

Tribal Council Actions

Wednesday, September 3, 2003

5:03 p.m. — Meeting was called to order by Tribal Council Chairwoman Cheryl Kennedy. A quorum was present.

Present was Val Grout, Bob Haller, Cheryl Kennedy, Ed Larsen, Reyn Leno, Jan D. Reibach and Valorie Sheker-Robertson.

Excused was Ed Pearsall and June Sell-Sherer.

Invocation was done by Jan D. Reibach.

PREVIOUS MINUTES — APPROVE/AMEND

■ Reyn Leno moved, Valorie Sheker-Robertson seconded to approve the August 20, 2003, Tribal Council regular meeting minutes as presented. **Motion carried 6-0-0.**

NEW BUSINESS

■ **General Council Meeting September 07, 2003 Agenda Items**

- Spirit Mountain Gaming, Inc Board Update
- Program Report: Election Board
- Door Prizes \$250 (1 at \$100 and 3 at \$50)

Bob Haller moved, Val Grout seconded to adopt a motion approving the General Council Meeting September 7, 2003, agenda items as presented. **Motion carried 6-0-0.**

LEGISLATIVE ACTION COMMITTEE

■ **AIG Settlement — Tabled.** The Committee recommends the Tribal Council adopt a resolution:

- approving the proposed Settlement Agreement between Birmingham Fire Insurance Company (a member of the American International Group ("AIG")), the Tribe, Reyn Leno, Bob Haller and Jan D. Reibach, settling the Tribe's and said individual insureds' dispute with AIG over insurance coverage and payment of defense costs in matters filed by Ed Pearsall; and
- authorizing the Tribal Chairwoman to execute the Settlement Agreement with such changes as the Tribal Chairwoman deems necessary. Ed Larsen moved, Valorie Sheker-Robertson seconded to table the resolution. **Motion carried 6-0-0.**

■ **Spirit Mountain Lodge Expansion.** Bob Haller moved, Jan D. Reibach seconded to adopt **Resolution No. 163-03:**

- approving a loan from the Tribe to SMGI in an amount not to exceed \$18 million to cover design and construction of the Spirit Mountain Lodge expansion;
- authorizing the Finance Officer to negotiate, with the assistance of the Tribal Attorney, and execute such documents as are necessary to reflect the Tribe's loan to SMGI; and
- authorizing the Finance Officer to use up to \$18 million of the Tribe's line of credit for this purpose. **Motion carried 6-0-0.**

■ **Enrollment Committee Appointments.** Val Grout moved, Reyn Leno seconded to adopt **Resolution No. 164-03** amending Tribal Council Resolution 045-03 appointing members to serve on the Enrollment Committee as follows: Robert Schmid, Louise Mederios, and Sharon Hanson are appointed with terms expiring December 31, 2004; Arlene Beck, Terri Wood, Dorothy Lawe, and Margaret Provost are appointed with terms expiring December 31, 2003; and Cordelia Kneeland and Diane Lane are appointed as honorary members with terms expiring December 31, 2004. **Motion carried 6-0-0.**

■ **Interagency Agreement with Willamina School District 30J.** Jan D. Reibach moved, Ed Larsen seconded to adopt **Resolution No. 165-03** authorizing the Tribal Council Chairwoman to execute her signature on the Interagency

Agreement between the Willamina School District 30J and the Confederated Tribes of the Grand Ronde Community of Oregon as presented by the Education Committee. **Motion carried 6-0-0.**

■ **Interim Executive Director Grand Ronde Gaming Commission Appointment.** Reyn Leno moved, Jan D. Reibach seconded to adopt **Resolution No. 166-03:**

- approving the temporary leave of absence of Lynn Hillman as Commissioner on the Grand Ronde Gaming Commission;
- approving the selection of Lynn Hillman as Interim Executive Director of the Gaming Commission and the terms of the Temporary Employment Agreement; and
- authorizing the Tribal Council Chairwoman to sign the Temporary Employment Agreement with Lynn Hillman as evidence of Tribal Council approval of the Agreement. **Motion carried 6-0-0.**

■ **Extension of Court of Appeals Judicial Contract.** Valorie Sheker-Robertson moved, Ed Larsen seconded to adopt **Resolution No. 167-03** extending the contract for Judicial Services for Don Owen Costello. The purpose of the extension is to complete the Court of Appeals Enrollment cases. The extension shall be retroactive and shall extend the contract from August 23, 2003 to September 5, 2003. **Motion carried 6-0-0.**

■ **Enrollment Infant Determination Approvals.** Val Grout moved, Jan D. Reibach seconded to adopt **Resolution No. 168-03** approving five minors numbered 5333 through 5337 for Tribal membership, because, based on investigation and recommendation of the Enrollment staff, the minors have been found to meet the eligibility requirements for enrollment as defined in the Enrollment Ordinance and Tribal Constitution. **Motion carried 6-0-0.**

■ **Enrollment New Membership Approval.** Valorie Sheker-Robertson moved, Reyn Leno seconded to adopt **Resolution No. 169-03** approving the Tribal membership of individuals numbered 5338 through 5352, because, based on the recommendation of the Enrollment Committee, the individuals meet the requirements of the Constitution and the Enrollment Ordinance. **Motion carried 6-0-0.**

■ **Funding for Additional Design Tasks with Grand Ronde Road Pedestrian Safety Improvements Project.** Jan D. Reibach moved, Reynold L. Leno seconded to adopt **Resolution No. 170-03** authorizing transfer of \$10,000 from the Tribal Engineer's Capital Projects Contingency Budget to the Tribal Capital Projects Budget for additional design tasks associated with the Grand Ronde Road Pedestrian Safety Improvements Project. **Motion carried 6-0-0.**

■ **Traffic Impact Analysis Funding.** Val Grout moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 171-03** authorizing transfer of \$6,800 from the Tribal Engineer's Capital Projects Contingency Budget to the Tribal Capital Projects Budget for a traffic impact analysis necessary for development of an event traffic control and operations plan associated with the proposed relocation of the pow-wow grounds. **Motion carried 6-0-0.**

■ **Community Service Block Grant Application.** Jan D. Reibach moved, Reyn Leno seconded to adopt **Resolution No. 172-03** approving the submission of the Community Service Block Grant application in the amount of \$8,600 for usage by the Social Services Department and the Council waives any applicable indirect costs. **Motion carried 6-0-0.**

5:21 p.m. — Ed Larsen moved, Bob Haller seconded to adjourn the meeting. Motion carried.

Wednesday, September 17, 2003

5:05 p.m. — Meeting was called to order by Chief Tribal Court Judge Katharine English. A quorum was present.

Present was Jack Giffen, Jr., Val Grout, Cheryl Kennedy, Ed Larsen, Reyn Leno, Jan D. Reibach and Valorie Sheker-Robertson.

Excused was Bob Haller and June Sell-Sherer.

Invocation was done by Jan D. Reibach.

ELECTION OF OFFICER — CHAIR

■ Chief Tribal Court Judge English opened Tribal Council nominations for the Tribal Council Chairperson position. Reyn Leno nominated Cheryl Kennedy, seconded by Valorie Sheker-Robertson. Hearing no other nominations, Chief Judge English announced that Cheryl Kennedy is appointed by acclamation as the Tribal Council Chairwoman. Chief Judge English then turned the meeting over to the newly elected Tribal Council Chairwoman to proceed with the meeting agenda.

PREVIOUS MINUTES - APPROVE/AMEND

■ Reyn Leno moved, Valorie Sheker-Robertson seconded to approve the September 3, 2003, Tribal Council regular meeting minutes as presented. **Motion carried 6-0-0.**

UNFINISHED BUSINESS

■ **AIG Settlement. Postponed Until Next Regular Meeting, October 1, 2003.** The Committee recommends the Tribal Council adopt a resolution:

- approving the proposed Settlement Agreement between Birmingham Fire Insurance Company (a member of the American International Group ("AIG")), the Tribe, Reyn Leno, Bob Haller and Jan D. Reibach, settling the Tribe's and said individual insureds' dispute with AIG over insurance coverage and payment of defense costs in matters filed by Ed Pearsall; and
- authorizing the Tribal Chairwoman to execute the Settlement Agree-

ment with such changes as the Tribal Chairwoman deems necessary. Comments proceeded by the Tribal Council Chairwoman Kennedy. Ed Larsen moved, Val Grout seconded the motion to postpone the resolution re: AIG Settlement until the next regular meeting, October 1, 2003.

NEW BUSINESS

■ **Tribal Credit Card/Check Signing Authority New Council Member.** Jan D. Reibach moved, Reyn Leno seconded to adopt **Resolution No. 173-03:**

- authorizing Jack Giffen, Jr. the usage of a Tribal Credit Card in the performance of his duties, subject to the Tribe's credit card policy; and
- authorizing Jack Giffen, Jr. to sign checks drawn on accounts maintained by the Tribe, subject to the laws and ordinances of the Tribe. To be effective after Oath of Office taken on September 17, 2003. **Motion carried 5-0-1. Jack Giffen, Jr. abstained.**

LEGISLATIVE ACTION COMMITTEE

■ **MOA with IHS and the Sanitary District for Sewer Main Upsizing Project.** Valorie Sheker-Robertson moved, Reyn Leno seconded to adopt **Resolution No. 174-03:**

- authorizing entering into a Memorandum of Agreement (MOA) for Project PO-02-J61 with the Indian Health Service (IHS) and the Grand Ronde Sanitary District to provide for the design and construction of an upsized sewer main in Grand Ronde Road;
- waiving the Tribal Engineering and Administration cost percentage so all funds go to design and construction; and
- authorizing the General Manager, with the assistance of the Tribal Attorney, to negotiate, finalize and execute this agreement. **Motion carried 5-0-1. Jack Giffen, Jr. abstained.**

■ **ICDBG Application Grand Ronde Road Widening, Sidewalks and**

Actions continued on page 5