



# Spilyay Tymoo

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## Council votes against Cascade Locks

Tribal Council voted last week to end the pursuit of a casino at Cascade Locks.

The majority of the Council voted in favor of a three-part motion. The three parts are as follows:

One, withdraw the tribes' Cascade Locks fee-to-trust application, submitted to the Department of Interior.

Two, withdraw the gaming compact regarding a Cascade Locks casino, submitted to the state of Oregon.

Three, dissolve the Cascade Locks negotiating team.

The vote on the motion was 6-2-2.

In favor were Council members Reuben Henry, Kahseuss Jackson, Scott Moses, Evaline Patt, Carlos Smith, and Wasco Chief JR Smith.

Councilman Smith made the motion to discontinue pursuing the Cascade Locks proposal; seconded by Chief JR Smith.

Voting against the motion were Warm Springs Chief Delvis Heath and Paiute Chief Joe Moses.

Council members Orvie Danzuka and Raymond Tsumpti abstained from the vote.

The Council members voting in favor of the motion voiced concern about the amount of money—approximately \$29 million—the tribes have spent on the Cascade Locks proposal.

On-going monthly expenses have brought the matter to the forefront,

as the tribes are facing a serious financial challenge, including significant cuts to general fund programs.

The gaming board has also recommended that the tribes stop pursuing the Cascade Locks project, said board chairman Jason Smith. "The board has been dealing with this for quite a while," he said, "and we've come up with that recommendation... There is no light at the end of the tunnel with Cascade Locks."

Former gaming board member and former Congresswoman Elizabeth Furse spoke to Council about the Cascade Locks project. "It is my belief that the Interior Department is not going to make a favorable decision on Cascade Locks," Furse said.

The department, for instance, is aware of the lawsuits that would follow a favorable decision for the tribes, she said.

Gov. Kitzhaber is also an opponent of the Cascade Locks project. "But the issue isn't even with the Governor, but rather with the Interior Department," Furse said.

The tribes should stop spending money on Cascade Locks, and instead focus on the actual assets of the tribes, namely Indian Head Casino and Kah-Nee-Ta Resort and Spa, Furse said.

Chief Joe Moses said Council action to stop pursuing a Cascade

Locks development would be contrary to the referendum passed by the membership. The Council should follow the will of the people, he said.

Council Chairman Eugene Austin Greene Jr. said he has heard concerns from tribal members at recent meetings regarding Cascade Locks. However, he said about 70 to 80 members were in attendance, while the entire membership is over 5,000.

At this point Councilman Smith asked Secretary-Treasurer Jake Suppah to provide Council with the actual language of the Gorge casino referendum, which the membership passed in May of 2002. The referendum question reads as follows:

"Shall the Tribe be authorized to finance, construct and operate a gaming casino on Tribal trust lands in the Columbia River Gorge, on such terms as the Tribal Council shall determine; provided that any borrowing shall be the obligation only of the casino enterprise and shall not risk any other Tribal asset?"

Councilman Smith said the referendum refers specifically to "trust lands" and the Confederated Tribes have no trust land at Cascade Locks. Continuing to spend money at Cascade Locks is not authorized by the referendum, he said.

The tribes have trust land east

of Hood River, which would qualify for gaming. The east Hood River site was the original Gorge casino proposed development site.

Cascade Locks entered the discussion after Hood River residents protested against the proposal to develop the east Hood River trust property, while Cascade Locks residents, and Hood River County, were receptive to development at Cascade Locks.

Over the past 11 years, the tribal funds spent at Cascade Locks have come from the tribal gaming enterprise, as stated in the referendum. However, said Councilman Scott Moses, this has put "other tribal assets" at risk, as there has been loss of revenue to the general fund and the programs and departments of the tribes.

Reviewing a financial statement about the Cascade Locks expenditures, Councilman Kahseuss Jackson asked about approximately \$108,000 spent in 2012. He also asked about a recent feasibility study costing over \$20,000.

Tribal attorney Dennis Karnopp said a part of that expenditure was for a feasibility study for a water-park at the Cascade Locks site.

See **GAMING** on 7

## Change at tribal court

Tribal Council met this week to discuss the Tribal Court, as a vacancy on the court will open soon.

Chief Judge Susan Alexander will be leaving at the end of this month. She has been the chief judge of the Warm Springs Tribal Court for the past three years.

There are four judges serving on the Tribal Court: Chief Judge Alexander, and Associate Judges Walter Langnese, Lisa Lomas and Glendon Smith. Tribal Council on Tuesday re-appointed Associate Judge Smith to his position.

Tribal Council discussed whether the court could go from four judges to three, with one of the existing associate judges becoming the new chief judge.

Another option would be to advertise for a new chief judge. A recommendation from Alexander is that the court include a licensed attorney.

Councilman Raymond Tsumpti said the tribal budget process for 2014 could determine the number of judges on the Tribal Court. "Revenue will dictate the decision," he said.

Judge Alexander said she may be able to work through the rest of this year to help with the transition, if Council feels it necessary.

Councilman Kahseuss Jackson said the transition should be made as cost-efficiently as possible.

Councilman Tsumpti said there may be former tribal judges in the community who could serve on an interim basis during the remainder of this year.

Over the past couple of years, she said, the number of Tribal Court case openings and closings has increased significantly. In 2012, for instance, the number of case openings increased by 23 percent, and case closings by 22 percent.

Probate review, and an emphasis on legal due process to all parties are reasons for the increase in case activity, Alexander said. Some improvements in the operation of the court could be lost if the number of judges returns to three, she said.

### Other agenda items

Council has a number of other important issues on the agenda for August. Some of the items include:

Reduction in work hours and 638 contracting; gaming with the Gaming Commission; and tribal elections, specifically Ordinance 44. Other items:

Committee appointments, the tribal budget to date; Warm Springs Forest Products Industries and Composite Products; Cover Oregon, the Personnel Policy Manual and management plan.

(For the full Council agenda see pages 2 and 5 of this publication.)

## Kah-Nee-Ta coming back after fires

Two fires in July—one inside and one outside—came at the worst possible time of year for Kah-Nee-Ta Resort and Spa. The middle of summer is the busy time of year at the resort, which had to close down as a result of fires.

The goal is to fully re-open by August 24, in time for Labor Day Weekend, said Kah-Nee-Ta general manager Carlos Smith.

The lodge is scheduled to re-open this week, on Friday, August 9. The kitchen, though, will likely not be ready until the August 24 target date. The Kah-Nee-Ta Golf Course is open for business, and will host the Kah-Nee-Ta Invitational later this summer.

The restoration work at the lodge is expected to cost over \$1 million, Smith said. The kitchen fire caused some damage, while water from the emergency sprinkler system also caused significant damage, he said.

The sprinkler system was very effective, and saved the lodge from extensive fire damage, Smith said. The water went through five floors, from the roof down to the basement.

The loss of business due to cancelled reservations is estimated at another approximately \$1 million, Smith estimated.



Dave McMechan/Spilyay

Clean-up work at the conference room area of the lodge. The companies doing the clean-up and restoration hired Kah-Nee-Ta employees to assist with the work.

The kitchen fire happened on Thursday, July 18. The kitchen hood, which removes airborne grease from the air above the cooking area, was the ignition point of the fire.

Flames burned into the roof area above the kitchen before the

sprinkler system and Fire and Safety personnel extinguished the fire.

The lodge was evacuated after the kitchen fire. Guests remained at the Village for a time, until the Sunnyside Turnoff fire broke out on Saturday, July 13.

The resort followed its fire response plan, deciding at that point that full evacuation of all guests was warranted. "That was a good decision," Smith said, "because the roads were closed a short time later."

See **KNT** on 7



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