

School: new water reservoir part of construction

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When the construction is finished, USDA pays the loan and the tribes then pay off the debt to the USDA. This will be a 40-year loan at 3.5 percent interest.

The timing of the USDA approval was important, as the construction work needs to start within the next few weeks to meet the current building timeline. The school is set to open in the fall of 2014. Construction will be complete that summer, giving teachers and staff time to

move in.

"This has certainly been a long and arduous journey," Swires said of the USDA loan process. "But we made it, and I certainly think the school will be a pride of the tribes."

Councilman Scott Moses said he wished to thank Swires and USDA on behalf of the tribes. "I know a lot of work went into this," he said.

Councilwoman Evaline Patt asked Swires whether a drinking water reservoir, needed for the new school, is

included in the construction cost. Swires said that it was.

Patt also asked about a provision regarding Warm Springs Forest Products Industries and its use of potable water.

Chief Operations Office J.P. Patt explained that WSFPI has in the past at times used potable water to keep logs wet. This draws down the water level available for fire hydrants. The presence of the new school will require that the water be available for fire protection, said Patt.

Warm Springs Chief Delvis Heath said he is happy to see the new school project finally moving forward. The tribes all these years have been sending the Warm Springs students to the schools in Madras, he said, when the tribes should have its own school serving the local youth.

"I'm glad we're finally getting this done," he said.

The Council then moved on to Resolution 11,765 and discussion with bond counsel (See School bond on this page).

Motorsports

Resolution of Tribal Council on Tuesday, June 4, 2013:

Whereas the Confederated Tribes of the Warm Springs Reservation of Oregon is a federally recognized Indian Tribe; and

Whereas the Tribe formed the Warm Springs Economic Development Corporation (WSEDC), which is a chartered corporation wholly owned by the Tribe, via Resolution 9983 on February 27, 2001, as a subordinate organization to provide a corporate body to encourage and foster economic development for the Tribe and its members; and

Whereas the Tribal Council has directed WSEDC to seek economic development opportunities to increase tribal revenues and to provide employment for tribal members; and

Whereas, pursuant to the Tribal Council directive, the WSEDC has identified an economic development opportunity for both job creation and revenue development in the motorsports/tourism marketplace; and

Whereas, per resolution No. 11,646, the Tribal Council authorized WSEDC to enter into a Letter of Intent with a strategic partner, Lionshead Development, LLC, to further examine the feasibility of the Motorsports Park Project; and

Whereas, per the Letter of Intent, WSDEC and Lionshead have identified a location and draft concept for the Motorsports Park Project which includes motor sports related facilities along with related and complementary commercial uses (exhibits A and B), and continue to investigate the feasibility of the Motorsports Park Project; and

Whereas the Tribal Council is supportive of pursuing the development of the Motorsports Park Project due to its potential to improve the Tribe's financial situation and to provide jobs for tribal members; and

Whereas the Tribal Council believes that the question of whether to pursue development of the Motorsports Park Project is a matter of great importance that should be submitted to the vote of the membership per Article VI of the Tribe's Constitution and By-Laws and may involve creation of a new Tribal corporate business enterprise, which must be approved by a vote of the membership per Section 12 of the Tribe's Corporate Charter; now, therefore,

Be it resolved by the Twenty-Sixth Tribal Council of the Confederated Tribes

of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(f), (i), and (u), and Article VI of the Tribal Constitution and By-Laws and Section 12 of the Tribe's Corporate Charter, as amended, that the following question be submitted to a referendum of the eligible voters of the Confederated Tribes of the Warm Springs Reservation of Oregon to be held on July 9, 2013:

Shall the Confederated Tribes of the Warm Springs Reservation of Oregon authorize the Tribal Council to pursue the development of a motorsports park and related or complementary commercial businesses and uses (collectively, the Motorsports Park Project) in the Miller Flats area of the Warm Springs Reservation generally described in exhibits A and B, and to take such actions as the Tribal Council deems necessary and prudent to commercially advance the Motorsports Park Project to completion in compliance with Tribal law, including but not limited to the Tribe's natural resource, cultural resource, and environmental laws, on terms that the Tribal Council deems in the best interests of the Tribe and its members, including the formation of a new tribal business enterprise under the Tribe's Corporate Charter with an aggregate investment not to exceed the value of the land for the Motorsports Park Project; an amount approved by the Tribal Council not to exceed \$1 million, which will be made available by any economic development sums dedicated to the entity as designated in a duly approved tribal budget?

Shall the resolution be approved?
Yes ___ No ___

(The vote on the motorsports referendum resolution was 6-0-0. Voting in favor were councilmen Orvie Danzuka, Kabseuss Jackson, Scott Moses and Carlos Smith; and Wasco Chief JR Smith and Warm Springs Chief Delvis Heath.)

K-8 school

Whereas, pursuant to Tribal Referendum approved on July 10, 2012, and a Jefferson County School District No. 5093 bond levy election approved on May 15, 2012, the tribe and School District are proceeding forward in a joint and cooperative effort to construct a new k-8 Warm Springs school; and

Whereas the Tribal Referendum authorized the Tribe to contribute a princi-

pal amount not to exceed \$10,736,300 to fund one-half of the Project, and to borrow funds as necessary on terms acceptable to the Tribal Council; and

Whereas the Tribe applied for a loan from the U.S. Department of Agriculture's Rural Development Program on favorable terms to fund all or part of the tribal contribution and to guarantee interim funding; and

Whereas the USDA has presented to the Tribal Council a Letter of Conditions dated June 5, 2013, in which the USDA has set forth conditions that the Tribe must meet within 30 days (July 5, 2013) in order to obtain a loan from the USDA for the project not to exceed \$6,854,269; and

Whereas the Tribal Council finds the conditions set forth in the Letter of Conditions acceptable and wishes to move forward with the USDA loan application process for the project; now, therefore

Be it resolved by the Twenty-Sixth Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V section 1(f), (i) and (u) of the Tribal Constitution and By-Laws, that the Tribal Council hereby authorizes the Chairman of the Tribal Council to execute on behalf of the Tribe the Letter of Intent to Meet Conditions (attached as exhibits) and request for obligations of funds (form attached); and

Be it further resolved by the Tribal Council that the Council hereby directs the tribal representatives of the Core Team to take all actions necessary to complete the items set forth in the Processing Checklist (attached to the Letter of Intent) within 30 days, and to submit the completed packet to USDA; and

Be it further resolved by the Tribal Council that the Tribal Council hereby delegates authority to the Secretary-Treasurer/CEO to execute on the Tribe's behalf any forms required by the Processing Checklist for which execution by the Tribe is necessary; and

Be it further resolved by the Tribal Council that the Tribal Council hereby delegates authority to the Secretary-Treasurer/CEO to seek interim financing for the project, including the issuance of a request for proposals, and to execute on the Tribe's behalf any documents required by the interim lender to obtain interim financing for the project.

(Note: The vote on this Tribal Council Resolution, No. 1,764, was unanimous, 10-0-0.)

School bond

Tribal Council Resolution No. 11,765: A resolution of the Tribal Council of the Confederated Tribes of Warm Springs authorizing interim and permanent financing of a portion of the k-8 school facility construction costs in an amount not to exceed \$10,736,300 and providing for other matters related.

(Note: Tribal Council adopted Resolution No. 11,765 following the vote on No. 11,764.)

(Resolution 11,765 is a multi-page legal financing document presented by the tribes' Bond Counsel. The resolution pledges the tribes' cigarette and gas tax revenue received from the State of Oregon as security for the tribal school construction bond.)

(The vote on Resolution No. 11,765 was 9-0-1. Voting in favor were Council members Orvie Danzuka, Reuben Henry, Kabseuss Jackson, Scott Moses, Evaline Patt, Carlos Smith; and Paiute Chief Joe Moses, Wasco Chief JR Smith, and Warm Springs Chief Delvis Heath. Abstaining was Councilman Raymond Tsumpti.)

Referendum

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Halliday worked on several economic development projects for the Muckleshoot Tribe, including the White River Amphitheater.

At Tribal Council last week, Councilwoman Evaline Patt asked Anspach about the potential revenue to the tribes of the motorsports park.

He responded that the es-


Indian Head Casino

— Employee of the Month —

Naolmi Shy

Naolmi Shy was named Indian Head Casino Employee of the Month for May. Naolmi is a very enthusiastic, friendly, customer service oriented Player's Club Rep, said Marge Tuckta, casino Human Resources director.

"She is well liked by the casino team and customers alike," Tuckta



said.

Congratulations, Naomi!

imate is \$150 million in gross revenue at build-out. After costs, such as debt service, the revenue is estimated at \$37 million net. This would go to the joint venture consisting of the tribes and the outside investor, Lionshead Development.

The revenue would be divided based on the percentage ownership of the joint venture.

For its part in the joint venture the tribes would be putting up the land for the motorsports park. A lease to the joint venture of between 25 and 50 years would be a likely scenario.

Lionshead would bring some funding and a connection to the motorsports sanctioning bodies. Councilman Jackson asked about the likelihood of approval from a major sanctioning body, such as IRL.

Anspach said the chances are good, as Lionshead includes, or has connections to key parties at the sanctioning bodies.

Wasco Chief J.R. Smith said he has heard some members say the details of the pro-

posal are too vague: For instance, What are the terms of the joint venture?

Anspach said a detailed proposal to the Tribal Council could come only after a referendum allows further discussion and planning. Ventures does not want to spend a lot of money pursuing the project before a yes-or-no vote by the membership, he said.

Chief Operations Officer J.P. Patt said, "We have been criticized at times for not going to the people first. That's why we're holding the referendum now."

So at this point a final or more detailed proposal is not possible. "But we would not negotiate a bad deal for the tribes," Patt said.

Passage of the referendum would not ensure that the motorsports park would happen. Passage would only allow the negotiations to move to next phase.

"I hope this passes, so we can get to the table to negotiate," said Councilman Moses.

— Dave McMechan

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