

Tribal Council Actions

Wednesday, July 17, 2002

5:05 p.m. Meeting was called to order by the Tribal Council Vice Chair. A quorum was present.

Present was Bob Haller, a Tribal Council member, the Vice Chair, Ed Pearsall, Jan D. Reibach and the Tribal Council Secretary. Absent were Val Grout (excused), Cheryle Kennedy (travel/excused) and Ed Larsen (excused).

Jan D. Reibach moved, Bob Haller seconded to approve the July 3, 2002 Tribal Council meeting minutes as submitted. **Motion carried 5-0-0.**

NEW BUSINESS TRIBAL GOVERNMENT, MANAGEMENT & BUDGET COMMITTEE

■ **Budget Transfer.** Jan D. Reibach moved, Bob Haller seconded to adopt **Resolution No. 124-02** authorizing the Finance Officer to transfer \$100,000 from the Tribe's contingency budget to the Tribal Council's subcontract budget to cover the estimated cost of Hearings Officers for the pending ethics complaints. A statement was read for the record by Council member Ed Pearsall. Comment then shared by council member Jan D. Reibach. **Motion carried 5-0-0.**

■ **Stick Games.** Ed Pearsall moved, the secretary seconded to approve as recommended by the Pow-wow Committee, the inclusion of "Stick Games" at this year's Grand Ronde Pow-wow Celebration to be held in August. Discussion followed. **Motion carried 5-0-0.**

■ **"Windsor" Property Fee to Trust Transfer.** Jan D. Reibach moved, Ed Pearsall seconded to adopt **Resolution No. 125-02:**

(1) requesting that the Department of the Interior, Bureau of Indian Affairs, hold title to real property located in Polk County, Oregon, known as the "Windsor Property," identified as Tax Lot 109 on Polk County Map 6812a located in Section 12 of Township 6 South, Range 8 West of the Willamette Meridian, in trust for the benefit of The Confederated Tribes of the Grand Ronde Community of Oregon, and

(2) authorizing the Tribal Chair to execute any documents necessary for said transfer of the Windsor Property to the Department of the Interior. Discussion followed. **Motion carried 5-0-0.**

■ **"Bailey" Property Fee to Trust Transfer.** The secretary moved, Bob Haller seconded to adopt **Resolution No. 126-02:**

(1) requesting that the Department of the Interior, Bureau of Indian Affairs, hold title to real property located in Polk County, Oregon, known as the "Bailey Property," identified as Tax Lots 300 and 302 on Polk County Map 6705 located in Section 5 of Township 6 South, Range 7 West of the Willamette Meridian, in trust for the benefit of The Confederated Tribes of the Grand Ronde Community of Oregon, and

(2) authorizing the Tribal Chair to execute any documents necessary for said transfer of the Bailey Property to the Department of the Interior. Discussion followed. **Motion carried 5-0-0.**

■ **Tribal Housing Ordinance Amendment.** Jan D. Reibach moved, the secretary seconded to adopt **Resolution No. 127-02** amending the Tribal Housing Ordinance to include

(1) modifications to the provisions regarding the establishment and powers of the Board of Commissioners to include additional reporting and consulting requirements between the Board and the Council, to provide that financial and personnel policies adopted by the Board must be substantially similar to those of the Tribe except when laws governing the expenditure of federal monies requires different standards and procedures, and to provide that Commissioners shall be compensated at a rate set by Council; and

(2) modifications to the landlord-tenant provisions to differentiate between rental and home ownership housing projects. Discussion followed. **Motion carried 5-0-0.**

■ **Grand Meadows Home Purchase Policy. TABLED.** That Tribal Council adopts a resolution

(1) approving the Grand Meadows Home Purchase Policy as presented by the Grand Ronde Tribal Housing Authority which includes funding of home purchases through loans from the Tribe to the Housing Authority and

(2) authorizing the Finance Officer to prepare, with the assistance of the Tribal Attorney's Office, and execute documents necessary to provide financing of the Grand Meadows Home Purchase Policy pursuant to such policy. Discussion followed.

Ed Pearsall moved, Bob Haller seconded to table the resolution regarding establishing a Grand Meadows Home Purchase Policy. **Motion carried 5-0-0.** The Tribal Vice Chair entertained additional comments to be heard following the vote on the motion to table.

HEALTH & COMMUNITY SERVICES COMMITTEE

■ **Approval of Amendments to Revenue Allocation Plan and Submission to BIA for Final Approval.** The secretary moved, Ed Pearsall seconded to adopt **Resolution No. 128-02:**

1) approving revised amendments to the Revenue Allocation Plan for Class II and Class III gaming revenues which among other things:

(a) increase the allowable distribution amount from 25 percent to 45 percent of net gaming revenues,

(b) allow use of funds to pay certain taxes of minors and incompetents,

(c) amend eligibility determinations to allow pro-rata Per Capita Payments to Tribal members who pass away during a year in which a Per Capita Payment is made,

(d) require Tribal members to provide the Finance Officer with Social Security numbers, and

(e) provide procedures for forfeiture of Per Capita Payments; and

2) instructing the Tribal Attorney to resubmit the amended Revenue Allocation Plan to the Secretary of the Interior for approval; and

3) formally requesting approval of the amended Revenue Allocation Plan by the Secretary of the Interior or her designee; and

4) authorizing the Chair to make such additional changes as the Secretary of the Interior or her designee may request as the Chair deems appropriate. Discussion followed. **Motion carried 4-0-0.** Council member Bob Haller momentarily step out of the meeting and hadn't returned until after the vote.

■ **Tribal Council Ordinance Amendments — first reading.** The council **made the first reading** of the proposed amendments to the Tribal Council Ordinance. The proposed amendments will:

1) add a provision requiring Tribal Council members to comply with the procedures set forth in the Tribe's drug and alcohol-free workplace policy including submission to any drug testing conducted pursuant to the policy; and

2) provide that Tribal Council members may be reprimanded by a majority vote of the other council members for failure to comply with the Tribe's drug testing policy in accordance with the Ordinance.

■ **Personnel Management Ordinance — first reading.** The council **made the first reading** of the proposed amendments to the Personnel Management Ordinance. The proposed amendments will:

1) modify the Tribe's drug free workplace policy to include requirements for:

(a) random unannounced drug testing of all employees;

(b) post accident testing of employees deemed to have caused or contributed to an accident involving significant property damage or physical injury; and

(c) an opportunity for employees to seek help in dealing with drug dependency problems before termination of their employment; and

2) provide that Tribal Council shall determine the salaries of the Intergovernmental Affairs Office and the Finance department in addition to the General Manager and Tribal Attorney's Office. The Tribal Vice Chair entertained comments from the membership present.

ANNOUNCEMENTS

■ Grand Ronde Contest Pow-wow is to be held on August 16-18, 2002.

■ A Tribal member stated concerns regarding the Contract Health Tribal program funding. Larry Kovach, Tribe's Finance Officer, will address the concern.

OTHER BUSINESS

■ A Tribal member sought clarification of the cost projected for the Ethics Hearings. Larry Kovach, Tribe's Finance Officer, responded that the amount projected was calculated based on the previous Ethics Hearing costs.

■ A Tribal member stated concerns regarding the format of the July 6, 2002 Tribal Council Candidate Forum. Concerns will be forwarded to the Election Board.

6:38 p.m. — Jan D. Reibach moved, Ed Pearsall seconded to adjourn the meeting. **Motion carried.**



Studio Shot — Tribal Council Chair Cheryle Kennedy sits for her portrait that will appear in the Tribe's 2001 Annual Report. The Annual Report is nearly complete and should be in the hands of Tribal members this fall.