

Tribal Council Actions

Wednesday, May 16, 2001

5:00 p.m. — Meeting was called to order by Vice Chair, Ed Larsen. Kathryn Harrison, June Sell-Sherer, Cheryle Kennedy and Butch LaBonte were all in travel status and excused.

Reyn Leno moved, Jan D. Reibach seconded to approve the previous May 2, 2001 Tribal Council meeting minutes as submitted. Motion carried.

TRIBAL GOVERNMENT, MANAGEMENT & BUDGET COMMITTEE

■ **Assignment of Interest in CTGR Trucking, LLC to SMDC.** Ed Pearsall moved, Jan D. Reibach seconded to adopt **Resolution No. 081-01** stating that as sole member of CTGR Trucking, LLC:

(1) approving the assignment of the Tribe's interest in the LLC to Spirit Mountain Development Corporation and

(2) authorizing the Tribal Chair, with the assistance of the Tribal Attorney, to execute any documents necessary to carry out such assignments. Motion carried 4-0-0.

■ **Paine Webber Engagement Letter/Contract.** Bob Haller moved, Jan D. Reibach seconded to adopt **Resolution No. 082-01** approving the engagement of Payne Webber to review investment policies and procedures, review investment advisors, perform overall performance review and review overall fee analysis. Contract NTE \$75,000. Cost to be paid by Tribal trust funds on a pro-rata basis. Motion carried 4-0-0.

■ **Doernbecher Children's Hospital Donation.** Reyn Leno moved, Jan D. Reibach seconded to donate \$100 to the Junior High Honor Society of Willamina. This is to support their fund-raising efforts for the Doernbecher Children's Hospital. Motion carried.

■ **Election Board Appointments (Laura Gleason replacing Loren Holmes).** Ed Pearsall moved, Bob Haller seconded to adopt **Resolution No. 083-01** amending Resolution No.064-00 to correctly state that Laura Gleason is appointed to the Election Board to fulfill the remainder of Loren Holmes' term, which expires in May of 2001. Motion carried 4-0-0.

■ **Election Board Appointments (Nancy Coleman, Ellen Fischer and Cheri Butler to two year terms and appointing Claudia Leno).** Ed Pearsall moved, Bob Haller seconded to adopt **Resolution 084-01** that

(1) appoints Nancy Coleman, Ellen Fischer and Cheri Butler to the Election Board for two-year terms expiring in May of 2003; and

(2) removing Claudia Leno as an alternate and appointing her to the Election Board for a two-year term expiring in May 2003. Motion carried 4-0-0.

■ **Compensation of Spirit Mountain Development Corporation — CFO.** Jan D. Reibach moved, Bob Haller seconded to adopt **Resolution No. 085-01** approving the compensation (as discussed at the subcommittee meeting) for a Chief Financial Officer for SMDC. Motion carried 4-0-0.

■ **Compensation of Spirit Mountain Development — CFO.** Ed Pearsall moved, Bob Haller seconded to adopt **Resolution No. 086-01** approving a salary increase for David Blum and Chris Elliott, two of SMDC's key management personnel as recommended by the Spirit Mountain Board of Directors. The salary increases will be retroactive to January 1, 2001. Motion carried 4-0-0.

TRIBAL HEALTH & COMMUNITY SERVICES COMMITTEE

■ **Appointment of two Health Board Members.** Council consensus was to table this item at this time.

OTHER BUSINESS

■ Concern was expressed from Tribal members present concerning mailouts they have been receiving. They requested an explanation for how access to their addresses was obtained. Bob Martin stated that he would research the matter and report his findings to the members. Kimberly Campbell, Election Board member, noted that this year's candidates have signed letters stating they would only use the addresses provided to them for the purposes the Election Board intended.

Wednesday, May 30, 2001

5:00 p.m. — Meeting was called to order by Vice-Chair Ed Larsen. Except for Kathryn Harrison (excused/travel status), a quorum was present.

Ed Pearsall moved, June Sell-Sherer seconded to table the Tribal Council meeting minutes of May 16, 2001. Motion carried.

LEGISLATIVE COMMITTEE

■ **Enrollment Infant Determination.** Cheryle Kennedy moved, Jan D. Reibach seconded to adopt **Resolution No. 087-01** which approves seven (7) applicants to be added to the official membership roll, numbers #5138-#5144. Motion carried 7-0-0.

■ **Carryover FY2000 Tribal Deferred Services Funds.** Reyn Leno moved, Cheryle Kennedy seconded to adopt **Resolution No. 088-01** to approve the carryover of the \$46,000 year-end balance from FY2000 Tribal Deferred Services Funds to FY2001. The additional funds of \$46,000 from FY2000 will increase FY2001 budget from the original \$225,000 to \$271,000. Discussion followed. Motion carried 7-0-0.

■ **Tribal Health Authority Ordinance Amendment.** First reading of amendment to the Tribal Health Authority Ordinance. The purpose is to amend paragraph d(1) of Tribal Health Authority Ordinance by striking

the last sentence, "Commissioners may not be employees of the Tribe," and replace with, "Commissioners may not be employees of the Grand Ronde Health and Wellness Center." Discussion followed.

DEPARTMENT OF JUSTICE COURT ENHANCEMENT GRANT APPLICATION

■ Bob Haller moved, June Sell-Sherer seconded to adopt **Resolution No. 089-01** to support the submission of a \$97,000 Department of Justice Court Enhancement Grant Application to the Bureau of Justice Assistance. The funds will be used to enhance the Tribal Court system by developing case management systems, training Court personnel, expanding the indigent defense program, developing new services, and facilitating member access to services. Motion carried 7-0-0.

TRIBAL GOVERNMENT, MANAGEMENT & BUDGET COMMITTEE

■ **Spirit Mountain Environmental Services Capital Contribution.** Jan D. Reibach moved, Reyn Leno seconded to adopt **Resolution No. 090-01** authorizing a contribution of \$50,000 to Spirit Mountain Environmental Services in order to pay off all remaining debts and obligations. These funds would be in the form of an equity capital contribution from the economic development fund. Discussion followed. Motion carried 7-0-0.

■ **Tribal Court Ordinance Amendment.** First reading of amendment to the Tribal Court Ordinance. The purpose of the amendments is to set forth procedures for the Tribe's Court of Appeals. Discussion followed.

■ **Kizer Excavating Company Contract.** Ed Pearsall moved, Bob Haller seconded to adopt **Resolution No. 091-01:**

(1) approving an agreement with Kizer Excavating Company for construction of site work and utilities for the Education Facility in the amount of \$453,808.22, and

(2) approving a 10 percent contingency budget for the project of \$45,000, and

(3) directing that said funding of \$498,808.22 be allocated from the Capital Projects Budget, and

(4) authorizing the Executive Officer, with the assistance of the Tribal Attorney, to finalize the execute the agreement. Kizer Excavation Company was the lowest of 10 responsive bids for the project. Discussion followed. Motion carried 7-0-0.

ECONOMIC DEVELOPMENT COMMITTEE

■ **Russellville, LLC.** June Sell-Sherer moved, Jan D. Reibach seconded to adopt **Resolution No. 092-01:**

(1) approving the Application and Agreement for Amendment to Standby Credit for Russellville, LLC

(2) authorizing the Chairperson, Executive Officer and Finance Officer, collectively or individually, to execute the Application and Agreement for Amendment to Standby Credit on behalf of the Tribe and issue any subsequent written notice of the Tribe's intent not to renew the letter of credit provided in the Agreement for Amendment to Standby Credit.

(3) authorizing the Chairperson, Executive Officer and Finance Officer to take such other actions and to execute such other documents that the Chairperson, Executive Officer and Finance Officer may deem necessary or appropriate in their discretion consistent with the Resolution; and

(4) approving, ratifying and confirming all actions taken by the Tribe or any authorized officer of the Tribe to execute and deliver any of the agreements authorized in the Resolution or any other actions authorized in the Resolution. Motion carried 7-0-0.

■ **Russellville II, LLC.** Bob Haller moved, Reyn Leno seconded to adopt **Resolution No. 093-01:**

(1) approving the Application and Agreement for Amendment to Standby Credit for Russellville II, LLC

(2) authorizing the Chairperson, Executive Officer and Finance Officer, collectively or individually, to execute the Application and Agreement for Amendment to Standby Credit on behalf of the Tribe and issue any subsequent written notice of the Tribe's intent not to renew the letter of credit provided in the Agreement for Amendment to Standby Credit.

(3) authorizing the Chairperson, Executive Officer and Finance Officer to take such other actions and to execute such other documents as the Chairperson, Executive Officer and Finance Officer may deem necessary or appropriate in their discretion consistent with the Resolution; and

(4) approving, ratifying and confirming all actions taken by the Tribe or any authorized officer of the Tribe to execute and deliver any of the agreements authorized in the Resolution or any other actions authorized in the Resolution. Motion carried 7-0-0.

■ **Appointment of SMDC as Authorized Representative for the Tribe as member of CTGR Trucking, LLC.** Ed Pearsall moved, Jan D. Reibach seconded to adopt **Resolution No. 094-01** whereby the Tribe, as sole member of CTGR Trucking, LLC, designate Spirit Mountain Development Corporation as their authorized representative as member of CTGR Trucking, LLC until transfer of the Tribe's membership interest to SMDC is completed. Discussion followed. Motion carried 7-0-0.

OTHER BUSINESS

■ CeCe Kneeland, a Tribal member, expressed her thanks in being one of several selected to go back and participate in the blessing ceremony of the Willamette Meteorite at the American Museum of Natural History.