

Resolutions of Tribal Council

Property lease

Whereas the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe") is a federally recognized Indian tribe with land off reservation available for lease; and

Whereas the Tribes desire to enter into a lease agreement with Mark and Cathy Ferguson, husband and wife, through the adoption of the attached lease agreement for a five year term, and

Whereas the management of the Schoen-Hagen property for five year period on the lands is described as;

Schoen-Hagen range and agriculture lands located in township 10 South, Range 12 and 13 East, Sections 1 & 12, Willamette Meridian, Jefferson County, Oregon containing 310 acres more or less; now, therefore,

Be it resolved by the Twenty-Sixth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V and VIII of the Tribal Constitution and By-Laws, that the Tribal Council hereby directs and authorizes the Secretary Treasurer/CEO to develop and execute a Lease Agreement for the Schoen-Hagen Farm Property; and

Be it further resolved, the Tribal Council hereby authorizes and directs the Secretary-Treasurer/CEO office to monitor the compliance of the lease agreement for the management of the premises. (Resolution no. 11,810.)

Senior pension

Whereas the Tribal Council has established the Warm Springs Senior Distribution Fund for the purpose of providing payments to Tribal Members who have attained the age of 60; and,

Whereas it is the stated policy of the Tribal Council that the fund be managed with the objective of being self-sustaining, however has failed to do so in previous years due distributions being in excess of earnings; and,

Whereas the Tribal Council has reviewed the Senior Distribution Fund and the estimated amounts needed to provide for distribution payments in the future; and,

Whereas the recommended benefit payments for calendar year 2014 be \$300 per month to all seniors reaching the age 60, and,

Whereas the approximate amount of \$1,605,600 is recommended for expenditure for the purpose of providing such pension payments to

approximately 446 Tribal Members and allocate \$15,000 administration fee to support operational costs of the VSF Coordinator administering the funds, for the calendar year 2014; and,

Whereas the recommended approximate expenditure of \$1,620,600 from the fund is not consistent with the long term objectives of the fund and is projected to be fully expended during 2015 if new revenue is not generated to sustain the program; now, therefore

Be it resolved by the Twenty-Sixth 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 as amended, that an amount not to exceed \$1,620,600 is hereby authorized for expenditure from the Senior Distribution Fund for calendar year 2014. (Resolution no. 11,813.)

Per capita

Whereas the Tribal Council has carefully examined the needs and financial requirements of the calendar year ending December 31, 2014; and,

Whereas the Tribal Council feels that it is in the best interest of the enrollees that the distribution be paid out at a rate of \$25 per month to each enrollee beginning January 25, 2014 through December -15, 2014; and,

Whereas, because many enrollees are indebted to the Tribes, it is the feeling of the Tribal Council that tribal creditors discuss the account with the borrowers so that all loan agreements, both dormant and active, are current; now, therefore,

Be it resolved by the Twenty-Sixth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, in accordance with authority contained in Article V, Section 1 (t), as amended, of the Tribal Constitution and By-Laws and Section 8 of the Corporate Charter, that per capita distributions are authorized for the calendar year 2014 at \$25 per month for each eligible member of the Tribe, subject to the following conditions:

1. Per Capita payments are to be made to all persons appearing on the official Tribal roll as of January 1, 2014, and persons who are subsequently enrolled.

2. All persons appearing on the official Tribal rolls as of January 1, 2014 shall be entitled to per capita payments at a rate of \$25 per month beginning January 25, 2014 and ending December 15, 2014.

3. All persons enrolled January 1, 2014 shall be entitled to receive per capita payments at a rate of \$25 per month from the date of enrollment through December 10, 2014 and further, all enrollees living as of 12:00 midnight on the 10th day of the month shall be entitled to receive that month's per capita, and upon the person's death, it will be credited to his/her estate. Payments shall be processed according to Attachment "A", Per Capita Schedule for 2014.

4. Enrollees who die during the year shall receive no further payments after death and his/her estate shall not be entitled to further per capita payments except as provided in Section 3.

5. Prior to the payment, the Warm Springs Credit Enterprise shall examine all loan accounts and discuss the delinquent loan with the borrowers who owe the Tribes to determine the amount to be collected and applied on indebtedness owing the Tribes. Indebtedness such as loans, accounts receivable including duplicate per capita payments, rent, court fines may be withheld if enrollees have signed an authorization for such withholding, or if the Secretary-Treasurer/CEO has issued a "Notice of Duplicate Payment" or if the Tribal Court has issued a Court Order.

6. If the BIA Superintendent for the Warm Springs Agency determines that it is in the best interest of a member beneficiary recipient, the Per Capita payment for any of the following: a minor; an emancipated minor; an adult in need of assistance; an adult under a legal disability; an individual determined by a court of competent jurisdiction to be non-compos mentis; a welfare recipient or the recipient of Tribal Court-ordered child support, shall be deposited in a Supervised Individual Indian Money Account for restricted expenditure in accordance with BIA regulations.

7. To provide for deposits into the Minors Trust Fund

("Trust") for all members who have not reached the age of twenty-one (21) years ("eligible members"), \$300 of such eligible member's Per Capita payments shall be deposited annually in the Trust at the United States National Bank ("Bank"). Eligible members shall accrue advance deposits of \$25 per month, credited from the date of enrollment, to be deposited in their individual accounts at the bank semi-annually, in January and July, in two payments of \$150. If an eligible member who has accrued such deposits in advance of the semi-annual transfer to his/her Trust, account dies before his/her Trust deposit is actually deposited at the Bank, the Confederated Tribes shall be reimbursed the amount of such accrual after the death of said member not to exceed the sum of \$150.

8. With exception of the collections of indebtedness of the enrollee owing the Tribes, and subject to formal legal determinations related to conditions 5,6,7, herein, all per capita shall be paid directly to each eligible enrollee and shall not be subject to any assignment, levy or attachment; and,

Be it further resolved that the amount of \$1,585,386 is hereby appropriated for the purpose of per capita payments in accordance with the authority contained in Article V, Section 1 (t) as amended; and,

Be it further resolved that the Secretary of the Interior or his/her authorized representative is hereby requested to approve the per capita distribution plan outlined above on January 1, 2014; and,

Be it further resolved that the Secretary-Treasurer/CEO is hereby authorized to proceed with the schedule of per capita payments plan after its approval by the authorized office in accordance with authority contained in Article V, Section 1 (t), as amended, of the Constitution and By-Laws and Section 8 of the Corporate Charter. (Resolution no. 11,812.)

Smoke free


Whereas the Tribal Council, pursuant to Article V, Section 1(1) of the Tribal Constitution and By Laws that it is responsible for protecting the health, security and general welfare of the members of the Confederated Tribes, and, pursuant to that authority, previously passed Resolution No. 8007 on April 24, 1990 (attached as Exhibit A), to become a Smoke-Free Work Environment; and,

Whereas the Tribal Council continues to support its Smoke-Free Work Environment resolution and policy, and wishes to amend, clarify and expand its existing Resolution 8007 along with its personnel policy on this matter; now, therefore,


Be it resolved by the

Twenty-Sixth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V Section 1, Subsections (l) and (u) of the Tribal Constitution and By Laws that (a) there shall be no smoking within 25 feet of all entrances, exits, windows and air intake vents of any Tribal buildings; and (b) that the revised version of PER-603 (Smoke-Free Work Environment), attached as Exhibit B, is hereby adopted and incorporated into the existing Personnel Policy Manual; and,

Be it further resolved that nothing about this Resolution, Resolution No. 8007, or PER-603 shall apply to the Tribal gaming facility known as Indian Head Casino. (Resolution no. 11,808.)

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