



Spilyay Tymoo

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K-8 construction expected to start in July

The Confederated Tribes and school district 509-J are expecting to begin construction on the new Warm Springs k-8 school in July, maybe a little sooner.

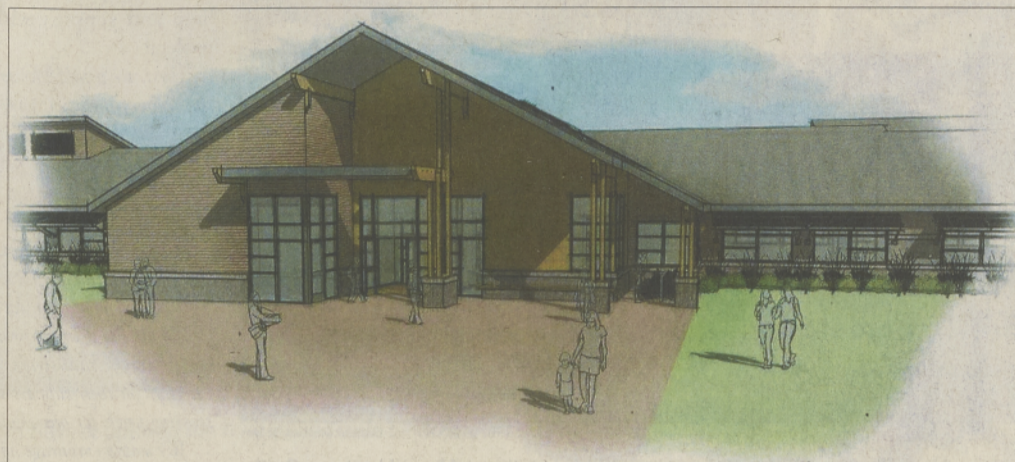
"We are still planning to have the construction complete in July 2014," said Urbana Ross, tribal chief operations officer. "And we expect the school to open in September 2014."

There had been some delay in tribes' securing funding from the USDA. The tribes had to demonstrate a secondary source of repayment, which they now have done (see story below). This has delayed the construction start date.

The regional USDA office recently reviewed and approved the tribes' funding information, and forwarded the recommendation to the Washington, D.C., office for final approval. As soon as the tribes receive the USDA loan approval, then construction can proceed, Ross said. "And we're hoping to receive that approval—called a letter of conditions—in May," she said.

The tribes are borrowing \$6.5 million through the USDA. The tribes have also designated approximately \$3.5 million in tribal funding to the project.

Jefferson County School District 509-J is matching the amount with a \$10 million contribution funded through district property tax. The district last spring passed a \$26 million bond levy that includes the portion for the Warm Springs school.



Courtesy of BBT Architects.

Conceptual rendering of the entrance area of the Warm Springs k-8 school.

Cleaning, Blessing

The Office of the Chief Operations Officer has organized Cleaning and Blessing ceremony set for Friday, April 26 at the Greeley Heights school building site, followed by lunch at the Agency Longhouse. The gathering will begin at 8 a.m.; with cleaning by Shaker Church members from 8:30-10:30 a.m. Blessing of the grounds and Washat will be from 10:30 a.m.-Noon, followed by lunch.

New school

The project manager for construction of the new school is the Wenaha Group, based in Pendleton, and majority-owned by Rob Quaempts, Umatilla tribal member.

The group is also managing other upcoming improvement projects within the district, including the Madras High School performing arts center.

The architect for the projects is BBT Architects of Bend. The architects, school board and local design team have worked through the fall and winter toward the final design of the k-8 school.

The main school building will be 80,000 square feet, or about the size of the Jefferson County Middle School.

The school will be on 20 acres at the East Tenino-Chukar roads. The acreage will accommodate the school buildings, sports facilities, parking and so forth.

The Confederated Tribes and school district recently completed a plan of operation for the new school.

MHS projects

The two-story performing arts center will be located next to the new football stadium at the high school. The center will be an estimated 18,800 square feet. The facility will have a large stage to accommodate a band, a back stage with a green room, which will double as a practice facility and waiting room for stage productions, dressing rooms, makeup rooms and storage space.

— Dave McMechan

Response to change in federal horse policy

By Dave McMechan
Spilyay Tymoo

The issue of overpopulation of unclaimed horses is complex and contentious. This fact is demonstrated by a recent development within the U.S. Department of Agriculture, and the tribal response to the development.

The problem at hand is the prevalence of horses roaming across rangeland, much of which is tribal reservation land.

"Tribes participating in our organization occupy trust lands of nearly 20 million acres," said Jason Smith, President of the National Tribal Horse Coalition.

Smith, of the Warm Springs Natural Resources Branch, made the statement in a recent letter to Secretary of the Agriculture Thomas Vilsack.

His letter outlines the complicated nature of the horse-slaughter issue, pointing out, for instance, that the present federal policy "will inflict greater suffering to horses, and economic and environmental hardship to Tribal nations."

See HORSE POLICY on page 9

Cigarette tax refund helping fund school

By the Warm Springs
Tribal Council Tax Commission

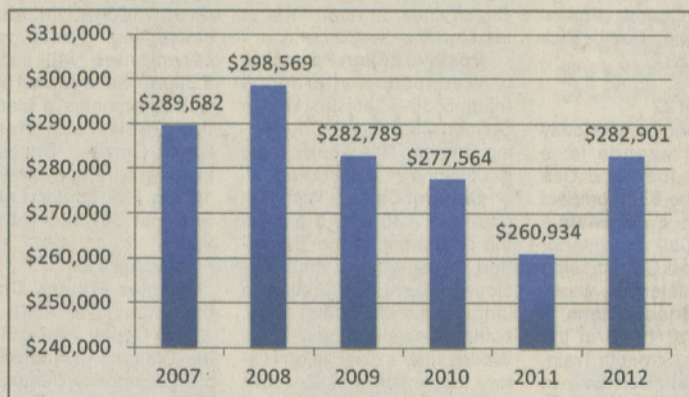
In 1979, in response to a U.S. Supreme Court decision exempting from state tax on-reservation cigarette sales to Indians, the Confederated Tribes of the Warm Springs Reservation of Oregon entered into an inter-governmental agreement with the State of Oregon and adopted Tribal Ordinance No. 59.

The ordinance and agreement provide for a refund to the Tribe of the pre-collected state tax on cigarettes sold to Indians on the Warm Springs Reservation.

The state cigarette tax is "pre-collected" because it is paid by the off-reservation cigarette wholesalers who place a tax stamp on each cigarette package and then sell them to reservation cigarette retailers who include the tax in the price of cigarettes sold to their customers.

The inter-governmental agreement is how the Tribe recovers the state tax included in the tax exempt cigarette sales to Indians on the reservation.

The Tribe's cigarette refund is based on a formula that takes the



Courtesy of Tribal Finance

Cigarette tax refund to the Tribe has been consistent over the years.

average annual per capita consumption of cigarettes in Oregon multiplied by the number of enrolled Warm Springs tribal members multiplied by the Oregon cigarette tax rate per package.

For 2012 the Tribes refund was \$282,901. This was calculated as follows: average packs of cigarettes per Oregonian is 47, times 2011 Tribal enrollment of 5,101 members, times \$1.18 state tax per cigarette pack equals \$282,901.46.

As you can see from the chart, the cigarette tax refunds to the Tribe has been consistent from year to year. This refund to the Tribe is

The Tribal Council has reestablished the Tax Commission...

critically needed, particularly in relation to the K-8 Warm Springs Elementary School project.

Due to the lack of a tax base on the reservation, and because the Tribal Constitution does not allow assets of the Tribes to be pledged as collateral on loans, a steady tax revenue such as the cigarette tax refund is one of the very few income streams of the Tribe that is flexible and can be used against

Tribal borrowing. In this case, the Cigarette Tax refund is currently being pledged as security and source of repayment for the Tribe's share of the K-8 Warm Springs Elementary School Project.

As a result, it is critically important that the Warm Springs/Oregon inter-governmental cigarette tax refund agreement remains in place to ensure that this Tribal revenue stream continues to be available to service the debt on the K-8 School Project. If this revenue stream were to not exist the tribes would need to find an additional source of revenue to pledge to secure the new Warm Springs school financing.

The Tribal Council has re-established the Tax Commission per resolution 11,692. It is anticipated that all tax related matters of the Tribe will be analyzed over the next year. Any tax-related matters should be directed to the Tax Commission, which consists of Secretary-Treasurer/CEO, Tribal Council Chair, Tribal Council Vice-Chair, Warm Springs Chief Delvis Heath, Paiute Chief Joe Moses and Wasco Chief J.R. Smith.

Motorsports referendum likely in May

The proposed motorsports project on the reservation is still in the conceptual stage.

There is a 1,000-acre site location on Miller Flat that has met a preliminary review by the Warm Springs Natural Resource Branch. There is a team, Lionshead Development, that has been studying the idea with Warm Springs Ventures.

"We've been working on this for about two years," said Jeff Anspach, director of Ventures.

The preliminary plans have been presented at several community meetings at each of the longhouses, and at other gatherings.

Land-Use and the Natural Resources Branch have been involved through the process.

The project is now at a point where further consideration would justify a referendum of the membership.

Tribal Council heard this update last week, and agreed to set the matter for referendum on Tuesday, May 21. The coming weeks, then, will see information meetings around the community and reservation on the details and potential for this project.

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See page 12 for details.