

Tribal Council Actions

Wednesday, May 5, 2004

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

Present was Jack Giffen, Jr., Val Grout, Bob Haller, Cheryle Kennedy, Reyn Leno, Jan D. Reibach, Valorie Sheker-Robertson and June Sell-Sherer.

Excused was Ed Larsen.

Invocation was done by Jan D. Reibach.

PREVIOUS MINUTES — APPROVE/AMEND

■ Moved, seconded to approve the April 21, 2004, Tribal Council regular meeting minutes as presented. **Motion carried 7-0-0.**

NEW BUSINESS

LEGISLATIVE ACTION COMMITTEE

■ Reimbursement/Assignment of Right to Collect Attorney's Fees.

Jack Giffen, Jr. moved, and June Sell Sherer seconded to table the resolution authorizing the Tribe's Finance Officer to reimburse Bob Haller for reasonable costs and attorney fees incurred by Mr. Haller in defending himself against ethics claims filed by Ed Pearsall upon receipt of Mr. Haller's written assignment of his right to collect said costs and fees from Mr. Pearsall. **Tabled until the next Tribal Council meeting held on May 12, 2004. Motion carried 7-0-0.**

■ Reimbursement/Assignment of Right to Collect Attorney's Fees.

Jack Giffen, Jr. moved, and June Sell Sherer seconded to table the resolution authorizing the Tribe's Finance Officer to reimburse Jan D. Reibach for reasonable costs and attorney fees incurred by Mr. Reibach in defending himself against ethics claims filed by Ed Pearsall upon receipt of Mr. Reibach's written assignment of his right to collect said costs and fees from Mr. Pearsall. **Tabled until the next Tribal Council meeting held on May 12, 2004. Motion carried 7-0-0.**

■ Social Service Block Grant Amendment.

Jan D. Reibach moved, Val Grout seconded to adopt **Resolution No. 052-04**: 1) authorizing amendment #2 to the Social Service Block Grant Agreement between the Tribe and the State of Oregon, and 2) authorizing the Tribal Council Chairwoman and the General Manager, with the assistance of the Tribal Attorney, to finalize and execute said Agreement. **Motion carried 7-0-0.**

■ Enrollment New Member.

June Sell Sherer moved, Jack Giffen, Jr. seconded to adopt **Resolution No. 053-04** approving an individual numbered 5394 for Tribal membership, because, based on new evidence provided during the appeal process the individual meets the eligibility requirements for enrollment as defined in the Enrollment Ordinance and Tribal Constitution. **Motion carried 7-0-0.**

■ **Enrollment Infant Determination Approval.** Bob Haller moved, Reyn Leno seconded to adopt **Resolution No. 054-04** approving a minor numbered 5395 for Tribal membership, because, based on the investigation and recommendation of the Enrollment staff, the minor has been found to meet the eligibility requirements for enrollment as defined in the Enrollment Ordinance and Tribal Constitution. **Motion carried 7-0-0.**

■ **HR Jones Property Purchase and Sale Agreement.** Reyn Leno moved, Jack Giffen, Jr. seconded to adopt **Resolution No. 055-04**: 1) approving an agreement for the purchase of real property known as 28925 Salmon River Hwy., Grand Ronde, Oregon; 2) authorizing the Lands Coordinator or General Manager, with the assistance of the Tribal Attorney, to finalize and execute the agreement; 3) authorizing the Finance Officer to transfer funds from the 2004 contingency budget for such purchase; and 4) authorizing the Tribal Council Chairwoman, with the assistance of the Tribal Attorney, to execute any documents at closing necessary to transfer the property to the Tribe. Discussion followed. **Motion carried 7-0-0.**

■ **Family Violence Prevention & Services Grant Application.** Jan D. Reibach moved, June Sell Sherer seconded to adopt **Resolution No. 056-04** approving the Tribe's application to the Administration for Children and Families for a Family Violence Prevention and Services grant and authorizing the Tribal Chairperson to sign the application and related documents for available funding. **Motion carried 7-0-0.**

■ **2004 Member Benefit Distribution Timber Revenue.** Val Grout moved, Reyn Leno seconded to adopt **Resolution No. 057-04** authorizing a CY 2004 Member Benefit (Timber Revenue) distribution in the amount of \$500 and establishing June 28, 2004 as the distribution date. Discussion followed. **Motion carried 7-0-0.**

■ **Delegation of Authority for Education Grant Repayment Waiver.** Jack Giffen, Jr. moved, June Sell Sherer seconded to adopt **Resolution No. 058-04** delegating authority to waive repayment under the education grant program to the Tribe's executive team consisting of the General Manager, Finance Officer and Tribal Attorney.

OTHER BUSINESS

■ A Tribal member asked council to look into improving the recording/sound system used during the General Council meetings. Chris Leno, Director of Operations, will contact public works department to look into the matter.

5:23 p.m. — Reyn Leno moved, Jan D. Reibach seconded to adjourn the meeting. **Motion carried.**

Wednesday, May 12, 2004

5:04 p.m. — Meeting was called to order by Tribal Council Chairwoman, Cheryle Kennedy. A quorum was present.

Present was Jack Giffen, Jr., Val Grout, Bob Haller, Cheryle Kennedy, Ed Larsen, Reyn Leno, Jan D. Reibach, Valorie Sheker-Robertson and June Sell-Sherer.

Invocation was Val Grout.

PREVIOUS MINUTES — APPROVE/AMEND

■ Valorie Sheker-Robertson moved, Reyn Leno seconded to approve the May 5, 2004, Tribal Council regular meeting minutes as presented. **Motion carried 8-0-0.**

NEW BUSINESS

LEGISLATIVE ACTION COMMITTEE

■ Reimbursement/Assignment of Right to Collect Attorney's Fees.

June Sell-Sherer moved, Reyn Leno seconded to adopt **Resolution No. 059-04** authorizing the Tribe's Finance Officer to reimburse Bob Haller for reasonable costs and attorney fees incurred by Mr. Haller in defending himself against ethics claims filed by Ed Pearsall upon receipt of Mr. Haller's written assignment of his right to collect said costs and fees from Mr. Pearsall. Discussion followed. Candy Robertson, a Tribal member, requested a roll call vote. Chairwoman Kennedy polled the council members and by consensus the council agreed to a roll call vote. Voted Yes: Valorie Sheker-Robertson, Reyn Leno, June Sell-Sherer, Jack Giffen, Jr., Ed Larsen and Val Grout. Abstained: Bob Haller and Jan D. Reibach.

■ Reimbursement/Assignment of Right to Collect Attorney's Fees.

June Sell-Sherer moved, Jack Giffen, Jr. seconded to adopt **Resolution No. 060-04** authorizing the Tribe's Finance Officer to reimburse Jan D. Reibach for reasonable costs and attorney fees incurred by Mr. Reibach in defending himself against ethics claims filed by Ed Pearsall upon receipt of Mr. Reibach's written assignment of his right to collect said costs and fees from Mr. Pearsall, provided, however, that such reimbursement shall not include that portion of fees and costs incurred defending against the ethics charge Mr. Reibach was determined to have violated. Discussion followed. Candy Robertson, a Tribal member, requested a roll call vote, to

which the council agreed. Voted Yes: Reyn Leno, June Sell-Sherer, Jack Giffen, Jr., Ed Larsen and Val Grout. Voted No: Valorie Sheker-Robertson

Abstained: Bob Haller and Jan D. Reibach.

■ U.S. Fish & Wildlife Service Tribal Wildlife Grant Application.

Jack Giffen, Jr. moved, Bob Haller seconded to adopt **Resolution No. 061-04** approving the submission of the US Fish & Wildlife Service Tribal Wildlife Grant in the amount of \$249,123 to fund a white sturgeon study in the lower Willamette River to assist in determining exposure periods to contaminated sediments and information regarding future management decisions. **Motion carried 8-0-0.**

■ **Culture Committee Appointment.** Valorie Sheker-Robertson moved, Reyn Leno seconded to adopt **Resolution No. 062-04** approving the appointment of Joanne Schank to fill one of the vacant voting positions on the Tribe's Culture Committee, with term expiring on December 31, 2004. **Motion carried 8-0-0.**

■ **Culture Committee Appointment.** June Sell-Sherer moved, Reyn Leno seconded to adopt **Resolution No. 063-04** approving the appointment of Robert P. Tom to fill one of the vacant voting positions on the Tribe's Culture Committee, with term expiring on December 31, 2005. **Motion carried 8-0-0.**

■ **Columbia South Shore Memorandum of Understanding.** Valorie Sheker-Robertson moved, Ed Larsen seconded to adopt **Resolution No. 064-04**: 1) approving the Memorandum of Understanding with Catellus Development Corporation for the protection of cultural resource site 35 MU 82 in the Columbia South Shore area, and 2) authorizing the Tribal Council Chairwoman, with the assistance of the Tribal Attorney, to finalize and execute the Memorandum of Understanding. **Motion carried 8-0-0.**

ANNOUNCEMENTS

■ Perri McDaniel of the Culture Resources Protection Department offered a public apology should her action to turn the lights off as a conservation effort was mistaken as time to depart from the potluck gathering.

7:40 p.m. — Bob Haller moved, Val Grout seconded to adjourn the meeting. **Motion carried.**