

# Resolutions of the Tribal Council of the Confederated Tribes

The following are brief summaries of resolutions adopted during the previous year by the Tribal Council of the Confederated Tribes of Warm Springs (**resolution number**, followed by content, and date adopted):

**10464:** WSCP & its Board of Directors believe it beneficial to purchase certain assets of Millstone Industries, LLC (Millstone) in connection with the developing a corrugated wood products business in WS which WSCP anticipates will employ numbers of tribal members. 12/30/04.

**10465:** Off reservation fishing rights Zone 6 of the Columbia river 2005-2007. 01/05/05.

**10466:** Warm Springs Workers' Compensation Committee is hereby authorized to negotiate and execute a contract retaining the services of Thomas C. Howes as the Workers' Compensation Appeals Judge pursuant to WSTC 375.505(1). 01/05/05.

**10467:** The CTWS Tribal Council hereby appoints Professor Douglas Nash as the Judicial Advisor. S/T to negotiate and execute on behalf to he CTWS a contract with Professor Nash to retain his services as the Judicial Advisor to the Warm Springs Court of Appeals. 01/27/05.

**10468:** 2005 Fishing Regulations are hereby approved, adopted and enacted by the Tribal Council of the CTWS 01-17-05. 01/17/05.

**10469:** The CTWS agrees to abide by all provisions identified in sec.614 (a) of the Older Americans Act and Title 45 of the Code of Federal Regulations 1326.19 (d). Indian elders over the age of sixty, reside on the reservation will benefit from nutrition and supportive services provided by the Senior Services Dept. during the grant period which ends on March 31, 2008. 01/27/05.

**10470:** Upon approval of MOA, the Tribe will provide a list of proposed participants to be served. Participants will be responsible for the operation and maintenance of Sanitation facilities serving their homes. 01/25/05.

**10471:** The Annual Rental Amount agreed to in the lease is \$9,270 paid to the individual owners, with the CTWS waiving rents due the Tribe for its current 80% undivided interests; A new lease for a 5 year period. 01/10/05.

**10472:** WSFPI has had a reoccurring lease on Allotment 519 for uses related to their saw mill site; Bureau of Indian Affairs has negotiated a new lease for a 5 year period \$13,342 paid to the individual owners. 01/10/05.

**10473:** Enrollments "8" enrolled by the Twenty-Third Tribal

Council. 01/31/05.

**10474:** The Treaty with the Tribes of Middle Oregon of 1855 will be 150 years old in June 2005; The Treaty of Middle Oregon Sesquicentennial Committee is established & budget is hereby approved with an appropriation of \$25,000 for Administration & Planning. 01/31/05.

**10475:** Sesquicentennial budget is hereby approved with an appropriation of \$21,000 for operations. 01/31/05.

**10476:** ST is authorized to apply for Special Transportation funds grant from the Oregon Dept. of Transportation to support the transportation needs of the elderly and disabled. 02/08/05.

**10477:** Contract under authority of PL.93-638, to accomplish design and construction of the above referenced projects hereby designated as the Tribal TIP for fiscal years 2005, 2006, and 2007. 02/08/05.

**10478:** Douglas E. Goe, Townsend Hyatt, Scott E. Schickli & Michael E. Schrader Special Counsel Contract between Tribes, Enterprise & Law Firm of Orrick, Herrington & Sutcliffe LLP approved. 02/08/05.

**10479:** 2-enrolled by the Twenty-Third Tribal Council of Warm Springs, OR. 02/22/05.

**10480:** Relinquishment request of Ms. Angel Star Berry, Enrollee #3082 is hereby accepted and approved effective February 22nd, 2005. Provided that Ms. Berry is accepted in the Puyallup Tribe. 02/22/05.

**10481:** Judge Thomas C. Howes is appointed to serve as TC Judge Pro Tempore to hear and preside over cases in which the Tribal Court Judges have conflicts of Interest and may act a Chief Judge. 02/22/05.

**10482:** Janice Clements is appointed as voting delegate to represent the Tribe on the NW Portland Area Indian Health Board and Geneva Charley as the alternate. 02/22/05.

**10483:** Budget approved from Tribal funds in the amount not to exceed \$5,000,000 appropriated for the Economic Development-Transfer to Kah-Nee-Ta High Desert Resort & Casino w/effective date of April 8th, 2005. 03/07/05.

**10484:** Budget approved from Tribal funds in the amount not to exceed \$16,400,000 appropriated for the Tribal Governmental needs; transfer to Senior Citizen Pension fund; Economic Development transfer to Kah-Nee-Ta High Desert Resort & Casino and Revenue Reserve Fund w/ effective date of April 8th, 2005. 03/07/05.

**10485:** Secretary Treasurer authorized to Transfer between Categories of the Annual Budget, Increase S/T \$23,309, Public Safety 185,489, Tribal Council & Comm.246,317, Decrease Unallocated Budget Reductions \$455,115. 03/07/05.

**10486A:** The Emergency fund for calendar year 2005, Total carryover from 2004 Budget savings \$1,000,000. Total Carryover \$7,929,113. 03/21/05.

**10487:** Purchase two 4/18 undivided interests from two individual owners (heirs) of Warm Springs Allotment No. 468a, Han-Nik-Shire of Semo deceased, in the amount of the appraised value of \$53,511.10. 03/14/05.

**10488:** 3-enrolled by the Twenty-Third Tribal Council of Warm Springs, OR. 03/14/05.

**10490:** Pursuant to Article V, Section 1(a), (l), (u) of the Tribal Constitution the 2005 ceremonial gillnet harvest will be limited to 2,000 spring Chinook salmon, the CTWS Reservation allocation for spring Chinook salmon ceremonial harvest. 03/21/05.

**10491:** Off reservation fishing rights for Sherars Falls and other locations on the Deschutes river beginning April 1st ending June 15, 2005. 03/21/05.

**10492:** Fishing rights for 2005 Hood River Basin. 03/21/05.

**10493:** Warm Springs River. 03/21/05.

**10494:** Tribal Council approves and supports the application and request for funds by the WS Department of Natural Resources to the United States Department of Interior Fish & Wildlife service Tribal Wildlife Grants Program. Requesting \$147,762 to implement enhancement & protection. 03/28/05.

**10495:** Tribal Council hereby supports and approves the application and request for funds by the Warm Springs Department of Natural Resources to the United States Department of Interior Fish & Wildlife Service Tribal Wildlife Grants program to conduct investigations that will lead to protection and enhancement of the lamprey resources, application request of \$99,973 to initiate this assessment. 03/28/05.

**10496:** (No Resolution processed.)

**10497:** Tribal/State Compact for Regulation of Class III Gaming between the CTWS & the State of Oregon ("Compact"), in the form attached hereto as Exhibit "A". 04/04/05.

**10498:** Amended and Restated Tribal/State Government-to-Government Compact for Regulation of Class III Gaming on the

Warm Springs Reservation", in the form attached hereto as Exhibit "A". 04/04/05.

**10499:** Tribal-State Compact - Conservation Easement (for trust lands) Conservation Easement (For fee lands) Statutory Warranty Deed Ratification of Statutory Warranty Deed Exhibits "A thru E". 04/04/05.

**10500:** Option Agreement and Agreement of Lease and Sale for the Purchase of 25 acres and the lease of 35 acres from the Port of Cascade Locks. 04/04/05.

**10501:** 7 enrolled, 4 denied due to blood degree. 04/19/05.

**10502:** Aalimah Wailona Poitra & Jaden Thomas Poitra were enrolled on July 6, 2004. Effective as of April 10, 2005 both are relinquished by membership of the CTWS because of the lack of blood degree. 04/19/05.

**10503:** GAP Grant supports Columbia River Inter-Tribal Fish Commission beginning with the fiscal year 2006 continuing through year 2009. 04/21/05.

**10504:** Renew Fish Guide Service Harold Pennington. 05/02/05.

**10505:** Approved the Minor Trust Fund - Changed investment for the youth. 05/03/05.

**10506:** Approved the New Investments Firm with Resolution NO. 10,506 with changed firms from Russells to "Best of Class Funds." 05/03/05.

**10507:** CTWS to purchase two 4/72 undivided interests Warm Springs Allotment No. 468a, Han-Nik-Shire or Semo, deceased appraised value of \$13,777.76 from land purchase funds. 05/09/05.

**10508:** 6 enrolled. 05/09/05.

**10509:** Pursuant to Article V, Sec.1(f) and (o), of the constitution and by-laws, The first Amended Charter of Eagle-Tech Systems attached as Exhibit A is hereby approved and adopted by the Twenty third Tribal Council. 05/10/05.

**10510:** Amended Plan of Operations of Warm Springs Composite Products attached as Exhibit A is hereby approved and adopted. 05/09/05.

**10511:** Secretary Treasurer is authorized to apply for a TGM grant to update and refine the 1997 Highway 26 Warm Springs Transportation Plan. 05/09/05.

**10512:** Renew Fish Guide Service Al Bagley. 05/13/05.

**10513:** This Resolution rescinds Tribal Council Resolution # 10493 approved on March 9th, 2005 Monitoring of the Tribal Harvest, fish escapement over Bonneville and the Dalles Dam. 05/13/05.

**10514:** This Resolution rescinds Tribal Council Resolution # 10491

approved on March 9, 2005. Off Reservation fishing rights including Sherars Falls & other location on Deschutes River. 05/13/05.

**10515:** Pursuant to Article V, Sections (l) and (u) of the Tribal Constitution and by-laws, that it hereby adopts and approves the attached "proposed Commercial crawfish Harvest Regulations." 05/12/05.

**10516:** CTWS renew its affiliation with ATNI through the remittance of the 2005 annual dues of \$2,000, this resolution rescinds Resolutions No. 9876 adopted May 24, 2000. 05/12/05.

**10517:** \$25,000.00 is appropriated to offset expenses of Zane Jackson services, 2005 budget is hereby modified. 05/23/05.

**10518:** Minnie Tulalakus is hereby appointed to the Flandreau Indian School Parent Advisory Committee for a one-year appointment commencing May 23, 2005. 05/23/05.

**10519:** The Tribal Council delegates and instructs the Secretary-treasurer to take all reasonable & necessary actions to negotiate, execute, modify and/or amend such contract and grant documents as necessary. 5/23/05.

**10520:** Appointment-Credit Enterprise: Class I Sandra Greene T/M; Versa Fuentes Smith T/M; Term 01/01/07; Class II Evaline Patt T/M Delbert Neuhart N/M; Term 01/01/08. 05/31/05.

**10521:** Appointment-Composite Board: Class II Jimmy Tohet T/M and Richard Craig N/M Term ends: 12/31/06. 05/31/05.

**10522:** WS Power Enterprise Board appointment: Class I Morris Holliday T/M term 01/01/08 Class II Steven Klein N/M Term 01/01/06; Class III Ed Tarbell N/M, Aurolyn Watlamet T/M to term 01/01/07. 05/31/05.

**10523:** WSFPI Board appointment; Class III Leo Hopper N/M and Earl Squiemphen Term ending 12/31/07; Class IV J Mark Jackson T/M term ending 5/31/08. 05/31/05.

**10524:** Museum Board of Regents appointment Jim Sizemore N/M and Sharlynne Garcia T/M to Board of Regents (3 year term) term ending; 06/01/08. 05/31/05.

**10525:** Water Board Appointment; Randy Smith T/M to term ending 10/30/06 and Roy Spino T/M to term ending 10/30/07. 05/31/05.

**10526:** Museum Board of Directors appointment: Class I Vic Atiyeh N/M Suzie Slockish T/M, Roberta Kirk T/M to term ending 01/01/06 Class III Lucy Suppah T/M & Jim Noteboom N/M term ending 01/01/08. 05/31/05.

**10527:** Warm Springs Gaming

Enterprise has entered into a Consulting Services Agreement "Agreement" with HDR ENGINEERING for the construction of a casino and related improvements @ Cascade Locks in attached form. 06/17/05.

**10528:** Grazing lease on Tribal land approved for Chris Requa - to pay annual lease rate based on appraised value starting five years after commencement of the lease. 06/20/05.

**10529:** Memorandum of Understanding providing for placement of a tribal gaming facility in the City of Cascade Locks, Oregon "Restarted Memorandum of Agreement". 06/20/05.

**10530:** Milton Shultz Non-Member Term Ends: December 31, 2008 WSFPI Board of Directors. 07/12/05.

**10531:** Warm Springs Detention Center building No. 1030; WS Agency Bldg#99; PL93-638 to accomplish construction project. 07/25/05.

**10532:** The BIA and the Tribes' Construction Enterprise estimate cost of project WSIR 24(6) approximately \$1,050,000.00 for Seekseequa Subdivision Road. 07/25/05.

**10533:** The BIA and the Tribes' Construction Enterprise estimate cost of project WSIR 3003 (6) approximately \$630,000.00 for the Sunnyside Subdivision Road. 07/25/05.

**10534:** Warm Springs Reservation of Oregon enter into a Indian Self-Determination act contract w/ IHS and contract the Public Health Nursing Social work and nutritionist functions operated by IHS. 07/26/05.

**10535:** Tribal Council is in full support of hosting Corps II event (WS Museum). 07/26/05.

**10536:** Warm Springs Tribal Code Chapter 260; Amended and Restated Class II and Class III Gaming Ordinance is adopted, effective upon approval by the National Indian Gaming Commission and; That the existing Ordinance No. 76 (Warm Springs tribal Code Chapter 260) is replaced by Exhibit A, upon the effective date of Exhibit A. 07/26/05.

**10537:** Anita Jackson appointed by the Tribal Council as Chief Judge of the Tribal Court, beginning August 1, 2005. After successfully completing One year probation be appointed for a four (4) year term ending July 26, 2010. 07/26/05.

(Other resolutions adopted by the Tribal Council in 2005 will be in the next edition of the Spilyay.)

## Board of Director positions open on Gaming and Credit

The Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, would like to advertise the following:

**Kah-Nee-Ta High Desert Resort and Casino Board of Directors: One tribal member position - Class III.**

**General Powers.** The Warm Springs Gaming Enterprise, subject to any restriction contained in the Constitution and laws of the United States, the Compact, or in the Corporate Charter, Constitution, Bylaws, Referendums, Ordinances and Gaming Regulations of the Tribe, or in this Plan of Operation, shall do and perform every act and thing whatsoever which it shall deem necessary, expedient or advisable to carry out the purposes and objectives of WSGE and the provisions of this Plan of Operation. Without limiting the generality of the foregoing, WSGE shall have the power to obtain capital from the Federal Government and from one or more responsible financial institutions or individuals or entities, and to negotiate and enter into security agreements with such financial institutions, individuals, entities and the Federal Government for repayment thereof; to negotiate and execute contracts for management services; to construct, or cause to be constructed, to purchase, or cause to be purchased, to equip, or cause to be equipped, and to operate, or cause to be operated, gaming facilities suitable to the conduct of Class II and Class III gaming as defined by IGRA, and related facilities that will enhance the operation of gaming. To exercise such further powers, not inconsistent with law, as may be necessary to the conduct of the business of WSGE. In the event the Board of Directors is uncertain as to any power of WSGE, it may seek the interpretation and guidance of the Council.

**Board of Directors.** The business and affairs of WSGE

shall be managed and controlled by a Board of Directors.

**Number.** The Board of Directors shall consist of nine directors. The number of directors of WSGE may be increased or decreased from time to time by amendment to this Plan of Operation. No decrease in the number of directors shall have the effect of shortening the term of office of any incumbent director. The Board of Directors shall be composed of approximately equal numbers of members and non-members of the Tribe who are interested in the economic and social development of the Tribe and its membership and who possess expertise in gaming, accounting, law, law enforcement, hospitality, computers, or some other field which would benefit WSGE.

Each member of the Board of Directors shall meet the qualifications and shall be subject to the same licensing requirements as are set forth in IGRA, the Compact and the Gaming Ordinance for a key management employee, provided, that no person shall serve as a member of the Board of Directors while serving as a member of the Tribal Council.

**Classification and Term of Office.** The Board of Directors shall be divided into three classes, designated Class I, Class II and Class III, as follows:

Class I shall consist of three individuals. The Class I directors shall have initial terms in office expiring on the December 31, next following the Class I directors' appointment by the Council, or until their successors are appointed and take office.

Class II shall consist of three individuals. Class II directors shall have an initial term in office expiring one year after the expiration of the initial term of the Class I directors, or until their successors are appointed and take office.

Class III shall consist of three individuals. Class III directors

shall have an initial term in office expiring two years after the expiration of the initial term of the Class I directors, or until their successors are appointed and take office.

After the expiration of the initial term of Class I, Class II and Class III directors, the term of office of each of said classes shall be three years from the expiration date of each class as set forth above, or until their successors are appointed and take office.

Directors shall be eligible for reappointment.

**Appointment of Directors.** Directors shall be appointed by resolution of the Council.

**Regular Meetings.** Regular meetings of the Board of Directors shall be held not less often than quarterly for the purpose of reviewing the preceding three months' operations, making plans for the ensuing three months' operations, and the transaction of such other business as may come before the meeting. The first regular meeting in each fiscal year shall also be the annual meeting of the Board of Directors. At the annual meeting of the Board of Directors, the Board of Directors shall review the preceding year's operations, make plans for the ensuing year's operations, elect officers and transact such other business as may come before the meeting. The regular meetings shall be held at the time and place specified by the Chair of the Board in the notice of the meeting. The Secretary/Treasurer or duly authorized representative may be in attendance at all meetings as the Tribe's observer.

**Quorum.** A majority of the directors in office shall constitute a quorum for the transaction of business at any meeting of the Board of the Directors, provided that at least two directors present be a tribal member.

Letters of Interest and Resumes' of applicants interested in serving on the Board of Director, submit to the following address by no later than March 20, 2006:

**Charles R. Calica, Secretary-Treasurer, P.O. Box 455, Warm Springs, OR 97761.**

Authorization letter will be mailed to all applicants for a criminal and credit background check to be completed returned to Secretary-Treasurer's office. Information will be submitted confidentially to the Secretary-Treasurer.

The Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon would like to advertise the following:

**Warm Springs Credit Board of Directors: One position/tribal member - Class III.**

Article III: Board of directors: **Establishment of the Tribal Credit Enterprise Board of Directors.** There is hereby established a Tribal Credit Board of Directors consisting of five (5) members to be appointed by the Tribal Council in accordance with the provisions of this Charter. All credit activities of The Enterprise will be under the supervisory review and direction of this Board of Directors.

**Classification and Terms of Office of the Board of Directors.** The members of the Board of Directors shall be divided into three classes, designated Class I, Class II, and Class III as follows:

Class I shall consist of two directors. One director shall be an enrolled member of the Tribes. The other Class I director shall be a non-member interested in the social and economic development of the Tribes, and who has expertise in the field of credit or related professions.

Class II shall consist of two directors. One director will be an enrolled member of the Tribes. The other Class II director shall be a non-member interested in the social and economic development of the Tribes, and who has expertise in the field of credit or related professions.

fessions.

Class III shall consist of one member who shall be an enrolled member of the Tribes. The Class III director shall have an initial term in office expiring January 1, 2009 or until their successors are appointed and take office.

Members of the Board of Directors must have a reputation for industry, dependability, honesty, and integrity. It shall be an initial and continuing qualification for members of the Board of Directors that they have no loan with the Tribes that is in a delinquent status.

**General Powers.** The business and affairs of The Enterprise shall be managed and controlled by the Board of Directors.

**Regular Meetings.** Regular meetings of the Board of Directors shall be held quarterly for the purpose of reviewing the preceding three months' operations, making plans for the ensuing three months' operations, and the transaction of such other business as may come before this meeting. The first regular meeting in each fiscal year shall also be the annual meeting of the Board of Directors. The Board of Directors shall review the preceding year's operations, elect officers and transact such other business as may come

before the meeting. The regular meetings shall be held at the time and place specified by the President of the Board in the notice of the meeting. If the day fixed for a regular meeting falls on a legal holiday in the State of Oregon, or is otherwise inconvenient or unsatisfactory in the opinion of the Board of Directors, or the President of the Board, the Board of Directors or the President of the Board may fix another date in lieu of the regularly scheduled meeting date.

**Special Meetings.** Special meetings of the Board of Directors may be called by the President of the Board or any three members of the Board of Directors. Meetings shall be held at the time and place specified by the person or persons calling such meeting.

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**Charles R. Calica, Secretary-Treasurer, P.O. Box 455, Warm Springs, OR 97761.**

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