

Tribal Council summaries

(The following are summaries of recent Tribal Council meetings, as summarized from the Council minutes.)

January 6, 2014

1. Roll Call: Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Vice-Chairwoman, Evaline Patt, Raymond Tsumpti Sr., Reuben Henry, Scott Moses, Kahseuss Jackson, Orvie Danzuka, Carlos Smith and Elizabeth Chase, Acting Secretary-Treasurer/Chief Finance Officer.

2. Bureau of Indian Affairs Update.

3. Office of Special Trustee Update.

4. Realty Items and Update.

Motion by Carlos Smith to approve and adopt Resolution No. 11,824, Allotment WS A1-43; second by Reuben Henry; Vote: Chief Joseph Moses, Yes; Carlos Smith, Yes; Kahseuss Jackson, Yes; Reuben Henry, Yes; Chief Delvis Heath, Yes; Alfred Smith Jr., Yes; Orvie Danzuka, Yes; Raymond Tsumpti Sr., Yes; 8-0-1 abstain, Motion Passed.

- Motion by Carlos Smith to approve and adopt Resolution No. 11,825, Warm Springs Allotment A1-592-A; second by Reuben Henry; Vote: Chief Joseph Moses, Yes; Carlos Smith, Yes; Kahseuss Jackson, Yes; Reuben Henry, Yes; Scott Moses, Yes; Chief Delvis Heath, Yes; Alfred Smith Jr., Yes; Raymond Tsumpti Sr., Yes; 7-0-2 abstain; Motion Passed.

- Motion by Carlos Smith to approve and adopt Resolution No. 11,826, WS Allotment 594-E; second by Reuben Henry; Vote: Carlos Smith, Yes; Kahseuss Jackson, Yes; Reuben Henry, Scott Moses, Yes; Delvis Heath, Yes; Alfred Smith Jr., Yes; Raymond Tsumpti Sr., Yes; 7-0-2 abstain; Motion Passed.

- Motion by Kahseuss Jackson to approve Resolution No. 11,827, Allotment WS A1-701 in two installments; second by Reuben Henry; Vote: Chief Joseph Moses, Yes; Carlos Smith, Yes; Kahseuss Jackson, Yes; Reuben Henry, Yes; Scott

Moses, Yes; Chief Delvis Heath, Yes; Alfred Smith Jr., Yes; Raymond Tsumpti Sr., Abstain; 8-0-1 abstain; Motion Passed.

5. Minnie Yahtin, recorder for afternoon session.

January 7, 2014

1. Roll Call: Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Chairwoman Evaline Patt, Raymond Tsumpti Sr., Reuben Henry, Scott Moses, Kahseuss Jackson, Orvie Danzuka and Carlos Smith.

2. Carbon Sequestration Update.

3. Indian Health Service-Joint Health Committee Update.

4. Motion made by Carlos Smith to approve and adopt Resolution No. 11,830 Indian Health Service Joint Health Commissioner Mike Marcotte to fill the vacancy; second by Reuben Henry; Vote count: Chief Joseph Moses, Yes; Carlos Smith, Yes; Kahseuss Jackson, Yes; Reuben Henry, Yes; Scott Moses, Yes; Chief Delvis Heath, Yes; Chief Alfred Smith Jr., Yes; Raymond Tsumpti Sr., Abstain; 7-0-2 abstain, Motion Passed.

5. Minnie Yahtin recorded p.m. session.

January 13, 2014

1. Roll Call: Chairman, Vice-Chairwoman, Evaline Patt, Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Reuben Henry, Scott Moses, Kahseuss Jackson, Orvie Danzuka and Carlos Smith.

2. Miss Warm Springs, Charmaine Billy meet and greet.

3. Motion Orvie Danzuka to amend the tribal council May through August 2013 minutes to Wednesday, January 15, 2014; second by Carlos Smith; question; Chief Joseph Moses, No; Carlos Smith Yes; Kahseuss Jackson Yes; Scott Moses Yes; Reuben Henry Yes; Chief Delvis Heath Yes; Chief Alfred Smith Yes; Orvie Danzuka Yes; Vote: 7 Yes; 0 Chair not voting; 1 Abstain; Motion Passed.

4. Motion by Scott Moses

for Tribal Council minutes to be submitted for review first draft first and third Friday's of each month with final approval of minutes second and forth Monday's of each month; second by Reuben Henry; question; Vote: Carlos Smith Yes; Kahseuss Jackson Yes; Scott Moses Yes; Reuben Henry Yes; Chief Delvis Heath Abstain; Chief Alfred Smith Jr. Yes; Orvie Danzuka Yes; Vote: 6 Yes; 0 Chair not voting; 2 Abstain; Motion Passed.

5. Motion by Scott Moses that resolutions are to be submitted to the Secretary/Treasurers office second and forth Friday's of each month for Tribal Council's approval first and third Monday's of each month; second by Reuben Henry; question; Vote: Carlos Smith Yes; Kahseuss Jackson Yes; Reuben Henry Yes; Scott Moses Yes; Chief Alfred Smith Jr., Yes and Orvie Danzuka Yes; Vote: 6 Yes; 0 Chair not voting and 2 Abstain; Motion Passed.

6. Motion by Carlos Smith to have Secretary-Treasurer's office decides how Resolution will be distributed to Tribal Council members; second by Reuben Henry; question; Vote: Carlos Smith Yes; Kahseuss Jackson Yes; Reuben Henry Yes; Chief Alfred Smith Jr. Yes; Orvie Danzuka Yes; Vote: 6 Yes; 0 Chair not voting; 2 Abstain; Motion Passed.

7. Warm Springs Ventures Update.

8. Economic Development Update.

January 15, 2014

1. Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Chairman Eugene Greene Jr., Vice-Chairwoman Evaline Patt, Raymond Tsumpti Sr., Reuben Henry, Kahseuss Jackson and Orvie Danzuka.

2. Tribal Court Report.

3. Motion by Joseph Moses to approve and adopt Resolution No. 11,831 Tribal Court Pro Tempore Judge; second by Reuben Henry; question; Joseph Moses Yes; Evaline Patt Yes; Reuben Henry Yes; Delvis Heath Yes; Alfred Yes; Orvie Danzuka Yes; Raymond Tsumpti Sr.

Yes; Vote: 7 Yes; 0 Chairman not voting; 1 abstain; motion passed.

4. Motion by Joseph Moses to approve and adopt Resolution No. 11,832 Tribal Court Pro Tempore Judge; second by Reuben Henry; question; Joseph Moses Yes; Evaline Patt Yes; Reuben Henry Yes; Delvis Heath Yes; Alfred Smith Jr. Yes; Orvie Danzuka Yes; Raymond Tsumpti Sr. No; Vote: 6 Yes; 0 Chairman not voting; 2 abstain; motion passed.

5. Motion by Evaline Patt to approve and adopt Resolution No. 11,833 Tribal Court Jury Duty for the year 2014; second by Reuben Henry; Joseph Moses Yes; Evaline Patt Yes; Kahseuss Jackson Yes; Reuben Henry Yes; Delvis Heath Yes; Alfred Smith Jr. Yes; Orvie Danzuka Yes; Raymond Tsumpti Sr., Yes; Vote: 8 Yes; 0 Chairman not voting; 0 abstain; motion passed.

6. Motion by Orvie Danzuka to approve and adopt Resolution No. 11,834 to establish a Tribal Veteran Memorial Highway 26; second by Reuben Henry; Joseph Moses Yes; Evaline Patt Yes; Kahseuss Jackson Yes; Reuben Henry Yes; Delvis Heath Yes; Alfred Smith Jr. Yes; Orvie Danzuka Yes; Raymond Tsumpti Sr. Yes; Vote: 8 Yes; 0 Chairman not voting; 0 abstain; motion passed.

7. Meeting recessed.

8. Minnie Yahtin recorder for p.m. session.

January 20, 2014

1. Roll Call: Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Eugene Greene Jr., Chairman, Evaline Patt, Vice-Chairwoman, Raymond Tsumpti Sr., Reuben Henry, Scott Moses and Kahseuss Jackson.

2. Vital Statistics Report.

- Motion made by Scott to adopt Resolution No. 11,836, enrollment application, second by Reuben, question, Joseph/Yes, Evaline/Yes, Kahseuss/Yes, Reuben/Yes, Scott/Yes, Delvis/Yes, Alfred/Yes, Raymond/Yes Vote: 8/Yes, 0/Chairman not voting, 0/no, motion passed.

- Motion made by Kahseuss to adopt Resolution No. 11,837, relinquishment with attachment A; second by Reuben Henry, question, Joseph/Yes, Evaline/Yes, Kahseuss/Yes, Reuben/Yes, Delvis/Yes, Alfred/Yes, Raymond/Yes, Vote: 7/Yes, 0/Chairman not voting, 1/ abstain, motion passed.

- Motion made by Kahseuss to adopt Resolution No. 11,838, relinquishment; second by Reuben, question, Joseph/Yes, Evaline/Yes, Kahseuss/Yes, Scott/Yes, Reuben/Yes, Delvis/Yes, Alfred/Yes, Raymond/Yes, Vote: 8/Yes, 0/Chairman not voting, 0/no, motion passed.

- Motion made by Kahseuss to adopt Resolution No. 11,839, relinquishment; second by Reuben, question; Joseph/Yes, Evaline/Yes, Kahseuss/Yes, Scott/Yes, Reuben/Yes, Delvis/Yes, Alfred/Yes, Raymond/Yes Vote: 8/Yes, 0/Chairman not voting, 0 no, motion passed.

- Motion made by Joseph to adopt Resolution No. 11,840, Carbon Sequestration Project; second by Reuben, question, Joseph/Yes, Evaline/Yes, Kahseuss/Yes, Scott/Yes, Reuben/Yes, Delvis/Yes, Alfred/Yes, Raymond/Yes Vote: 8/Yes, 0/Chairman not voting, 0/ no, motion passed.

- Motion made by Delvis to adopt Resolution No. 11,841, Confederated Tribes of Warm Springs (CTWS) and Dukes Properties Corporation; second by Joseph, question; Joseph/Yes, Evaline/Yes, Kahseuss/out of room, Scott/No, Reuben/No, Delvis/Yes, Alfred/out of room, Raymond/Yes, Vote: 4/Yes, 0/Chairman not voting, 2/abstain, motion passed.

3. Motion made by Kahseuss to approve 2014 February Tribal Council Agenda; second by Reuben.

Tribal Council agenda items to be scheduled:

- Tribal Council Management Plan.

- Gaming Enforcement Officers.

- Port of Morrow update.

- Treaty fishing access sites on the Columbia River.

- Economic Development update.

- Finance update.

- Indian Health Service monthly update.

- Tribal Council minutes and resolutions.

January 21, 2014

1. Members Present: Delvis Heath, Alfred Smith, Jr., Eugene Greene, Jr., Evaline Patt, Reuben Henry, Scott Moses, Orvie Danzuka, Kahseuss Jackson, Carlos Smith, Rhonda Smith, Recorder.

2. Fish & Wildlife Committee update was given.

3. Culture & Heritage Committee update was given.

4. Education Committee update was given.

5. Amended Monday, January 27, 2014 agenda to discuss Ordinance 44, and Personnel Policy Manual regarding leave.

6. Approved by consensus for Reuben to attend the upcoming CRITFC meeting regarding fishing sites.

January 27 (AM), 2014

1. Members Present: Delvis Heath, Alfred Smith, Jr., Evaline Patt, Raymond Tsumpti, Sr., Reuben Henry, Scott Moses, Orvie Danzuka, Kahseuss Jackson, and Carlos Smith. Rhonda Smith, Recorder.

2. Discussed the horse program, the issue of tribal vehicles being used after hours and weekends, and finances regarding the horse program.

3. Video conference with the Oneida Nation Tribal Council.

4. Motion to delegate Delvis Heath and Reuben Henry to attend the Traditional Foods Processing Plant-Feasibility Study in Portland, January 28, 2014; motion by Scott; second by Carlos; question called for; vote: Carlos/yes, Scott/yes, Kahseuss/yes, Reuben/yes, Delvis/yes, Alfred/yes, Raymond/ yes; motion carried, 7 yes, 0 no, 1 abstain, chair not voting.

(Summaries continue on page 9)

Resolution of Tribal Council

Euchalon fishery

Whereas the Treaty with the Tribes and Bands of the Middle Oregon on June 25, 1855 reserved to the Confederated Tribes of the Warm Springs Reservation of Oregon, off reservation fishing rights, and;

Whereas the Tribal Council regulates treaty fishing for conservation and other purposes pursuant to the Tribal Constitution and By-Laws and the Warm Springs Tribal Code; and,

Whereas the Confederated Tribes of the Warm Springs Reservation of Oregon have historically fished for Pacific eulachon at the Cowlitz and Sandy rivers and

other tributary and Columbia River locations in the Columbia River basin; and,

Whereas the Tribal Council has been advised by the Fish and Wildlife Committee and the Branch of Natural Resources staff that the predicted return of the Pacific eulachon will require a harvest restriction on the treaty fishery to ensure adequate spawning escapement; and,

Whereas the Tribal Council has been advised by the Fish and Wildlife Committee and the Branch of Natural Resources that the National Marine Fisheries Service designated has listed the eulachon as a threatened species, and in November 2011, the Columbia River and tributaries as critical habitat for Pacific eulachon; and,

Whereas the Tribal Council recognizes the hardship placed on tribal members with harvest restrictions, as adopted by Resolutions in the past, but with concern for the future of the fishery resource, understands the need for a conservative fishery; 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 l(), (r) and (u) of the Tribal Constitution and By-Laws, and Warm Springs Tribal Code Section 340.310(2), that beginning immediately the following restrictive regulations are adopted for tribal subsistence fishing for Pacific eulachon at the Sandy and Cowlitz riv-

ers during 2014:

1. In recognition of the traditional methods, Pacific eulachon may be harvested with dipnets seven days per week from March 1, 2014 to March 30, 2014 unless the tribal allocation of 7,500 pounds (approximately 107,100 fish) is reached sooner. Fishing may take place between 6 a.m. and 6 p.m. daily. The expectation of the Branch of Natural Resources (BNR) is that the harvest will be divided approximately evenly between the Sandy and Cowlitz rivers.

2. Gear shall be limited to dipnets.

3. The provisions of Warm springs Tribal Code 340.310 (8), requiring that dipnets are attended continuously, will be enforced.

4. The BNR is responsible for the biological monitoring of the fishery. Pursuant to Warm Springs Tribal Code 340.310(11), tribal members fishing shall, upon request, allow authorized federal, state or tribal officers to produce official tribal identification and inspect their catch. BNR will collect and share harvest information and other relevant biological and scientific information with WDFW-Washington Department of Fish and Wildlife, and ODFW-Oregon Department of Fish and Wildlife to contribute to their information gathering objectives. Periodic reports of run status and abundance encountered by tribal fishers will be shared with WDFW and ODFW to aid in their

monitoring and public information objectives.

5. Tribal members must carry enrollment cards on their person at all times fishing or transporting fish. Members must produce it upon request by state or tribal enforcement officers. Any person who produces a Warm Springs tribal enrollment card will not be required to produce a state fishing license.

6. Tribal members must report catch to BNR personnel on-site at fishery locations; those not reporting on-site are to report harvest within 24 hours at the Branch of Natural Resources offices in Warm Springs.

(Resolution No. 11,852 continues on page 9)