

# Resolutions of Tribal Council

*The following are recent resolutions of the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs.*

## Composite Products

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

**Whereas** Warm Springs Composite Products is a wholly owned business enterprise of the tribe, formed in 1995 pursuant to Tribal Council Resolution No. 8,989; and,

**Whereas** Warm Springs Composite Products Enterprise is actively seeking to expand its current operations of fire-resistant and related building products, and capital investment is needed to accomplish this; and,

**Whereas** by passage of Tribal Council Resolution No. 11,289 the Business Investment Revolving Fund Committee was created with one of its objectives being to provide a means for assistance with the development of business opportunities by tribal business enterprises on the Warm Springs Reservation; and,

**Whereas** the BIRF Committee has met on January 24, 2019 and reviewed Composite Products' request for funding, under the terms and conditions recommended by the BIRF Committee, and believes the \$1.25 million request meets the objectives of this fund, and hereby recommends Tribal Council approve said expenditure; now therefore,

**Be it resolved** by the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1, (f) and (l) of the Tribal Constitution and By-Laws, that the Tribal Council hereby authorizes the

Secretary-Treasurer/CEO to provide funding to Composite Products from the BIRF fund in the total amount of \$1.25 million in accordance with terms and conditions agreed to by the BIRF Committee, and directs that as provided in the funding terms and conditions any interest and earnings on such funding shall be reinvested in the BIRF Fund.

*Resolution no. 12,558.*

## Land at Lake Billy Chinook

**Whereas** the Confederated Tribes of Warm Springs Reservation of Oregon is a federally recognized Indian tribe with inherent sovereign authority and interests; and,

**Whereas** the tribe has a long-established policy of acquiring land outside of the reservation, within the territory ceded to the federal government of the United States via the tribes' Treaty of 1855, for purposes of protecting and enhancing the tribes' treaty-reserved rights; and,

**Whereas** acquisition of land and property that borders Lake Billy Chinook is particularly valuable to the tribe because such ownership enables and enhances the tribes' ability to utilize and protect its traditional and treaty-reserved fishing rights in the Deschutes Basin; and,

**Whereas** in 2001 the tribe passed Resolution 10,077, which authorizes acquisition of a 50-percent interest in the property described in exhibit A (attached to resolution); and,

**Whereas** the owners of the other 50 percent interest in the property are Paul D. Clowers, Bradley P. Clowers, and Karla Seidner; and,

**Whereas** on August 6, 2018 the Clowers parties filed a complaint in Jefferson County Circuit Court to partition the property; and,

**Whereas** on November 27, 2018 the tribes and Clowers parties participated in a mediation and reached a

conditional settlement regarding the disposition of the property; and,

**Whereas** the tribes and Clowers parties negotiated a Release and Settlement Agreement, a Promissory Note, a Trust Deed, and a Bill of Sale (all attached as exhibits to the resolution) to complete the sale and transfer of the remaining 50 percent interest in the property to the tribes and to dismiss the action; now therefore,

**Be it resolved** by the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Sections 1(a), (f) and (l) of the Tribal Constitution and By-Laws, the Tribal Council hereby:

1. Approves the Release and Settlement Agreement, Promissory Note, the Trust Deed and Bill of Sale; and,

2. Authorizes the Tribal Council Chairman, Vice-Chair or Secretary-Treasurer/CEO to execute the agreements and to perform or undertake any further actions or execute further documents reasonably necessary to carry out the intentions of the foregoing resolution as deemed in the best interest of the tribes.

*Resolution no. 12,556.*

## Cannabis tax rebate

**Whereas** the 2017 Oregon Legislature enacted House Bill 2197, authorizing the Inter-Governmental Agreement with the Confederated Tribes of the Warm Springs Reservation of Oregon to rebate to the tribes state marijuana tax revenues attributable to marijuana items produced or processed on tribal land; and,

**Whereas** the Department of Revenue and tribal representatives have negotiated a 'Marijuana Tax Inter-Governmental Agreement' (attached to the resolution),

which establishes a process for calculating and remitting to the tribes, on a periodic basis, a rebate in the estimated amount of the state marijuana tax revenues attributable to marijuana items produced or processed on tribal land; and,

**Whereas** Section 8(B) of the agreement contains a limited waiver of tribal sovereign immunity for the limited purpose of enforcement of the agreement in accordance Section 9 of the agreement, which establishes dispute resolution procedures applicable to disputes arising under the agreement; and,

**Whereas** the Tribal Council has determined that approving and entering into the agreement, without limitation, the limited waiver of tribal sovereign immunity contained in section 8(B) of the agreement, is in the best interest of the tribes and its members; now therefore,

**Be it resolved** by the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (a), (f), (l) and (u) of the Tribal Constitution and By-Laws, that the Tribal Council hereby approves the agreement in the form (attached to the resolution as an exhibit), including without limitation, the limited waiver of sovereign immunity contained therein; and,

**Be it further resolved** that the Tribal Council hereby authorizes the Secretary-Treasurer/CEO to execute the agreement in the form attached; and,

**Be it further resolved** that the Tribal Council authorizes the Secretary-Treasurer/CEO to take such other actions and execute such other documents as are necessary or convenient to carry out the purpose of this resolution.

## Warm Springs Market access

**Whereas** on February 22, 2016, by Tribal Council Resolution No. 12,126, the Council approved the purchase by the tribe of a 9.4 acre parcel of fee land along Tenino Road owned by tribal member Richard Macy, and his wife Vivian; and,

**Whereas** the Macys now seek to acquire an easement across the now tribally owned 9.4 acre parcel of fee land for purposes of potentially developing a driveway to access the Macys' remaining fee land from Tenino Road; and,

**Whereas** the proposed driveway easement would be 30 feet by 600 feet, constituting 0.4132 acres, as illustrated in the access easement agreement (attached to this resolution); and,

**Whereas** the negotiated purchase price for the driveway easement is \$1,320, which represents the proposed driveway easement's portion of the 2016 purchase price for the 9.4 acre fee parcel; and,

**Whereas** the Tribal Council believes that it is the best interest of the tribes and tribal members to approve the conveyance to the Macys of the proposed fee land driveway easement for the price of \$1,320; now therefore,

**Be it resolved** by the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (c), (l) and (u) of the Tribal Constitution and By-Laws, that the Tribal Council hereby grants permission, approves and authorizes the easement to the Macys crossing tribally owned fee land, as illustrated in the access easement agreement (attached to the resolution) for the price of \$1,320; and,

**Be it further resolved** by the Tribal Council that the Tribal Council Chairman, or his designee, is hereby authorized to execute and sign the access easement on behalf of

the Confederated Tribes of Warm Springs.

*Resolution no. 12,559.*

## Allowable cut allowance

**Whereas** the sustainable harvest level or Annual Allowable Cut was calculated and approved to be 25.1 million board feet per year for the five-year planning period 2017-2021; and,

**Whereas** fire restrictions and late season weather conditions interrupted the timber program in 2018 resulting in a harvest shortfall of approximately 3 million board feet; and,

**Whereas** pursuant to Tribal Resolution 12,495, the Tribal Council authorized a Memorandum of Understanding between Warm Springs Timber Company and the Branch of Natural Resources; and,

**Whereas** the MOU does not specify tolerances for annual operational variances of the harvest level; and,

**Whereas** due to annual fluctuations of the harvest level due to wildfire restrictions, weather conditions, and market conditions, there is a need for tolerances around the harvest level; now therefore,

**Be it resolved** by the Twenty-Seventh Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(d), (k) and (l) of the Tribal Constitution and By-Laws, as amended, that the Tribal Council approves and adopts carrying over the remaining 2018 (approximately 3 million board feet) Annual Allowable Cut into the remainder of the current planning period (2019-2021); and,

**Be it further resolved** that the future annual harvest volumes shall not deviate from the designated volume in any one-year by more than 10 percent or more than 2.5 percent for each five-year planning period.

*Resolution 12,557.*

## Job help with WIOA

The Workforce Innovation and Opportunity Act (WIOA) office in Warm Springs is offering drop-in services where you can get individual help with employment services.

These services include filing for unemployment, resumes and cover letters, help with job applications and more.

The WIOA office is located in the Education building, top floor. No appointments are needed, stop by between 9 a.m. and 4 p.m. They are closed for lunch at noon.

## YouthBuild for a new start

Heart of Oregon YouthBuild is recruiting young people ages 16-24 for its spring cohort beginning in mid-April.

The program is geared toward youth who either have dropped out or are on the verge of being dropped from traditional high school.

Members can earn a

GED, diploma, college credit and job skills working in the classroom and in the field.

Anyone interested must attend an information session to be considered. The next info session is next Thursday, March 21st from 5-6:30 p.m. in Sisters.

Call 541-526-1380 to get details and to sign up.

## Getting ready for kindergarten

Families with children who will be 5 on or before September 1 can ensure a successful transition to kindergarten by better understanding expectations.



Did you know the single most important thing a parent can do to help their child acquire language, prepare for school, and instill a love of learning—is to read to them!

**Skills** that lay the foundation for reading:

- Concepts about books.
- The alphabet.
- Letter-sound relationships.

**Incoming kinder kids** should be able to:

- Listen to a story being read.
- Be familiar with books.
- To hold a book and turn the pages.

**They should know:**

- That pictures help tell the story.
- That words are made up of sounds.

**To be ready for kindergarten** children should be able to:

- Identify the first sound in a word.
- Identify the letters in their first name.
- Say the alphabet.
- Pretend (practice) read.

*This message is brought to you by the Warm Springs Academy.*

## Students can qualify for health care scholarships

Students from Warm Springs are invited to apply for the Jefferson County Career Scholarship.

Funded by the St. Charles Foundation, between two and 10 scholarships—each between \$1,000 and \$2,500—will be awarded this year. The scholarships are available to residents of the county, or graduates of a Jefferson County high school.

To be eligible for a scholarship, applicants must also be studying for a health-re-

lated career and have completed at least six units of classes at an accredited community college, public or private college or university, or an accredited career technical or trade school.

Selection will be based on a combination of the following criteria:

- Strength of application, especially short essays
- Personal qualities as described by references
- Academic achievement and perseverance

### Financial need

Scholarships may be renewed, but each year applicants must reapply and compete.

To apply, visit: [stcharleshealthcare.org](http://stcharleshealthcare.org)

The deadline for applications is April 12.

About St. Charles Foundation:

As the philanthropic arm of St. Charles Health System, the Foundation works to support and improve health care in Central and Eastern Oregon.