

## Tribal Council Actions

### Wednesday, November 17, 2004

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

Present was Angie Blackwell, Jack Giffen, Jr., Cheryle Kennedy, Reyn Leno, Chris Mercier, Jan D. Reibach, Valorie Sheker-Robertson and June Sell-Sherer.

Excused was Wesley "Buddy" West (personal leave).

Invocation was done by Jan D. Reibach.

#### PREVIOUS MINUTES — APPROVE/AMEND

■ Reyn Leno moved, Jan D. Reibach seconded to approve the November 3, 2004, Tribal Council regular meeting minutes as presented. **Motion carried 6-0-1. Valorie Sheker-Robertson abstained.**

#### NEW BUSINESS

##### LEGISLATIVE ACTION COMMITTEE

■ **Marriage Ordinance Amendment.** Tribal Council approves a first reading of the proposed amendments to the Marriage Ordinance. The proposed amendments clarify the definition of marriage to be the consensual union between one man and one woman, require at least one Tribal member party for issuance of a marriage license, eliminate the provision for recognition of common law marriages, and apply the amendments retroactively to all Applications for Marriage License and Marriage Licenses where a Marriage Certificate has not yet been issued. Discussion followed.

■ **2004 Merit Awards Funding.** Jack Giffen, Jr. moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 156-04** approving the transfer of the 2004 Merit Awards from contingency budget to the respective Tribal budgets. **Motion carried 7-0-0.**

■ **Spirit Mountain Logistics, LLC Additional Capital Contribution.** Reyn Leno moved, Angie Blackwell seconded to adopt **Resolution No. 157-04** authorizing an additional capital contribution to Spirit Mountain Logistics, LLC in the amount of \$120,000 for use as payment of early lease termination fee, provided that the additional capital contribution amount of \$120,000 will be returned to the Tribe through a distribution of such amount upon Hewlett Packard's reimbursement of the early lease termination fee to Spirit Mountain Logistics, LLC. **Discussion followed. Motion carried 7-0-0.**

■ **Fiscal Management Ordinance Amendment.** Tribal Council approves a first reading of the proposed amendment to the Fiscal Management Ordinance. The proposed amendment provides that copies of audited financial statements for the primary government may be provided to adult Tribal members subject to certain policies and restrictions. Discussion followed.

■ **Gaming Dividend Fund Funding Transfer to SMGI.** Reyn Leno moved, June Sell-Sherer seconded to adopt **Resolution No. 158-04** authorizing an advance up to \$6,000,000 from the Gaming Dividend Fund to Spirit Mountain Gaming, Inc. for a period of twelve (12) days to enable cashing of Per Capita checks by Tribal members in December 2004 at Spirit Mountain Casino. **Motion carried 7-0-0.**

■ **Enrollment Infant Determinations.** Jan D. Reibach moved, June Sell-Sherer seconded to adopt **Resolution No. 159-04** approving four (4) infants numbered #5437 through #5440 for Tribal membership, because, based on the investigation and recommendation of the Enrollment staff, the infants have been found to meet the eligibility requirements for enrollment as defined in the Enrollment Ordinance and Tribal Constitution. Discussion followed. **Motion carried 6-0-0. Council member Jack Giffen, Jr. was not present for the vote.**

#### OTHER BUSINESS

■ A Tribal member raised the following: Inquired as to the results of the Enrollment Survey generated and mailed this year. Chairwoman Kennedy advised the results were 50 percent for and 50 percent against the Constitutional Enrollment language. Council plans to hold community meetings in Portland, Eugene and other locations as determined to share the results. Council member Blackwell stated these meetings are to brainstorm on how to get information out and to share membership circumstances and concerns. Sought clarification as to a news article in *The Statesman Journal* regarding property near Chemawa. Chairwoman Kennedy and Vice Chairman Leno advised that the property addressed in the article is not the property under shared ownership with Siletz and Grand Ronde.

■ A Tribal member asked the following: Asked for any copies of documents related to a recent incident in which his name is referenced. Sought clarification on whether or not the Tribe recognized and followed Oregon's Medical Marijuana law. Discussion followed.

■ A Tribal member sought clarification of a news article in *The Statesman Journal* regarding property placed up for public auction. Finance Officer Larry Kovach stated the property involved was held as collateral on a loan which was in foreclosed by the Tribe. The Tribe now owns the property and the Previous Owner has twelve months to recover the property by paying the loan debt to the Tribe.

6:28 p.m. — Jan D. Reibach moved, Reyn Leno seconded to adjourn the meeting. **Motion carried.**

### Wednesday, December 1, 2004

4:00 p.m. — Meeting was called to order by Tribal Council Chairwoman, Cheryle Kennedy. A quorum was present.

Present was Angie Blackwell, Jack Giffen, Jr., Cheryle A. Kennedy, Reynold L. Leno, Chris Mercier, Jan D. Reibach, Valorie Sheker-Robertson, June Sell-Sherer and Wesley "Buddy" West.

Invocation was done by Jan D. Reibach.

#### PREVIOUS MINUTES — APPROVE/AMEND

■ Valorie Sheker-Robertson moved, Reyn Leno seconded to approve the November 17, 2004, Tribal Council regular meeting minutes as presented. **Motion carried 8-0-0.**

#### NEW BUSINESS

1. General Council Meeting December 5, 2004 Agenda Items

- a. Elders' Nominations
- b. Program Report: Member Services/Benefit
- c. Door Prizes \$250 (1 at \$100 and 3 at \$50)

■ Angie Blackwell moved, Jack Giffen, Jr. seconded to approve the General Council Meeting December 5, 2004 agenda items as presented. Discussion followed. **Motion carried 8-0-0.**

#### LEGISLATIVE ACTION COMMITTEE

■ **Willamette Falls Hydroelectric Relicensing Programmatic Agreement.** Jack Giffen, Jr. moved, June Sell-Sherer seconded to adopt **Resolution No. 160-04:** 1) concurring in the Programmatic Agreement among the Federal Energy Regulatory Commission and the Oregon State Historic Preservation Officer for Managing Historic Properties That May Be Affected by a License Issuing to Portland General Electric for the Continued Operation of the Willamette Falls Hydroelectric Project in Clackamas County, Oregon; and 2) authorizing the Tribal Council Chairwoman to sign the concurrence to said Agreement. **Motion carried 8-0-0.**

■ **Spirit Mountain Casino Lease Amendment.** Jan D. Reibach moved, Jack Giffen, Jr. seconded to adopt **Resolution No. 161-04:** 1) approving an amendment to the ground lease between the Tribe and Spirit Mountain Gaming, Inc. that, among other technical changes, expands the area covered under the lease and changes the rent calculation method from a flat fee to a percentage of gross gaming revenue; and 2) authorizing the Tribal Council Chairwoman, with the assistance of the Tribal Attorney, to

negotiate, finalize and execute said ground lease amendment. This lease amendment is subject to the approval of the Bureau of Indian Affairs. Discussion followed. **Motion carried 8-0-0.**

■ **Member Benefit/Gaming Additional Funding.** Reyn Leno moved, June Sell-Sherer seconded to adopt **Resolution No. 162-04** authorizing the Finance Officer to transfer up to \$4,000,000 from the Contingency budget to the Member Benefit/Gaming cost center to be used for the 2004 Gaming Per Capita payment. Discussion followed. **Motion carried 8-0-0.**

■ **Citizen Participation on ICDBG Grant Application for Recreation Facilities.** Angie Blackwell moved, Reyn Leno seconded to adopt **Resolution No. 163-04:** 1) certifying the activities it has taken to provide residents with adequate information on the availability of the \$500,000 ICDBG grant and its eligible range of activities and solicited comments on the proposed application, and on the Tribe's two current ICDBG grants, through evening community meetings and weekend General Council meetings, and by other activities as documented on Exhibit A and that the Council has and will continue to consider resident comments on its ICDBG program and this application; and 2) certifying and assuring compliance with the Indian Community Development Block Grant citizen participation requirements and authorizing the Tribal Chairwoman or, in her absence, the Tribal Vice Chairman to sign said assurances and associated documents on behalf of the Grand Ronde Tribe. Discussion followed. **Motion carried 8-0-0.**

■ **ICDBG Grant Application for Recreation Facilities.** Valorie Sheker-Robertson moved, Angie Blackwell seconded to adopt **Resolution No. 164-04:** 1) authorizing the Tribe's application to the U.S. Dept. of Housing and Urban Development for a \$500,000 Indian Community Development Block Grant for recreation facilities; 2) committing 15 acres of the Smith Property with an appraised value of \$127,5000, \$17,333 of in kind staff time, and \$21,834 from the 2006 Tribal Contingency as match for this application; 3) adopting an operation and maintenance plan and committing \$25,000 a year for operation and maintenance of these facilities once developed; 4) approving a planned \$30,000 budget to be divided equally between Indian Health Service funds, Indian Housing Block Grant

See ACTIONS  
on next page