

# Tribal Council Resolutions

*(The following are recent resolutions of the Twenty-Fourth Tribal Council of the Confederated Tribes.)*

## Gaming reorganization

Whereas Warm Springs Gaming Enterprise (WSGE) is an enterprise of the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe) established pursuant to section 12 of the federal corporate charter of the Tribe; and,

Whereas WSGE is governed by a board of directors appointed by the Tribal Council and operates pursuant to a Plan of Operation adopted by the Tribal Council; and,

Whereas WSGE is currently responsible for the operation of the resort and gaming facilities located at Kahneta on the Warm Springs Indian Reservation; and,

Whereas WSGE is also responsible for the development and eventual management and operation of the Bridge of the Gods Columbia River Resort Casino (BOG) to be located in the Columbia River Gorge; and,

Whereas in connection with the development and construction of BOG it will be necessary to obtain substantial funds through issuing bonds or other debt obligations; and,

Whereas the WSGE Board of Directors has determined that a reorganization of the WSGE enterprise structure is necessary to obtain the necessary financing for BOG and for other reasons; and,

Whereas the organizational structure recommended by the WSGE Board of Directors involves the establishment of a holding company and initial establishment of two wholly-owned subsidiaries thereunder, each to be chartered pursuant to the Warm Springs Constitution and Bylaws; and,

Whereas this structure also facilitates the development of future resort and recreational enterprises by the holding company; and,

Whereas although enterprise reorganization is not necessary until the point at which the WSGE Board of Directors authorizes the financing of BOG to proceed, the WSGE Board of Directors desires to establish the necessary structure immediately in order to minimize delays in obtaining financing for BOG; and,

Whereas the Tribal Council has reviewed the proposed charters for the holding company and subsidiaries submitted to it by the WSGE Board of Directors for approval and adoption; now, therefore,

Be it resolved by the Twenty-Fourth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (f), and (o), of the Tribal Constitution and By-Laws, and Section 4 of the Tribal Corporate Charter that the Tribal Council hereby approves and adopts the charters of the following enterprises (exhibits A, B, and C to this resolution):

(A) Warm Springs Casino and Resort Enterprise;

(B) Kah-Nee-Ta Vacation Resort;

(C) Bridge of the Gods Columbia River Resort Casino; and,

Be it further resolved by the Tribal Council that the transfer of assets, liabilities and management and operations of WSGE to the newly chartered enterprises shall be done at a time and in a manner deemed appropriate by the WSGE Board of Directors; and,

Be it further resolved that the WSGE Board of Directors is hereby appointed as the initial Board of Directors for each of the chartered enterprises. (Resolution 10,767.)

## Adoption election

Whereas Article III, Section 3, of the Constitution and By-Laws, as amended, provides for the members of the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribes") to adopt members into the Tribe at a Secretarial Election called for that purpose; and,

Whereas the Constitution provides that, in order to be elected into membership in the Tribe, an individual must:

(1) Receive a majority vote, provided that at least 50 percent of those entitled to vote shall actually vote;

(2) Have 1/8 or more Indian Blood;

(3) Be a descendant of a member or a former member of the Tribe;

(4) (This provision waived for this election), Must have resided at least 3 years upon the Warm Springs Reservation immediately prior to the date of the application for adoption;

(5) Not be a member of any other tribe of Indians; and,

Whereas based upon the above criteria, the Tribal Council has determined that those persons whose names are set forth in the list attached, are eligible to be placed upon the ballot for an election to determine if they should be adopted into the Tribe; now, therefore,

Be it resolved by the Twenty-

Fourth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article III, Section 3, as amended, of the Constitution and By-Laws, that an election shall be called by the Secretary of the Interior upon the receipt of the list of names provided, for the purpose of voting to determine whether any of the persons whose names are set forth in the attached list should be adopted as members of the Tribe; and,

Be it further resolved that 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 in such election. (Resolution no. 10,766.)

## Metolius protection

Whereas the Metolius River Basin, off the Reservation, is part of the area ceded by the Tribe in the Treaty of June 25, 1855 to the United States (the "1855 Treaty"); and,

Whereas in the 1855 Treaty, the Tribe retained important sovereign and legal rights in these lands, including the right to hunt, fish, gather roots and berries and pasture livestock; and,

Whereas the Tribe has important current and historic cultural, economic, spiritual and religious interests in the area, including the reintroduction of anadromous fish in the Basin in connection with the Tribe's Pelton Round-Butte Hydroelectric Project; and,

Whereas the Metolius River Basin and the Warm Springs Reservation share sensitive big game migration routes and wintering range; and,

Whereas the Tribe has consistently participated in major federal, state, and local legislation and plans that impact the Metolius River Basin, including U.S. Forest Service recreation management plans, the Metolius River Federal Wild and Scenic River Plan and Jefferson County local plan amendments; and,

Whereas the Metolius River Basin has unique ecological, hydrological and geological attributes; and,

Whereas Senate Bill 30, (Exhibit A to this resolution), has been introduced to limit destination resort development in the Metolius River Basin; and,

Whereas destination resort developments under Oregon state laws currently permit intensive residential and resort uses that would directly harm the Basin's unique attributes, long standing

good neighbor relations, and the Tribe's interests in the Basin; and,

Whereas the Tribe recognizes and supports Jefferson County's efforts to create economic development opportunities to increase job opportunities and tax revenues to better serve its residents and that properly tailored development may not be inconsistent with the Metolius River Basin's unique ecological, hydrological and geological features or the Tribe's cultural, economic and religious interests in the area, but believes that, standing alone, current Oregon state laws and mitigation rules are inadequate to protect the Metolius River Basin's attributes or the Tribe's interests in the area; and,

Whereas the Tribal Council deems it desirable to support Senate Bill 30 because such legislation recognizes the statewide importance of and seeks to protect the unique attributes of the Metolius River Basin and the Tribe's interests in the Basin in light of the absence of concrete assurances that harm can be averted to those interests and attributes under current laws; now therefore,

Be it resolved by the Twenty-Fourth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (a), and (l), of the Tribal Constitution and By-Laws, and Section 4 of the Tribal Corporate Charter, hereby supports passage of the legislation contained in Exhibit A. (Resolution 10,770.)

*Please support the businesses you see in the Spilyay Tymoo.*

Next deadline to submit items to the Spilyay Tymoo is Friday, June 29.

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