

# Tribal Council Actions

## Wednesday, December 15, 2004

5:00 p.m. — Meeting was called to order by Tribal Council Vice Chairman, Reyn Leno. A quorum was present.

Present was Angie Blackwell, Jack Giffen, Jr., Reyn Leno, Chris Mercier, Valorie Sheker-Robertson, June Sell-Sherer and Wesley "Buddy" West

Excused was Cheryle Kennedy (personal leave) and Jan D. Reibach (personal leave).

Invocation was done by Wesley "Buddy" West.

### PREVIOUS MINUTES — APPROVE/AMEND

■ Valorie Sheker-Robertson moved, Jack Giffen, Jr. seconded to approve the December 1, 2004, Tribal Council regular meeting minutes as presented. **Motion carried 6-0-0.**

### NEW BUSINESS

■ General Council Meeting January 9, 2005 Agenda Items

a. Program Report: Grand Ronde Tribal Housing Authority (GRTHA)

b. Door Prizes \$250 (1 at \$100 and 3 at \$50)

By full consensus of Council the General Council Meeting January 9, 2005, agenda items are approved as presented. **Motion carried 6-0-0.**

### LEGISLATIVE ACTION COMMITTEE

■ **Calendar Year 2005 Operating Budget.** Jack Giffen, Jr. moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 166-04** approving the 2005 Calendar Year Operating Budget, effective January 01, 2005. **Motion carried 6-0-0.**

■ **Endorse the Submission to COTA for a Tribal Involvement Grant by the Lewis & Clark Trail Heritage Foundation, Oregon Chapter.** June Sell-Sherer moved, Angie Blackwell seconded to adopt **Resolution No. 167-04** endorsing the submission to Circle of Tribal Advisors (COTA) for a Tribal Involvement Grant by the Lewis & Clark Trail Heritage Foundation Oregon Chapter. **Motion carried 6-0-0.**

■ **Endorse the Submission to COTA for a Tribal Involvement Grant by the Salem Multicultural Institute.** Wesley "Buddy" West moved, Valorie Sheker-Robertson seconded to adopt **Resolution No. 168-04** endorsing the submission to the Circle of Tribal Advisors (COTA) for a Tribal Involvement Grant by the Salem Multicultural Institute. **Motion carried 6-0-0.**

■ **Rodeo Special Event Board Appointment.** Jack Giffen, Jr. moved, June Sell-Sherer seconded to adopt **Resolution No. 169-04** approving the appointment of Joy Burcham to the Rodeo Special Event Board, with a two year term expiring December 31, 2006. **Motion carried 6-0-0.**

■ **2005 Compensation Plan Approval.** Angie Blackwell moved, June Sell-Sherer seconded to adopt **Resolution No. 170-04** approving the 2005 compen-

sation plan for Tribal Government Employees, effective January 1, 2005. Discussion followed. **Motion carried 6-0-0.**

### Announcements

■ Notice from the American Indian Society of Washington, D.C. and Adam Beach, Honorary Chair, extending an invitation to attend the American Indian Inaugural Ball January 20, 2005, from 8 p.m. to 1 a.m. in Arlington, Virginia. Costs: \$100 per person, or \$125 per person with brunch or \$150 per person at the door. Advance tickets recommended. In addition, room and airline arrangements need to be made.

■ Notice that Affiliated Tribes of Northwest Indians' Winter Conference is scheduled for February 7-10, 2005, at the Embassy Suites Hotel, Portland Airport. Room and registration arrangements need to be made.

■ Notice of the 19th Annual National Reservation Economic Summit and American Indian Business Trade Fair is scheduled for February 7-10, 2005, in Nevada. Registration, room and airline arrangements need to be made.

■ The General Council meeting on February 6, 2005, will be held in Portland, Oregon and the General Council meeting on April 3, 2005, will be held in Eugene, Oregon (site to be determined).

■ Council, for the record, noted its acceptance of Hearing Officer Judge Mary J. Pearson's Order Dismissing the Ethics Complaints brought against Council member Reyn Leno and Tribal Attorney Rob Greene by Ed Pearsall. June Sell-Sherer, Tribal Council Secretary, read a summary of the Order (below in gray box). Copies of the Order of Dismissal are available upon request.

### OTHER BUSINESS

■ A Tribal member asked who can attend the Affiliated Tribes of Northwest Indians' Winter Conference scheduled for February of 2005. Council responded that the conference is open to the public. There is a registration fee to attend the conference.

■ A Tribal member asked the following: Asked for the locations of the General Council meetings in February and April of 2005. Asked for clarification on a Tribal employment position. Vice Chairman Leno stated that the Tribal Council is not involved in employment. The council's role regarding employment matters is to provide the necessary funding to cover positions approved through the General Manager and the Human Resources Director. Discussion followed. Cliff Adams, General Manager, stated a freeze no longer exists on new job positions. Rather, each new position needs to be justified and a funding source for the position identified.

5:20 p.m. — Valorie Sheker-Robertson moved, Reyn Leno, seconded to adjourn the meeting. **Motion carried.**

## Reyn Leno And Rob Greene Ethics Matters

On December 13, 2004, we received Hearing Officer, Mary Pearson's Order Dismissing the Ethics complaints filed by Ed Pearsall against Vice Chairman, Reyn Leno and Tribal Attorney, Rob Greene. Copies of the Order of Dismissal are available upon request. Here is a brief summary of Hearing Officer Pearson's Order.

Hearing Officer Pearson held that she lacked jurisdiction to hear the complaints because the com-

plaints are not "sworn" as required by the former Tribal Ethical Standards Ordinance. In other words, the complaints do not contain an oath that the facts alleged in the complaints are true and correct to the best of Mr. Pearsall's knowledge.

Hearing Officer Pearson found that not only are Mr. Pearsall's complaints not sworn, but that they contain "apparent" allegations which are equivocal and not permitted under the 2000 amendments to the Ordinance. Hearing Officer Pearson then

noted that Mr. Pearsall had three separate opportunities to amend his complaints and bring them within the requirements of the Ordinance, but failed to do so.

Hearing Officer Pearson further held that even if a "sworn" statement was not required, other issues, including the timeliness of certain allegations, whether the allegations are barred by confidentiality, and the failure of many allegations to state a claim, would be dispositive of the case or at least reduce the number of is-

sues before the Hearings Officer.

The former Tribal Ethical Standards Ordinance required the Tribal Council to accept the findings of fact and conclusions of the Hearing Officer. As the Council is obligated to accept the findings of fact and conclusions and Hearing Officer Pearson has dismissed the complaint, no further action is required and the Council for the record notes the acceptance of these findings and the Order Dismissing Ethics Complaints.

## Large Crowd Gathers For Bruce Lattin's Retirement Party



**Send Off**—Eagle Beak performed at the retirement party of Spirit Mountain Casino's Security Manager Bruce Lattin. Lattin took on the Security Manager position in 1995 following a career with the Oregon State Police.



**"We Will Miss You Bruce"**—Artist John Hawks, a Chiricaua Apache (far right) presents Bruce Lattin (left) with a bear carving.