

Warm Springs Tribal Council Resolutions passed in May and June 2001

On May 4, 2001, the Tribal Council passed **Resolution No. 10028** approving an amendment to the Compact extending blackjack to December 31st, 2001. The previous amendment expired May 1, 2001.

Resolution No. 10029 authorized the Secretary-Treasurer to apply for a HUD Community Development Block Grant and other grants to build the Transitional Housing Facility. The existing two-unit "safe-shelter," located within the Victims Assistance office, can only provide short-term emergency shelter for clients and a transitional housing facility would provide longer-term residential and other services needed to assist people in the transition of getting their lives back in order. A Building Operation and Maintenance Plan for the facility was adopted, including an annual tribal budget commitment of \$19,351 for operation and maintenance costs. The resolution also authorized that tribal housing initiative funding of \$125,000 for matching money for the grant.

On May 21, 2001, the Tribal Council passed **Resolution No. 10030**, appointing William David Fuentes as Chief Operation Officer of the Confederated Tribes. Fuentes will be subject to the Tribal organization's Personnel Manual, including Section PER-204, PROBATIONARY PERIOD, for one year and shall be reinstated with "No break in service" for benefit purposes.

Resolution No. 10031 rescinded the adoption election date set by Resolution No. 9990, and reset the election date for June 12, 2001. The election is to determine whether any of the persons whose names are set forth should be adopted as members of the Tribe. At least fifty percent (50%) of the members entitled to vote shall be required to vote in such election and, that in order to be adopted, an individual must receive a majority vote of the qualified voters.

Resolution No. 10032 authorized the following as enrolled members of the Confederated Tribes in accordance with Resolution No. 4301:

Lolita Delia Briseno	05/22/01
DreVaughn Rhonney Danzuka	05/09/01
Aram Kyle David	04/20/01
Heather Lynn Duncan	04/12/01
Kevin Joseph Felix	04/09/01
Ruben Aaron Gonzales	05/02/01
Kahne Leevi Herkshan	04/26/01
Lakin Jean Eeve Kurtz	04/09/01
Vanessa Ann Lane	04/09/01
Samantha Ann McGraw	04/15/01
Albert Joseph Miller	04/06/01
Jennifer Sky Miller	04/11/01
Lorajia Jereyn Miller	05/09/01
Elante Alyusius Picard	05/18/01
Misty Lynae Plaster	04/09/01
Michelle Lianne Plaster	04/09/01
Tyrek John Ramsey	05/02/01

NOTED:

05/22/01
05/09/01
04/20/01
04/12/01
04/09/01
05/02/01
04/26/01
04/09/01
04/09/01
04/15/01
04/06/01
04/11/01
05/09/01
05/18/01
04/09/01
04/09/01
05/02/01

Darrien Eleix Smith	04/11/01
Cleve LuAlan Tom	03/30/01
Shawna Marie Torres	04/15/01
Anthony Daniel Wilhelm	04/23/01
Charmagne Marie Wilhelm	04/23/01

Resolution No. 10033 was passed on May 22, 2001, authorizing the Confederated Tribes to purchase an undivided 2/10 interest in Warm Springs Allotment No. 82, Dick Turpin, deceased, at the negotiated consideration of \$14,400.00.

Resolution No. 10034 sanctioned the purchase an undivided 5/128 interest in Warm Springs Allotment No. 626, Ka-shi-at, deceased, at the negotiated consideration of \$5,500.00.

Resolution No. 10035 permits the AT&T Corporation of New Jersey to transfer its lease to AT&T Wireless Services of Oregon, 2729 Prospect Park Drive, Rancho Cordova, California 95670. The current lease is still in effect and no other changes have been made. The lessee has paid to the Confederated Tribes for the current year of rental the sum of \$4,000.00.

Tribal Council passed **Resolution No. 10036**, granting a lease of 1.3 acres on behalf of the Simnasho community. Ron Suppah, Sr. requested the lease for a basketball court, playground and walking trail. The project has been approved for a grant through the Diabetes Grant Committee through Indian Health Services.

The Confederated Tribes is a party to the Global Settlement Agreement of April 15, 1997, in the Rivers End Ranch Litigation. Potential conflicts between the 1997 settlement agreement and the Klamath Tribes' separate settlement agreement of July 2000, led to further litigation in the Rivers End Ranch matter and involved a federal court settlement conference in January, 2000. The Indian parties to the Global Settlement (Warm Springs Tribes, Ft. Bidwell Tribe and Wilson Wewa, Jr.) have reached a settlement of their dispute with the Klamath Tribes regarding the potential conflicts. With the passage of **Resolution No. 10037**, the Tribal Council approved the agreement.

For over 10 years the Confederated Tribes, the Oregon Department of Fish & Wildlife and the Bonneville Power Administration have worked to improve the anadromous fish populations in the Hood River Basin to a point where they can sustain harvest. Early projections indicate that the 2001 run of spring Chinook salmon into the Hood River is large enough to support tribal and non-tribal harvest. With that knowledge, Tribal Council passed **Resolution No. 10038**, setting regulations for a tribal subsistence fishery in the Hood River Basin for 2001.

Current run size projections indicate that the 2001 run of spring Chinook salmon into the Warm Springs River Basin is large enough to meet and exceed hatchery broodstock needs and exceed the wild spring Chinook salmon escapement goal above the WSNFH. Citing the fact that the remaining portion of the spring Chinook salmon run can support a tribal harvest in the Warm Springs River Basin, the Tribal Council passed **Resolution No. 10039**. The resolution sets the regulations for a tribal subsistence fishery in the Warm Springs River Basin for 2001.

On June 12, 2001, the Tribal Council passed **Resolution No. 10040**, directing the Secretary-Treasurer and Chief Operations Officer to evaluate and recommend development of appropriate language for inclusion to the Personnel Policy, and in cooperation with tribal religious/ceremonial leaders.

Resolution No. 10041 was passed on June 13, 2001. The resolution gave approval to the "Final Application Amendment for the Pelton-Round Butte Hydroelectric Project". With this action, the Tribal Council authorized the Chairman to file the application with the Federal Energy Regulatory Commission.

Resolution No. 10042 approved the "Fifth Amended Plan of Operation of Warm Springs Power Enterprises. The Tribal Council also directed the Secretary Treasurer to amend Plan of Operation provisions relating to Board of Director compensation, finances and accounting, borrowing authority, and development of new energy projects to enable it to more effectively accomplish its purposes and objectives.

On June 18, 2001, **Resolution No. 10043** was passed naming the following as enrolled mem-

bers of the Confederated Tribes.

Tylaysha Marie Howtopat	05/23/01
Michele Rose Johnson	06/04/01
Jerome Michael Massad	06/07/01
Xavier Ramone Massad	06/07/01
Alexandria Shiraynn Miller	06/12/01
Dolan Rae Waheneka III	06/14/01
Wynema Mae Wolfe-Thompson	06/07/01

NOTED:
05/23/01
06/04/01
06/07/01
06/07/01
06/12/01
06/14/01
06/07/01

Two applicants were denied membership because of blood degree.

Resolution No. 10044 authorized the purchase of an undivided 180/3240 interest in Warm Springs Allotment No. 161, Horatio Baker, deceased, at the negotiated consideration of \$4,777.78. The consideration to be paid from programmed land purchase funds.

Resolution No. 10045 sanctioned the purchase of an undivided 180/3240 interest in Warm Springs Allotment No. 387, Ul-skil-pum, deceased, at the negotiated consideration of \$7,555.55. The consideration to be paid from programmed land purchase funds.

With the passage of **Resolution No. 10046**, Colleen Smith Roba was approved for a revocable permit to continue her Espresso Business to be placed next to the gift shop along Highway 26. Roba has been approved for a grant through the Small Business Department.

By passing **Resolution No. 10047**, the Tribal Council granted the Warm Springs Local Housing Authority a 50-year lease on two Tribal Land Plats of Greeley Heights containing a total of 71.52 acres. The land will be used Mutual Help Housing Projects.

Home site Lease No. 3276 was issued to Ginger Smith on August 24, 1987 through Resolution No. 7472. The home site was never developed, and Smith is now applying for an Assignment of Lease No. 2605 from Marcia Soliz. **Resolution No. 10048** grants Ginger Smith the Cancellation of Home site Lease No. 3276 and the resolution passed in 1987 is null and void.

Resolution No. 10049 was passed granting Ginger Smith the Assignment of Lease No. 2605.

Resolution No. 10050 grants Rebecca Aguilar Main a 50-year home site lease. Main agreed to pay for a legal land survey and pay the Confederated Tribes \$25 for the original term of the lease.

Warm Springs tribal members and their ancestors have fished for lamprey eels at Willamette Falls, and other "usual and accustomed" fishing stations since time immemorial. The Tribal Council believes that it is important in order to protect the Tribe's treaty rights and to meet the conversation needs for the resource to actively manage the lamprey eel fishery at Willamette Falls. Upon the recommendation of the Off-Reservation Fish and Wildlife Committee and the Natural Resources Department staff, the Tribal Council passed **Resolution No. 10052**, setting out regulations for the 2001 lamprey eel season at Willamette Falls.

The Board of Directors of Gaming solicited proposals for financing of improvements at Kah-Nee-Ta High Desert Resort and Casino. The Board recommended to the Tribal Council that it accept a loan proposal from National City Bank of Michigan. The Tribal Council passed **Resolution No. 10053**, approving the loan proposal allowing for the construction of needed improvements at Kah-Nee-Ta High Desert Resort and Casino.

The Confederated Tribes wastewater treatment facility operates under a National Pollutant Discharge Elimination System permit. On occasions from April 2000 to the present, effluent from the treatment facility was discharged, exceeding certain limits set forth in the permit. The Tribe and the United States Environmental Protection Agency ("EPA") agreed upon measures to correct the situation. EPA and the Tribe have agreed upon the terms of a "Compliance Order on Consent" embodying those terms. **Resolution No. 10056** assures that the terms of the "Compliance Order on Consent" are approved and the Chairman of Tribal Council is authorized and directed to execute such order on behalf of the Tribes.

Legal notices

In the Tribal Court for the Confederated Tribes of the Warm Springs Reservation of Oregon
Summons for Publication
Case No. DO26-01

Albert Comedown, Petitioner
Vs
Laura Comedown, Respondent

To Laura Comedown,

You are hereby notified that a petition for the Dissolution of Marriage has been filed with the Warm Springs Tribal Court.

By this notice you are summoned to appear in this matter at a hearing scheduled for 3:30 p.m., on the 24th, October, 2001, at the Warm Springs Tribal Court. All of the facts of the case will be heard at this hearing, including evidence you wish to present.

You must appear to present your argument or the other side will automatically win.

The Petitioner, Albert Comedown, may then be given all that is asked for in the petition for Dissolution of Marriage.

The Petitioner will be present at the hearing.

If you desire to personally argue your side of the case, you may have a legal aide, spokesperson or attorney appear on your behalf at your expense.

If you have any questions, you should seek legal advice immediately.

Dated as Warm Springs, Oregon on August 21, 2001.

Lola Sohapp
Chief Judge, Warm Springs Tribal Court

In the Tribal Court for the Confederated Tribes of the Warm Springs Reservation of Oregon

In the matter of:

Victor Lee VanPelt
Plaintiff
Notice of hearing for Change of Name
Case No. DO113-01

The above individual has filed a petition with this court to change his name from Victor Lee VanPelt to Victor Lee Switzler. A hearing on this matter has been set for 4:00 p.m. on the 4th day of September, 2001 at the Warm Springs Tribal Court.

Any person who may show cause

why this petition should not be granted must file such objection in writing on or before 28th day of August 2001.

This shall be done in writing and filed with the court.

Dated on August 13, 2001.

Lola Sohapp
Chief Judge, Warm Springs Tribal Court

A typing error occurred in the matter of Victor Lee VanPelt. Spilyay Tymoo apologizes to Victor for this error.

Probate schedule

Scheduled hearings for September and October at the Confederated Tribes of Warm Springs Tribal Probate Court. Following are the names with a probate number.

September 13, 2001, Thursday
Sharon Hines-Teeman, 722-PR22-91, 2:00 p.m. in courtroom #3.
Marion Biss, 022-PR13-01, 2:30 p.m. in courtroom #3.
Vernon Henry, 005-PR16-01, 3:30 p.m. in courtroom #3.

September 19, 2001, Wednesday
Max Jim, 919-PR21-98, 10:00 a.m. in courtroom #3.
Nathan Jim, Sr., 948-PR25-99, 10:00 a.m. in courtroom #3.
Luther Danzuka, 913-PR15-98, 11:00 a.m. in courtroom #3.

October 10, 2001, Wednesday
Roland Caldera, 982-PR28-00, 2:00 p.m. in courtroom #3.
Amelia Yahtin, 738-PR13-92, 3:00 p.m. in courtroom #3.

October 18, 2001, Thursday
James Macy, 754-PR3-93, 9:00 a.m. in courtroom #2.
Wilkins Leonard, 927-PR04-99, 2:00 p.m. in courtroom #3.
Ben Holliday, Jr., 957-PR04-00, 3:00 p.m. in courtroom #3.

October 25, 2001, Thursday
Jessie Arthur, 607-PR5-88, 2:00 p.m. in courtroom #3.
Taylor Arthur, 875-PR05-97, 2:00 p.m. in courtroom #3.

Not responsible

I Aurel R. Surface-Welden am no longer responsible for any debts other than my own as of June 26, 2001.

Aurel R. Surface-Welden

My Indian Name is "Thunder Bear," my story is alive.

Robert Tree Cody (Thunder Bear), age 50, Musician, Composer, Pima/Maricopa, knows the importance of keeping the story alive. He is one of the many people the Smithsonian's National Museum of the American Indian can call friend and supporter. He knows that he is helping to preserve the rich culture of his people. **Preservation for generations.** He knows that someday his great-granddaughter will thank him.

The stories are about me and they are about you.

The NMAI is working to make sure that the tradition is continued. The museum in collaboration with Native peoples is dedicated to the preservation, study, and exhibition of the life, languages, history, and arts of the Americas. Currently the NMAI is building a museum in Washington, D.C., next to the U.S. Capitol, where these powerful stories will be kept alive.



Help Keep the Stories Alive.
For as little as \$20 join the Smithsonian National Museum of the American Indian
P.O. Box 23473
Washington, D.C. 20026
Call today: (202) 357-3164 or
800-242-6624
www.nmai.si.edu

