

# Resolutions of Tribal Council

## Horses

Whereas the Branch of Natural Resources, Range and Agriculture Department has requested of the Land Use Committee permission to use a part of a tract of trust land referred to as Allotment 588-A and described as the West Half of the Southeast Quarter of Section 13, Twp. 9 South, Range 12 East, Willamette Meridian, lying to the west of BIA Highway NO. 3, for an administrative purpose which is to operate a Horse Handling Facility that will aid in the removal of excess horse numbers from tribal rangeland; and,

Whereas the Confederated Tribes of Warm Springs holds an undivided interest of over 80 percent in said tract; and,

Whereas this is considered a temporary facility to be used until a more suitable site can be arranged for a more permanent location; and,

Whereas it is the intention of the Tribal Council that the co-owners in, said tract be compensated. This will be in accordance with BIA regulation in 25 CFR Chapter 162 and be given the "fair market value" for the rental of the interests remaining in this allotment; and,

Whereas the Tribal Council desires to waive rental due in this tract to the Branch of Natural Resources for this particular administrative use;

Now therefore be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (c) and 1 (l), of the Tribal Constitution, that a proposed revocable permit No. TBD is hereby approved to cover the period from June 1, 2011 to Dec. 31, 2012; and that the Superintendent, BIA, Warm Springs Agency is hereby requested to order an appraisal of the allotted land interests in order to enable the Branch of Natural Resources to compensate them for the Tribes' usage of their land interests; and,

Be it further resolved, The Chairman or Vice-Chairman and Secretary-Treasurer/CEO are hereby authorized to execute the necessary documents for and on behalf of the Confederated Tribes to carry out this resolution. (Resolution no. 11,442)

## Native veterans

Whereas the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is the central governing authority of the Confederated Tribes and has the responsibility to oversee all Tribal matters, and the Tribal Council is empowered and authorized to enact resolutions governing the management of affairs and enterprises of the Tribe; and,

Whereas under the Management Plan of the Confederated Tribes, the Secretary-Treasurer's mission is to implement the political, financial, and governmental actions of the Tribal Council in a manner consistent with Tribal laws; and,

Whereas Rural Native Veterans have diverse traditional beliefs and practices regarding health and healing, and the unique conditions and disproportionate levels of need for rural Native Veterans require special considerations in care; and,

Whereas advancing effective care practices for this vulnerable population requires the translation of programs to lo-

cal conditions, culture, and expectations of treatment, care, and healing; and,

Whereas no prior work in program adaptation for rural Native Veterans exists, in spite of the many barriers to implementation; and,

Whereas the Veterans Administration (VA) Rural Health Resource Center (VRHRC)-Western Region, Native Domain is working with the University of Colorado Anschutz Medical Campus, Centers for American Indian and Alaska Native Health (CAIANH) on the Rural Veterans Needs Assessment to conduct formative evaluation research to assess rural Native Veterans health care needs; and,

Whereas the VA and CAIANH will focus on key players (Veterans, Veterans family members, and community members who work with Veterans) to participate in interviews to collect information on barriers and strengths of adaptation and implementation of programs that serve rural Native Veterans; and,

Whereas the VA/CAIANH will compensate all tribal members who are invited, consent to, and complete the assessment interviews that will help us understand the issues regarding health care and access to health care services of rural Native Veterans; and

Whereas the VA/CAIANH will uphold ethical research practices and keep all information collected confidential, including community identification if so desired by the Tribe, and will provide participants and The Confederated Tribes of the Warm Springs Reservation of Oregon a report of all findings; now, therefore

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon that the Secretary-Treasurer and the Tribal Council do hereby recommend and support the VA/CAIANH Rural Needs Assessment project; and,

Be it further resolved that the Tribal Council does hereby approve the VA and CAIANH Rural Native Veterans Needs Assessment project for improvement of health care services by agreeing to community members' participation in focus group interviews. (Resolution no. 11,430.)

## Head Start

Whereas the Warm Springs Head Start/Early Head Start program was established by the Tribal Council and operates under federal law and regulations to provide Head Start and Early Head Start educational and other services to the children and families of the Warm Springs Reservation; and,

Whereas federal law and regulations governing the operation of the Warm Springs Head Start/Early Head Start program require that a "Policy Council" made up of representative parents and community members be established to participate in shared decision-making concerning Head Start/Early Head Start program design and implementation; and,

Whereas federal law and regulations require that the Warm Springs Head Start/Early Head Start Policy Council operate pursuant to set of By-laws approved by the Tribal Council; and,

Whereas the Warm Springs

Head Start/Early Head Start By-Laws attached to this resolution as Exhibit "A" have been recommended to Tribal Council for approval and Tribal Council believes that approval of these By-Laws is in the best interests of the Tribe and its members; now, therefore,

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(a),(1) and (u) of the Tribal Constitution and By-Laws, that the Tribal Council hereby approves and adopts the Warm Springs Head Start/Early Head Start By-Laws attached to this resolution as Exhibit A. (Resolution no. 11,444.)

## Investment

Whereas funds received as a result of the 1401 Phase II settlement process are currently held and invested with Harris Bank; and,

Whereas by Resolution No. 11,173 the "Restoration Funds" portion was to be invested with the same investment strategy as other BIA Deferred revenues; and,

Whereas a recommendation was made by the Investment Advisory Committee, the Finance Department and the Secretary Treasurer/CEO to that it is in the best long term interests of CTWS to amend the investment strategy for these funds and remove the current investment strategy of BIA Deferred restrictions; and,

Whereas a motion was made and approved at the Investment Advisory Committee meeting on February 17, 2011 to revise the investment strategy for the "Restoration Funds" portion of the Phase II settlement Natural Resource funds (\$36,000,000 plus accumulated interest) to allow the Investment Advisory Committee to make investment strategy decisions based on cash flows needs for these funds; and,

Whereas it is the desire of The Investment Advisory Committee, the Finance Department and the Secretary/Treasurer/CEO and Tribal Council to invest Tribal funds to earn the maximum returns for stated levels of acceptable risk (efficient frontier curve of Modern Portfolio Theory) while following and complying with the investment guidelines and limitations specified by various Federal funding sources; now, therefore,

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (f) of the Constitution and By-Laws, the Tribal Council hereby authorizes the Secretary-Treasurer/CEO and the Finance Department, at their discretion as to timing, to establish a new investment strategy at Harris Bank for the purpose to earn the maximum returns, to better coincide with the actual expenditure of the funds by various Tribal Programs. (Resolution no. 11,449)

## Drinking water

Whereas the Confederated Tribes is applying for ICDBG funds in the amount of \$500,000 to add to a \$1.4 million grant from EPA, \$450,000 in "Imminent Threat" HUD grant funds and \$200,000 in tribal funds to construct im-

provements to the Simnasho domestic water system to correct the elevated levels of arsenic in the water supply ("Simnasho Arsenic Remediation Project" or "project"); and,

Whereas with the addition of the \$500,000 ICDBG grant, the funding package will be complete and planning and construction work on the project can begin; and,

Whereas the project will be constructed and operated in accordance with Revised Ordinance No. 62 ("Warm Springs Water and Sewer System Act") adopted by Tribal Council Resolution No. 10,012 on April 9, 2001; and,

Whereas Ordinance 62 outlines the O & M Plan for the Tribal Water and Sewer systems through the Warm Springs Tribal Water and Sewer Act which defines maintenance, repair and replacement schedules and the Tribes has committed the necessary funds for maintenance and repairs through its Tribal Water and Sewer annual budget; and,

Whereas the Warm Springs Public Utilities Department has provided residents affected by the project with information concerning the amount of funding available for the project; and,

Whereas the Warm Springs Public Utilities Department has held several public meetings to obtain the views of residents

tion and strategies, and reduces bureaucracy; and,

Whereas the people have the need and have expressed the desire to maintain and advance their status as a sovereign people through preservation of their culture, traditions, beliefs, and values, care of tribal lands and natural resources, and pursuit of sovereign interests and treaty protection; and,

Whereas the 25<sup>th</sup> Tribal Council recognizes and supports the people's desire for improvements in the areas described and is committed to provide the leadership required to accomplish these goals; and,

Whereas the 25<sup>th</sup> Tribal Council also recognizes that in order to grow our economy, our government and enterprises must provide business opportunities that will build the skills and capacity of tribal members to contribute to the long-term sustainability of employment and business growth; now, therefore,

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to the Constitution and By-Laws, Article V, Section 1 (f), (l), (o), and (p), and Corporate Charter, Section 4, that the Tribal Council hereby proclaims its commitment to prioritize the use of tribal resources for the following purposes:

Adoption and active implementation of a long-term strategic plan for the economy that will generate significant on-reservation revenues needed to fund other tribal priorities; understanding that certain opportunities may also need interim steps, while maintaining full opportunities for our tribal future;

Utilize reservation enterprise

regarding the project; and,

Whereas the Warm Springs Public Utilities Department has posted a public statement describing the project and requesting public comments on the project; and,

Whereas the Warm Springs Public Utilities Department shall give residents an opportunity to review and comment on the Tribe's performance in planning, constructing and operating the project using the \$500,000 ICDBG grant; now, therefore,

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(a), (l) and (u) of the Tribal Constitution and By-Laws, that the Tribal Council hereby approves and supports the Confederated Tribes' application for an ICDBG grant in the amount of \$500,000 in order to complete the funding package for the Simnasho Arsenic Remediation Project. (Resolution no. 11,450)

## Grazing

Whereas the Confederated Tribes of the Warm Springs Reservation have adopted Ordinance 66 "Chapter 460—Range and Livestock Ordinance; and,

Whereas it is the desire of the Tribal Council to implement the

zones and partnership enterprise zones with non-tribal business both on and off-reservation;

Improvement and updating in education, vocational training, workforce development, internships, apprenticeships and youth development opportunities;

Improvement of reservation facilities and infrastructure, utilizing energy efficient technology, including construction of tribal member housing and development of industrial areas;

Better health care, including programs to reduce substance abuse and assisting tribal members in realizing responsibility for themselves and their families;

More effective and accountable government and enterprises, realizing the need for prompt response if tribal member lives and property are in jeopardy; and using benchmarking as one tool to help assess how we are doing;

Preservation and enhancement of the Tribe's natural, cultural, sacred, and sovereign endowments both on and off-reservation;

Utilize the strategic plan as a tool to provide more effective and timely communications with the tribal membership in relation to the adopted directions, and other matters of importance;

And directs the entire tribal organization and enterprises to support these priorities as it carries out its duties.

provisions of the Ordinance to allow for management of range resources to achieve tribal objectives of increasing employment and income to Tribal Members from those resources while enhancing the productivity and protection of the range resources through multiple use conservation practices for future generations yet unborn; and,

Whereas the Tribal Council believes that it is essential that individually owned lands should be administered in a manner compatible with grazing authorizations on Tribal lands and it is the intent of the Tribal Council to enter into lease arrangements for grazing on individually-owned land pursuant to 25 CFR & 162—Leasing and Permitting and to appropriate funds during the regular budgeting process for a five year period for grazing on individually-owned land; now therefore,

Be it resolved by the 25<sup>th</sup> Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to the Constitution and By-Laws Article V, Section 1, (c), (k), (l), (n), and (o), and Article VIII, Section 3, that the Metolius Grazing Group be given a Grazing Authorization pursuant to chapter 460.106 of the Tribal Code for a period of five years subject to conditions set forth in the attached grazing group rules and grazing plan. (Resolution no. 11,451)