

Tribal Council Actions

Wednesday, July 3, 2002

11:04 a.m. Meeting was called to order by Tribal Council Chair Cheryl Kennedy. A quorum was present.

Present were Val Grout, Bob Haller, Kennedy, a Tribal Council member, Ed Larsen, the Vice Chair, Ed Pearsall, Jan D. Reibach and the secretary.

Grout moved, the Vice Chair seconded to approve the June 19, 2002 Tribal Council meeting minutes as submitted. **Motion carried 7-0-1. Pearsall abstained.**

Reibach moved, the secretary seconded to approve the June 26, 2002 Special Tribal Council meeting minutes as submitted. **Motion carried 7-0-1. Pearsall abstained.**

NEW BUSINESS FINANCE DIVISION

■ **Commerce Bank Line of Credit.** Grout moved, Larsen seconded to adopt **Resolution No. 112-02** approving the continuation of the Commerce Bank Line of Credit as presented by the Finance Officer. **Motion carried 8-0-0.**

■ **Commerce Bank Line of Credit Extension of Maturity Date.** The Vice Chair moved, Larsen seconded to adopt **Resolution No. 113-02** approving the extension of the Maturity Date of the Commerce Bank Line of Credit as presented by the Finance Officer. **Motion carried 8-0-0.**

TRIBAL ATTORNEY'S OFFICE

■ **Budget and Appropriations Ordinance Amendment — first reading.** Tribal Council made the first reading of the amendments to the Tribe's Budget and Appropriations Ordinance. Kennedy said the amendments are available for written comments. A copy of the proposed amendments can be obtained from the Tribal Attorney's Office, and notice will be published in the *Smoke Signals*.

■ **Procurement Ordinance — first reading.** Tribal Council made the first reading of the Tribe's new Procurement Ordinance. Kennedy said the proposed Ordinance is available for written comments. A copy of the proposed Ordinance can be obtained from the Tribal Attorney's Office, and notice will be published in the *Smoke Signals*.

■ **Fiscal Management Ordinance Amendment — first reading.** Tribal Council made the first reading of the amendments to the Tribe's Fiscal Management Ordinance. Kennedy said the amendments are available for written comments. A copy of the proposed amendments can be obtained from the Tribal Attorney's Office, and notice will be published in the *Smoke Signals*.

TRIBAL GOVERNMENT, MANAGEMENT & BUDGET COMMITTEE

■ **Pow-wow Committee Appointment.** Pearsall moved, Reibach seconded to adopt **Resolution No. 114-02** approving the appointment of Twyla E. Ferdig to the Tribe's Pow-wow Committee, for a term expiring March 2003. **Motion carried 8-0-0.**

■ **Hearings Officer Selection and Contract.** Grout moved, the Vice Chair seconded to adopt **Resolution No. 115-02:**

- 1) appointing Judge Jim Bowen as the hearings officer for the ethics hearing involving Jan Denton Reibach;
- 2) approving the proposed services contract with Judge Bowen; and
- 3) approving the limited waiver of sovereign immunity in the contract for claims Judge Bowen may bring in Grand Ronde Tribal Court for recovery of amounts due under the contract. Discussion followed. **Motion carried 6-0-2.** Reibach and Pearsall abstained.

■ **Hearings Officer Selection and Contract.** A Tribal Council member moved, Reibach seconded to adopt **Resolution No. 116-02:**

- 1) appointing Judge Mary Pearson as the hearings officer for the ethics hearing involving the Vice Chair;
- 2) approving the proposed services contract with Judge Pearson; and
- 3) approving the limited waiver of sovereign immunity in the contract for claims Judge Pearson may bring in Grand Ronde Tribal Court for recovery of amounts due under the contract. Discussion followed. **Motion carried 6-0-2.** The Vice Chair and Pearsall abstained.

■ **Hearings Officer Selection and Contract.** Grout moved, Larsen seconded to adopt **Resolution No. 117-02:**

- 1) appointing Fawn Sharp as the hearings officer for the ethics hearing involving Jan Michael Reibach;
- 2) approving the proposed services contract with Ms. Sharp; and

3) approving the limited waiver of sovereign immunity in the contract for claims Ms. Sharp may bring in Grand Ronde Tribal Court for recovery of amounts due under the contract. Discussion followed. **Motion carried 6-0-2. Reibach and Pearsall abstained.**

■ **Hearings Officer Selection and Contract.** Reibach moved, the secretary seconded to adopt **Resolution No. 118-02:**

- 1) appointing Fawn Sharp as the hearings officer for the ethics hearing involving Bob Haller;
- 2) approving the proposed services contract with Ms. Sharp; and
- 3) approving the limited waiver of sovereign immunity in the contract for claims Ms. Sharp may bring in Grand Ronde Tribal Court for recovery of amounts due under the contract. Discussion followed. **Motion carried 6-0-2. Haller and Pearsall abstained.**

■ **AON Consulting Engagement.** A Tribal Council member moved, Grout seconded to adopt **Resolution No. 119-02** approving the engagement of AON Consulting to perform actuarial studies at a cost of \$21,000 as presented by the Finance Officer; engagement letter to be signed by Finance Officer or designee or council officer. Funds are available in the Contingency Budget. **Motion carried 8-0-0.**

LEGISLATIVE COMMITTEE

■ **Veterans' Memorial Construction.** Reibach moved, the Vice Chair seconded to adopt **Resolution No. 120-02** approving the allocation of \$100,000 from within the existing capital projects budget to the Veterans' Memorial for the construction of the Veterans' Memorial; and authorize the General Manager with the assistance of the Tribal Attorney to negotiate and finalize construction contracts for the project. **Motion carried 8-0-0.**

■ **Hearings Officer Selection and Contract.** The secretary moved, Reibach seconded to adopt **Resolution No. 121-02:**

- 1) appointing Judge Mary Pearson as the hearings officer for the ethics hearing involving Tribal Attorney Rob Greene;
- 2) approving the proposed services contract with Judge Pearson; and
- 3) approving the limited waiver of sovereign immunity in the contract for claims Judge Pearson may bring in Grand Ronde Tribal Court for recovery of amounts due under the contract. Discussion followed. **Motion carried 7-0-1. Pearsall abstained.**

■ **401(k) Plan Amendments.** Pearsall moved, Grout seconded to adopt **Resolution No. 122-02** approving amendments to the 401(k) Plan ("Plan") to allow loans in certain hardship circumstances as recommended by the 401(k) Plan Trustees. Council member Larsen amended his committee vote from "no" to "yes." **Motion carried 8-0-0.**

■ **Tribal Governmental Corporations Ordinance Amendments.** Grout moved, Reibach seconded to adopt **Resolution No. 123-02** amending the Tribal Governmental Corporations Ordinance to update the provisions for corporate governance including:

- (1) clarifying that Tribal Council meetings may serve as shareholder meetings when applicable;
- (2) providing for presentation of corporate budgets to Tribal Council for comment;
- (3) requiring adoption of certain policies and procedures by corporations;
- (4) providing that corporate legal representation is to be handled through the Tribal Attorney's Office; and
- (5) requiring corporations to provide certain financial reports to Tribal Council or its designee. **Motion carried 8-0-0.**

OTHER BUSINESS

A Tribal member had the following concerns:

■ **Maintenance issues at the Tribal Health and Wellness Facility.** Sited examples. Cliff Adams, General Manager, will address these.

■ **Administrative leave for employees of the Health and Wellness Facility.** Kennedy responded by explaining the Health Authority Board is authorized to conduct business at the clinic.

■ **Liability to Tribe during employee's administrative leave.** Tribal Attorney Rob Greene responded by explaining in what circumstances the Tribe might be liable for an employee's conduct.

■ **Alleged usage of Tribal Vehicles after hours for personal usage.** Cliff Adams, General Manager, and Larry Kovach, Finance Officer, will address the allegations.

■ **Complaints raised by Tribal Council member Pearsall.**

11:48 a.m. — Haller moved, Grout seconded to adjourn the meeting. **Motion carried.**