

Tribes purchase new fleet for Vehicle Pool

By Leslie Mitts
Spilyay Tymoo

The Vehicle Pool has been operating at full force for the past year.

Recently the department traded in used tribal vehicles and acquired 21 new 2008 vehicles for the tribal fleet.

According to Vehicle Pool Manager Phil Johnston, it has been three years since any major fleet replacement. They try to schedule replacements every 100,000 miles, Johnston said, but sometimes that is not possible.

"Economic times being what they are, we're having to run them longer," Johnston said.

The benefits of regularly replacing vehicles, Johnston said, are numerous.

In addition to seeing less downtime for vehicles due to repairs, he explained, the maintenance cost per mile is better and the availability of parts is better.

Currently employed by Vehicle Pool are Johnston as manager, Anthony Boise as journeyman mechanic, Easton Aguilar as tire and lube technician, and



Vehicle Pool employees Leidy Caldera, Anthony Boise, Redine Billy, Phil Johnston and Easton Aguilar (left to right) stand with several of the new vehicles recently purchased for the tribal fleet.

Redine Billy as office manager. Leidy Caldera is employed with Vehicle Pool as a summer youth worker through Workforce Development.

Employees are responsible for preventative maintenance and repairs on tribal vehicles. Vehicle Pool does not sell auto supplies, tires or parts, and repairs only tribal fleet vehicles.

"We simply are here to maintain the tribal fleet," Johnston explained. The task isn't a small

one, with the tribal fleet including cars, vans, busses, ambulances, fire trucks, police cars, trailers, tractors, forklifts and school busses.

Vehicle Pool does offer use of the Vehicle Pool Wash Rack to tribal members from 8 a.m. to 4:30 p.m. Those using the wash rack services are asked to clean up after use and report any theft or vandalism to the Warm Springs Police Department.

A Fleet Review Board is re-

sponsible for reviewing tribal fleet accidents, misuse and high maintenance costs and meets on a quarterly basis. Currently the board consists of five members appointed by the Chief Operations Officer serving two-year terms.

Though they maintain the tribal fleet, Johnston said, they are unable to monitor whether or not tribal vehicle usage is being misused or abused—but that doesn't mean it isn't being

monitored.

"Vehicle pool is not a policing agency," Johnston explained. "It's up to the department managers to monitor the usage."

If someone suspects tribal vehicle misuse, Johnston said, it is their right as a tribal member to ask the driver of a tribal vehicle if they are using it on personal or business matters.

To report abuse of a tribal vehicle, the date, time, location, type of incident, license plate

number, vehicle number and name of the driver should be submitted in writing to the appropriate department managers.

Without a written report, very little corrective action can be taken.

Vehicle Pool is open Monday through Friday from 8 a.m. to 5 p.m. With questions, call 553-3224. The Vehicle Pool Policy Manual is also available for review at the Vehicle Pool office.

Teacher retiring after 21 years at elementary school

By Leslie Mitts
Spilyay Tymoo

John Nelson retired this year after 21 years as a teacher at Warm Springs Elementary School.

The fifth-grade teacher said recently that he's already experiencing some sadness over leaving his students.

"I'll miss the kids," Nelson said. "Its kids in your life that keep you young."

And, Nelson added, "I feel very young."

Overall Nelson spent 24 years teaching in public schools in the third, fourth and fifth grade levels.

Warm Springs Elementary Principal Dawn Smith took a moment to recognize Nelson's retirement during the fifth grade graduation ceremony recently, and said, "He will be sorely missed."

Teaching actually became Nelson's second career after he studied to become a landscape architect. After earning a degree in the field, Nelson's first job was as a city planner.

"I just didn't like it," Nelson explained.

Around that time he got married and became used to being around children while his wife did childcare. That led Nelson to go back to school for his teaching credential.

"I was 26 years old and had fun playing around with kids," Nelson said of the decision to teach elementary school. "I just loved that age."

After his first teaching job in Springfield, Nelson wanted to start his own school and organized two private schools.

Six years later, he sold those businesses in order to return to teaching in the public school system and began applying to



John Nelson

jobs throughout the state of Oregon.

Nelson then accepted a job at Warm Springs Elementary and remained there for over two decades.

As for why he came to Warm Springs and never left, Nelson said, "It was a challenge."

"I like this school," Nelson said. "It's different."

Not to mention, Nelson added, "I liked the environment."

After living in rainy Western Oregon for twenty years, Nelson said, he enjoyed the climate of Central Oregon and also enjoyed working with his colleagues at Warm Springs Elementary.

Nelson has several hobbies he plans to enjoy during his retirement, among them weaving and gardening, but he also is anticipating the chance to take some time off.

"What I want is space and time for myself to not do anything for awhile," he said.

He also plans to volunteer with the SMART reading program in The Dalles, Nelson said.

Nelson was head of the SMILE (Science and Math Investigative Learning Experiences) Program at Warm Springs Elementary. He ended his final year of teaching with a trip to the Oregon Coast with SMILE Program participants last weekend.

Oregon appeals court allows casino challenge

(AP) — Opponents of a tribal casino in Florence have won court approval to challenge Gov. Ted Kulongoski over whether the governor's office can authorize casinos.

The Oregon Court of Appeals has ruled that a citizens group called People Against a Casino Town, or PACT, can challenge the approval for the Three Rivers Casino the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians opened in 2004.

The unanimous ruling on Wednesday was decided mostly on procedural grounds, sending it back to Lane County Circuit Judge Karsten Rasmussen for new hearings in a legal battle that has lasted more than a decade.

Three earlier challenges

were rejected. A federal judge dismissed an initial lawsuit in 2003 that challenged U.S. Interior Department authority to allow gambling on tribal property. Two other lawsuits, one in federal court and the other in Lane County, also were dismissed.

A spokeswoman for the Oregon attorney general's office said the latest ruling was under review.

The lawyer for PACT, Kelly Clark, says it gives opponents a chance to confront Kulongoski over whether his office has the authority to enter a compact with tribes when the Oregon Constitution prohibits casinos.

"What the Court of Appeals said is that the citizens of Oregon have the right to hold their governor accountable and the tribes don't have the right to

stop that challenge," Clark said.

In an opinion by Judge Rick Haselton, the appeals court said that without a challenge, PACT would not have a "plain, speedy and adequate remedy" because the Confederated Tribes have sovereign immunity from state courts, and they were part of the original compact reached with former Gov. John Kitzhaber to approve the casino.

The opinion also said there is a conflict that needs to be resolved because the Oregon Constitution says the "Legislative Assembly has no power to authorize, and shall prohibit, casinos from operation in the State of Oregon."

The law has generally been interpreted to mean that casinos should be placed only on tribal lands.

Stephanie Soden, spokes-

woman for Oregon Attorney General Hardy Myers, said the federal Indian Gaming Regulatory Act requires states to negotiate gaming compacts with tribes.

"And the state has followed that law since it passed," Soden said. "This ruling is a procedural decision and not a decision regarding the lawfulness of the gaming compact."

But Clark said federal law on Indian gaming does not require states to violate their own laws. He cited Utah as an example, which has no casinos because the state prohibits them.

"Now the governor has to say why he has the right to authorize casinos, even on tribal land," Clark said.



Jamie Warner receives a flower during the graduation ceremonies at Warm Springs Elementary School. Students later gave the flower to family members who had an important impact on their lives.

U.S., Berkshire's PacifiCorp discuss dams issue

GRANTS PASS, Ore. (AP) — PacifiCorp, the federal government and the states of Oregon and California are in talks over how to resolve a proposal to remove four hydroelectric dams on the Klamath River to help struggling salmon runs.

U.S. Fish and Wildlife Service spokeswoman Alex Pitts confirmed Tuesday that federal agencies and the utility are in continuing "conversations" about a hydropower agreement, but would not characterize that agreement as a way to remove the dams.

PacifiCorp spokesman Art Sasse would say only that the utility company is in talks with "key stakeholders" surrounding its application to relicense the dams.

The utility is owned by MidAmerican Energy Holdings Co., based in Des Moines, Iowa, and controlled by Berkshire Hathaway of Omaha, Neb., the investment vehicle of billionaire Warren Buffett.

Last January, federal agencies, the states of Oregon and California, and Indian tribes, fishermen, farmers and conservation groups agreed on a \$1 billion plan for restoring salmon in the river and sharing scarce

water between fish and farms once the dams are removed.

But PacifiCorp, which owns the dams, has yet to sign on and terms of the hydropower agreement were left blank.

The utility has consistently maintained its desire to keep the dams as a source of carbon-free energy, even if it means spending \$300 million on federally mandated fish ladders and other measures to help salmon, but would not object to removing them if their ratepayers are protected. The dams produce enough electricity for about 70,000 customers.

Craig Tucker, Klamath campaign director for the Karuk Tribe, said he had no information about the talks, but it would make sense if PacifiCorp were seeking to transfer ownership of the dams to the federal government.

"One of PacifiCorp's demands all along has been if the dams get removed, they don't want to be in the position of holding all the liability for any potential negative consequences," he said. "All I can do is speculate they are entertaining a variety of options to try to achieve that. I haven't seen any specific plans for that."

Legal Aid in Warm Springs

Legal Aid Services of Oregon, which provides free legal advice and representation to low-income Oregonians, is in Warm Springs the first Monday of every month, from 1 to 4

p.m., at the Family Resource Center, 1144 Warm Springs Street.

For information call (800) 678-6944, or (541) 385-6944.

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