Bonds	464,925	464,925
Health/Wellness Bldg. Note	485,526	484,526
Total Debt Service	\$ 1,291,468	\$ 1,291,468
Economic Development:		
Museum At Warm Springs	259,393	259,392
Total Econ. Dev.	\$ 259,393	\$ 259,392
Capital Projects:		
Vehicles	109,000	109,000
Artifacts	-0-	-0-
Land Purchases	1,000,000	657,203
Equip. Acquisitions	75,000	75,000
Land Fill	296,000	296,000
Capital Projects	1,004,406	-0-
Total Capital Projects	\$ 2,484,406	\$ 1,137,203
Grand Total Expend.	\$24,578,676	\$22,764,652

now, therefore

Be it resolved, By the 20th Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section I (t), as amended, of the Constitution and By-Laws, that the foregoing budget is approved with an effective date of January 1, 1998; and

Be it further resolved, That the sum of \$22,764,652 is hereby appropriated for expenditure pursuant to the foregoing budget during the twelve month period January 1, 1998 through December 31, 1998 and the Secretary of Interior or his/her authorized representative is hereby requested to approve such budget; and

Be it further resolved, That the Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to proceed with the expenditure of funds for the purpose and amounts indicated in the budget, provided that all constitutional provisions are met.

Certification:
Date: November 26, 1997

Present: 9; 6 yes votes; 1 no vote; 1 abstained; Chairman did not vote

Resolution No. 9458

Whereas, The Tribal Council has established the Warm Springs Scholarship Trust Fund for the purpose of providing assistance to Tribal members in obtaining education; and

Whereas, It is the stated policy of Tribal Council that the fund be managed with the objective of becoming self-sustaining; and

Whereas, The Tribal Council had reviewed the anticipated revenues of the Education Scholarship Trust Fund and the amounts needed to provide for scholarships for Calendar Year 1998; and

Whereas, The amount of \$550,000 is recommended for expenditure for the purpose of providing higher education and \$150,000 is recommended for providing vocational education scholarships for the Calendar Year 1998; and

Whereas, The recommended expenditure of \$700,000 from the fund is consistent with the long term objective of the fund; now, therefore

Be it resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, Pursuant to Article V, Section 1 (t) of the Constitution, that an amount not to exceed \$700,000 is hereby authorized for expenditure from the Scholarship Trust Fund for Calendar Year 1998.

Certification:
Date: November 26, 1997

Present: 9; 6 yes votes; 1 no vote; 1 abstained;

Chairman did not vote.

Approved December 2, 1997 by Superintendent

Resolution No. 9459

Whereas, The Tribal Council has established the Warm Springs Senior Citizen Pension Fund for the purpose of providing payments to Tribal Members who have attained the age of 60; and

Whereas, It is the stated policy of the Tribal Council that the fund be managed with objective of becoming self-sustaining; and

Whereas, The Tribal Council has reviewed the anticipated revenues of the Senior Citizen's Pension Fund and the estimated amounts needed to provide for pension payments in the future; and

Whereas, The recommended benefit payments for Calendar Year 1998 ranges from \$305 per month at age 60, graduated at \$510 per month for each year of age to a maximum of \$335 per month at the age 65 and above; and

Whereas, The amount of \$709,810 is recommended for expenditure for the purpose of providing such pension payments for the Calendar Year 1998; and

Whereas, The recommended expenditure of \$709,810 from the fund is consistent with the long term objectives of the fund; now, therefore

Be it resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (t) of the Constitution, that an amount not to exceed \$709,810 is hereby authorized for expenditure from the Senior Citizen Pension Trust Fund for Senior Citizens Pension for Calendar Year 1998.

Certification:
Date: November 26, 1997

Present: 9; 6 yes votes; 2 abstained; Chairman did not vote

Approved December 2, 1997 by Superintendent

Resolution No. 9460

Whereas, The Tribal Council has carefully examined the needs and financial requirements of the calendar year ending December 31, 1998; and

Whereas, The Tribal Council feels that it is in the best interest of the enrollees that the distribution be paid out at a rate of \$100 per month to each enrollee beginning January 25, 1998 through December 12, 1998; and

Whereas, Because many enrollees are indebted to the Tribes, it is the feeling of the Tribal Council that tribal creditors discuss the account with the borrowers so that all loan agreements, both dormant and active, are current; now, therefore

Be it resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon that in accordance with authority contained in Article V, Section I (t), as amended, of the Constitution and By-Laws and Section 8 of the Corporate Charter, that per capita distributions are authorized for the calendar year 1998 at \$100 per month for each eligible member of the Tribe, subject to the following conditions:

1. Per Capita payments are to be made to all persons appearing on the official Tribal roll as of January 1, 1998, and persons who are subsequently enrolled.

2. All persons appearing on the official Tribal Rolls as of January 1, 1998 shall be entitled to per capita payments at a rate of \$100 per month beginning January 25, 1998 and ending December 12, 1998.

3. All persons enrolled January 1, 1998 shall be entitled to receive per capita payments at a rate of \$100 per month from the date of enrollment through December 12, 1998 and further, all enrollees living as of 12:00 midnight on the 10th day of the month shall be entitled to receive that month's per capita, and upon the person's death, it will be credited to his/her estate. Payments shall be made on the 25th day of each month (except for the month of December which shall be made on the 12th day) except when the regular payment falls on a Saturday, Sunday or legal holiday, the payment shall be made on the preceding work day.

4. Enrollees who die during the year shall

receive no further payments after death and his/her estate shall not be entitled to further per capita payments except as provided in Section 3.

5. Prior to the payment, the Credit Department shall examine all loan accounts and discuss the delinquent loan with the borrowers who owe the Tribes to determine the amount to be collected and applied on indebtedness owing the Tribes. Indebtedness such as loans, accounts receivable, rent and court fines may be withheld if enrollees have signed an authorization for such withholding or if the Tribal Court has issued a Court Order.

6. The funds of minors and adults in need of assistance; welfare recipients and court order support payments shall be deposited in the Individual Indian Monies accounts for supervised expenditure, if in the Superintendent's opinion, this is in the best interest of the people involved.

7. Upon approval of this resolution by the Secretary of Interior, or his/her authorized representative, \$300 of each enrolled minor's share shall be deposited in the minor's Trust Account with the United States National Bank in January and July of 1998 in two payments of \$150 resulting in a monthly distribution of \$75 per month with a balance of \$25 per month deposited into the Minor's Trust Account from the date of enrollment. Any Minor enrolled by 12:00 midnight on the 10th day of the month and in the event that any minor shall die at any time where there is an advance deposit in his/her account the Confederated Tribes shall be reimbursed the sum \$25 per month after the death of said minor.

8. With exception of the collections of indebtedness of the owing the Tribes, and subject to conditions 5, 6, 7, herein, all per capita shall be paid directly to each enrollee and shall not be subject to any assignment, levy or attachment; and

Be it further resolved, That the amount of \$4,665,000 is hereby appropriated for the purpose of per capita payments in accordance with the authority contained in Article V, Section 1 (t) as amended; and

Be it further resolved, That the Secretary of the Interior or his/her authorized representative is hereby requested to approve the per capita distribution plan outlined above on January 1, 1998; and

Be it further resolved, That the Secretary/Treasurer is hereby authorized to proceed with the schedule of per capita payment plan after its approval by the authorized office in accordance with authority contained in Article V, Section 1 (t), as amended, of the Constitution and by-Laws and Section 8 of the Corporate Charter.

Certification:
Date: November 26, 1997

Present: 9; 7 yes votes; 1 no vote; Chairman did not vote.

Approved by Superintendent; date not available

Resolution No. 9461

Whereas, The Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon has considered the economic conditions of the community; and

Whereas, Current economic conditions, and especially on the Warm Springs Indian Reservation have resulted in economic hardship for many families and individual members of the Confederated Tribes of the Warm Springs Reservation of Oregon; and

Whereas, Such economic conditions necessitates the Tribal Council provide for a special per capita distribution to the enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon with-out any withholding for financial obligations to the Confederated Tribes of the Warm Springs Reservation of Oregon; and

Whereas, The financial position of the Confederated Tribes will need extremely careful management in the years to come to accomplish specific goals of economic development, community facilities, housing and credit needs; now, therefore

Be it resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon that in accordance with authority granted in Article V, Section I (t), as amended, of the Constitution and Section 8 of the Corporate Charter, a special per capita distribution is hereby authorized in the amount of \$1,000 dollars for each eligible member who appears on the roll as of December 10, 1997, and that the current year's budget is hereby amended in the amount of \$3,800,000 to cover such payments; and

Be it further resolved, That this special per capita be distributed on December 17, 1997 and be paid directly to all members, with the following conditions:

a. Individual members that need their money programmed; Such money shall be deposited into their Individual Indian Monies account for supervised expenditure if in the Superintendent's opinion, this is in the best interest of the people involved.

b. Those members that are delinquent in their indebtedness to the Confederated Tribes shall receive a memorandum reminding them of such delinquency and urging them to voluntarily take action to bring such indebtedness current to preserve the overall economic health of the Confederated Tribes.

Be it further resolved, That any future special dividend payments are clearly expected to be reduced in order to protect financial status of the Tribe and relieve the dependencies created by the special dividend payment.

Certification:
Date: November 26, 1997

Present: 9; 6 yes votes; 2 opposed; Chairman did not vote.

Approved December 2, 1997 by Superintendent

"Breaking the Rules"

in the healing process
John Spence Ph.D
Community Resources Division Manager
Grande Ronde, Oregon
&
Catherine Swan Reimer Ed.D
Training Associate
Northwest Regional Assistance Center
Portland, OR

Tribal member expresses concerns of system

To the editor,

I wish to express my concern of the way our system is handling many major decisions that leave great scars in our community. The Public Safety Branch clearly states in their mission statement, "to protect life and property on the Warm Springs Reservation and to ensure the rights of all community members are given due consideration and protection." Well, for many years I have seen Tribal politics, personal feelings and family ties come between the healing of many of our children!

Have our tribal leaders lost their inability to see what is happening. There are many sort of abuses our children are going through; physical, emotional, verbal, sexual, etc. and if you do not deal with these, these future leaders will be just as dysfunctional as the present decisions being made. You need to see that when a child grows up in a drug traffic home, alcoholic home, prejudice, dirty, etc. these will be the values or downfalls they will carry on with them in their walk of life.

Why is it that some people can carry on in such dysfunctional behavior, get taken to court and nothing positive ever comes out of it for the children's sake? "To protect life" doesn't mean letting the children continually witness the people of the home committing suicide with alco-

hol & drugs nor does it mean to place them in another home where a different sort of abuse continues. Why cannot the court just be fair to our children and quit thinking of the hurt & hard feelings the parents is going to feel...work with both children and parents or whomever.

Constantly allowing these bad judgements to go unspoken of, is insane, we may as well cut the jive talk about being the healthiest community in the year 2000, keep the alcohol & drugs flowing in (good or bad), not have the community counseling center, this list can go on and on. I say that the Branches of Public Safety, Human Services and IHS need to work together to better the way of life in our community and make your departments accountable for the places they put our children. We don't want them thinking they want to be a drug dealer when they grown up, we won't need to have