

Tribal Council Actions

Wednesday, October 9, 2002

5:12 p.m. — Meeting was called to order by Tribal Council Chairwoman Cheryl Kennedy. A quorum was present.

Present were Val Grout, Bob Haller, Cheryl Kennedy, Ed Larsen, Reyn Leno, Jan D. Reibach, Valorie Sheker-Robertson, and June Sell-Sherer. Excused was Ed Pearsall (excused).

Invocation was done by Jan D. Reibach, Tribal Council member.

PREVIOUS MINUTES — APPROVE & AMEND

■ Reyn Leno moved, Jan D. Reibach seconded to approve the September 25, 2002 Tribal Council meeting minutes as presented. **Motion carried 7-0-0.**

NEW BUSINESS

TRIBAL GOVERNMENT,

MANAGEMENT & BUDGET COMMITTEE

■ **Mid-Willamette Valley Council of Governments (MWVCOG).** Jan D. Reibach moved, Val Grout seconded to adopt **Resolution No. 162-02** appointing Valorie Sheker-Robertson to Mid-Willamette Valley Council of Government Board of Directors to replace out-going Tribal Council member, Butch LaBonte. **Motion carried 6-0-1. Valorie Sheker-Robertson abstained.**

■ **Appointment to Mid-Willamette Area Commission on Transportation (MWACT).** Val Grout moved, Ed Larsen seconded to adopt **Resolution No. 163-02** appointing Valorie Sheker-Robertson to Mid-Willamette Area Commission on Transportation to replace out-going Tribal Council member, Butch LaBonte. Discussion followed. **Motion carried 6-0-1. Valorie Sheker-Robertson abstained.**

■ **DOJ Tribal Youth Program Grant Award Acceptance.** Reyn Leno moved, Val Grout seconded to adopt **Resolution No. 164-02** approving the acceptance of a U.S. Department of Justice \$499,998 Tribal Youth Program Grant award for three years of juvenile delinquency prevention and control funding at \$166,666 a year including full indirect and no matching funds and providing for a full-time Youth Prevention Specialist, a part-time Alcohol & Drug Youth Specialist and a Summer Youth Activities Intern. Discussion followed. **Motion carried 7-0-0.**

■ **Property Purchase.** June Sell-Sherer moved, Ed Larsen seconded to adopt **Resolution No. 165-02:**

- (1) approving an agreement for the purchase of real property in Grand Ronde, and personal property located thereon, as presented by Natural Resources department staff;
- (2) authorizing the General Manager, with the assistance of the Tribal Attorney, to finalize and execute said agreement; and
- (3) approving the limited waiver of sovereign immunity contained in said agreement, which waiver is limited to disputes directly arising out of the agreement, arbitration of said disputes in accordance with the agreement, and enforcement thereof in the Tribal Court of the Confederated Tribes of Grand Ronde. Discussion followed. **Motion carried 7-0-0.**

■ **U.S. Forest Service Research Grant.** Jan D. Reibach moved, Reyn Leno seconded to adopt **Resolution 166-02:**

- (1) approving an agreement with the Forest Service to receive a grant to research the development of cooperative agreements between tribes and the federal government;
- (2) authorizing the Tribal Council Chairwoman, with the assistance of the Tribal Attorney, to negotiate and execute said agreement; and
- (3) waiving the Tribe's indirect costs for the grant. **Motion carried 7-0-0.**

■ **Council Culture Committee.** Valorie Sheker-Robertson moved, Jan D. Reibach seconded to adopt **Resolution No. 167-02**, pursuant to Section (n) of the Tribal Council Ordinance, designating of a Council Culture Committee to study and make recommendations to the council on issues, requests, and other matters which the council may consider pertaining to Tribal culture. The Council Culture Committee will be in addition to the other council committees, which include the Economic Development Committee, the Education Committee, the Health & Community Services Committee, the Legislative Committee, the Resources Committee, and the Tribal Government, Management and Budget Committee. Discussion followed. **Motion carried 7-0-0.**

RESOURCES & EDUCATION COMMITTEE

■ **Fiscal Management Ordinance Amendments.** Bob Haller moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 168-02** approving amendments to the Fiscal Management Ordinance which, among other things, include:

- (1) a provision creating the position of Finance Officer ("FO") and designating the FO as the Tribe's primary financial executive with financial oversight responsibility for all Tribal Divisions and Tribal Governmental Corporations; and
- (2) provisions setting forth the responsibilities of the FO. Discussion followed. **Motion carried 6-0-0. Council member Ed Larsen not present when the vote was taken.**

■ **Procurement Ordinance.** June Sell-Sherer moved, Reyn Leno seconded to adopt **Resolution No. 169-02** enacting the Tribal Procurement Ordinance which, among other things, shall:

- (1) govern expenditures of Tribal monies by the Tribe for the procurement of Goods and Services as those terms are defined in the Ordinance;
- (2) govern the Tribe's expenditure of state and federal funds for the procurement of Goods and Services unless the laws, regulations, or other rules governing the expenditure of such state and federal funds provide otherwise;
- (3) establish a Procurement Office within the Finance department of Tribe;
- (4) provide for a Procurement Manager with administrative oversight of

the procurement office and responsibility for, among other things, developing a Procurement Manual which governs the procurement of Goods and Services; and

(5) encourage cooperative agreements with Tribal Governmental Corporations for the joint purchase of Goods and Services if aggregate savings to the Tribe can be achieved. Discussion followed. **Motion carried 7-0-0.**

■ **Executive Management Ordinance — first reading.** Tribal Council authorized the first reading of amendments to the Executive Management Ordinance which amendments

- (1) substitute the term General Manager for Executive Officer and
- (2) clarify the General Manager's responsibilities by more clearly identifying which divisions, departments, committees, etc. the General Manager is responsible for overseeing and by deleting duties that fall under the Finance Officer's responsibilities. Discussion followed.

LEGISLATIVE COMMITTEE

ENROLLMENT

■ **Infant Determination Applications Approval.** June Sell-Sherer moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 170-02** approving Tribal membership for minors numbered 5271 through 5273 because, based on the investigation and recommendation of the Enrollment Staff, the minors meet the enrollment requirements under the Constitution and the Enrollment Ordinance. **Motion carried 7-0-0.**

■ **Infant Determination Denial.** June Sell-Sherer moved, Jan D. Reibach seconded to adopt **Resolution No. 171-02** denying Tribal membership to baby Jane Doe (enrollment application received 8/27/02) because, based on the investigation and recommendation of the Enrollment Staff, the baby does not meet the enrollment requirements under the Constitution and the Enrollment Ordinance. **Motion carried 7-0-0.**

Council member Valorie Sheker-Robertson under "Other Business" stated that she had voted yes mistakenly and her intent was to vote no on this resolution. She requests the records be corrected to reflect a no vote. Full consensus was given by Tribal Council to honor Ms. Robertson's request. Therefore, the motion to adopt Resolution No. 171-02 carried by a vote of 6-1-0.

■ **Infant Determination Denial.** Bob Haller moved, Val Grout seconded to adopt **Resolution No. 172-02** denying Tribal membership to baby Jane Doe (enrollment application received 9/19/02) because, based on the investigation and recommendation of the Enrollment Staff, the baby does not meet the enrollment requirements under the Constitution and the Enrollment Ordinance. **Motion carried 6-1-0.**

Council member Valorie Sheker-Robertson under "Other Business" stated that she had voted no mistakenly and her intent was to vote yes on this resolution. She requests the records be corrected to reflect a yes vote. Full consensus was given by Tribal Council to honor Ms. Robertson's request. Therefore, the motion to adopt Resolution No. 172-02 carried by a vote of 7-0-0.

■ **Intra-Fund Loan From Minor's Custodial Trust Fund to General Fund.** Reyn Leno moved, Jan D. Reibach seconded to adopt **Resolution No. 173-02**

- (1) approving the Intra-Fund Loan between the Minor's Custodial Trust Fund to the General Fund to finance the sale of property located in Keizer, Oregon as presented and recommended by the Finance Officer, and
- (2) authorizing the Finance Officer to prepare, with the assistance of the Tribal Attorney's Office, and execute documents necessary to implement the Intra-Fund Loan and to take such other action as the Finance Officer may deem necessary and appropriate in his or her discretion to implement the Intra-Fund Loan consistent with the resolution. Discussion followed. **Motion carried 7-0-0.**

ECONOMIC DEVELOPMENT COMMITTEE

■ **Legal Aid Services of Oregon (LASO) Contract.** Val Grout moved, Jan D. Reibach seconded to adopt **Resolution No. 174-02**

- (1) terminating the Tribe's contract with Legal Aid Services of Oregon (LASO) pursuant to the letter agreement of October 26, 2001, and
- (2) authorizing the Tribal Attorney to transmit notice of the Tribe's termination of the contract to LASO. **Motion carried 7-0-0.**

ANNOUNCEMENTS

■ Tribal Council member Val Grout announced that Dorothy Lane (Lafferty), a Tribal Elder, is recovering from major surgery. Let us remember her in our prayers.

OTHER BUSINESS

■ A Tribal member raised concerns regarding the usage of the Tribal gymnasium. Cliff Adams, General Manager, will research the matter and report back to Tribal Council at the next General Manager update. The Tribal member asked for clarification on the Council Committees and General Committees. Discussion followed.

■ A Tribal member raised concerns over services the lack of assistance she was receiving from the Tribe's Social Services department. Discussion followed. After limited discussion, Chairwoman Kennedy suggested that the Tribal Council go into executive session as the issue being discussed were of a personal nature. Jan D. Reibach moved to go into executive session and Ed Larsen seconded this motion. **Motion carried 7-0-0.**

Executive Session called at approximately 6:30 p.m. Regular Meeting resumed at 6:50 p.m.

Chairwoman Kennedy asked whether there was any "Other Business."

6:53 p.m. — Val Grout moved, Ed Larsen seconded to adjourn the meeting. **Motion carried.**