

Tribal Council Actions

Wednesday, March 8, 2006

5:00 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 Kennedy, Reyn Leno, Chris Mercier, Jan D. Reibach, Kathleen Tom, Wink Soderberg and Wesley "Buddy" West.

Invocation was done by Jan D. Reibach.

PREVIOUS MINUTES — APPROVE/AMEND

■ Chris Mercier moved, Angie Blackwell seconded to table the Tribal Council meeting minutes of February 22, 2006, until the next regularly scheduled Tribal Council meeting. **Motion carried 8-0-0.**

■ Wink Soderberg moved, Chris Mercier seconded to approve the March 1, 2006, Tribal Council special meeting minutes as presented. **Motion carried 7-0-1. Jack Giffen, Jr. abstained.**

NEW BUSINESS

LEGISLATIVE ACTION COMMITTEE

■ **GASCO Site Response Cost Settlement Agreement.** Wink Soderberg moved, Wesley "Buddy" West seconded to adopt **Resolution No. 045-06:** 1) approving the Settlement Agreement with NW Natural pursuant to which NW Natural will pay the Tribe's past and future response costs for the Tribe's participation in the GASCO site; and 2) authorizing the Tribal Council Chairwoman, with the assistance of the Tribal Attorney's Office, to finalize and execute said Agreement. **Motion carried 8-0-0.**

■ **Authorization to Assign Judgment.** Wesley "Buddy" West moved, Wink Soderberg seconded to adopt **Resolution No. 046-06** authorizing the Finance Officer to take all action necessary to assign the Judgment dated May 13, 2002, entered by the Honorable John Warner in Cause No. DV-99-108 in the Twelfth Judicial District Court, Hill County, Montana to Quantum Group, Inc. Discussion followed. **Motion carried 8-0-0.**

■ **GRTHA Board of Commissioners Appointment and Re-Appointment.** Wink Soderberg moved, Reyn Leno seconded to adopt **Resolution No. 047-06** appointing Ms. Lori Trask Broncheau and re-appointing Mr. Chris Leno to the two open Housing Board seats for three-year terms expiring in March of 2009. **Motion carried 5-2-1. Kathleen Tom and Wesley "Buddy" West voted no. Angie Blackwell abstained.**

■ **Chemawa Station Property Legislation Support.** Jack Giffen, Jr. moved, Angie Blackwell seconded to adopt **Resolution No. 048-06** in support of federal legislation that would waive application of the Indian Self-Determination and Education Assistance Act to the Chemawa Station property and require the Secretary of the Interior to issue a new deed without any restriction on the right to alienate the property. **Motion carried 8-0-0.**

■ **Elders' Security Trust Fund Endowment Contribution.** Reyn Leno moved, Jack Giffen, Jr. seconded to adopt **Resolution No. 049-06** authorizing the Finance Officer to transfer \$7.9 million, land sale profit, from the Gaming Dividend Fund to the Elders' Security Trust Fund Endowment. Discussion followed. **Motion carried 8-0-0.**

ENROLLMENT

■ **New Members.** Reyn Leno moved, Chris Mercier seconded to adopt **Resolution No. 050-06** approving the Tribal membership of individuals numbered #5544 through #5556 because, based on the recommendation of the Enrollment Committee, the individuals meet the requirements of the Constitution and the Enrollment Ordinance. **Motion carried 8-0-0.**

2. **Infant Determinations.** Wink Soderberg moved, Jan D. Reibach seconded to adopt **Resolution No. 051-06** approving three (3) infants numbered #5557 through #5559 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. **Motion carried 8-0-0.**

3. **Infant Determination Denial.** Jack Giffen, Jr. moved, Wink Soderberg seconded to adopt **Resolution No. 052-06** denying membership to infant, Jane Doe (date of birth 01/04/06, application received 02/06/06), because, based on the investigation and recommendation of the Enrollment staff, the applicant does not meet the enrollment requirement under the Tribal Constitution and the Enrollment Ordinance. **Motion carried 8-0-0.**

■ **Infant Determination Denial.** Wink Soderberg moved, Wink Soderberg seconded to adopt **Resolution No. 053-06** denying membership to infant, John Doe (date of birth 12/06/05, application received 02/03/06), because, based on the investigation and recommendation of the Enrollment staff, the applicant does not meet the enrollment requirement under the Tribal Constitution and the Enrollment Ordinance. **Motion carried 8-0-0.**

ENROLLMENT REQUIREMENT AD-HOC COMMITTEE

■ **By-Laws Amendment.** Chris Mercier moved, Wesley "Buddy" West seconded to adopt **Resolution No. 054-06** changing the Enrollment Requirement Ad-Hoc Committee By-Laws changing (Article IV, 4.1) the number of members from nine to seven. The Ad-Hoc Committee also recommends changing (Article III, 3.4) the number of members required to approve the final recommendation to council from six to five. Discussion followed. **Motion carried 6-1-1. Kathleen Tom voted no. Angie Blackwell abstained.**

■ **Out-of-Area Travel.** Jack Giffen, Jr. moved, Jan D. Reibach seconded to adopt a motion allowing the Enrollment Requirement Ad-Hoc Committee to have their April 2, 2006 meeting in Eugene, Oregon at the Eugene Satellite Tribal office. **Motion carried 8-0-0.**

■ **Land Exchange with Stimson Lumber Company.** Angie Blackwell moved, Reyn Leno seconded to adopt **Resolution No. 055-06:** 1) approving an Exchange Agreement with Stimson Lumber Company for the exchange of the Scappoose Property for two parcels of land in Polk and Yamhill Counties and further monetary considerations; 2) authorizing the Tribal Lands Department Manager, with the assistance of the Tribal Attorney, to negotiate, finalize and execute the Exchange Agreement; 3) approving a limited waiver of sovereign immunity as stated in the Exchange Agreement, with the Tribal Court of the Confederated Tribes of the Grand Ronde Community of Oregon having exclusive jurisdiction over any action to enforce or interpret the Exchange Agreement; and 4) authorizing the Tribal Council Chairwoman to execute any documents necessary to complete transfer of the Scappoose Property and acquisition of the Stimson properties. Discussion followed. **Motion carried 8-0-0.**

ANNOUNCEMENTS

(Council members attending...Listed in Bold/Italics)

■ **Affiliated Tribes of Northwest Indians 2006 Mid-Year Conference** is hosted by the Colville Reservation and is scheduled for May 15-18, 2006, in Spokane Valley, Washington at the Mirabeau Park Hotel & Convention Center. Rooms, registration, and airline arrangements need to be made.

NOTICES

■ **Self-Governance Tribes Annual Conference "Tribal Self-Governance: Strength in Numbers"** is scheduled for May 8-12, 2006, in Acme, Michigan. Room, registration, and airline arrangements need to be made. **Jack Giffen, Jr. and Kathleen Tom**

OTHER BUSINESS

■ **Michael Bolton #4762** raised concerns over taxes assessed on income received by Tribal members. Finance Officer Larry Kovach identified that the federal law identifies receipt of per-capita income as taxable income to the recipient. Also, the Internal Revenue Service (IRS) rules contain reporting requirements for certain payments to Tribal members such as housing down payment assistance. Whether those payments are taxable is to be determined by the Tribal member and their tax advisors. Discussion followed. **Val Sheker #2236** advised that a specific exemption from income would necessitate an Act of Congress.

5:42 p.m. — Angie Blackwell moved, Reyn Leno seconded to adjourn the meeting. **Motion Carried.**

Grand Ronde Energy Fair



Photo by Ron Katten

Energetic— Don Coon, the Tribal Housing Authority's Housing Improvement Specialist, talks to Tribal member Teri Mercier at the Grand Ronde Energy Fair, held Wednesday, March 29, at the Tribal Community Center. The event took place while the Lewis and Clark program went on in the Casino's parking lot, and had a lot of Elders shuttling back and forth. Booklets were available on such subjects as "Mold Moisture and Your Home," "My Book About Energy Savings," and "Saving Watts of Water." The Oregon Department of Energy was on hand with information about the Oregon Residential Energy Credit. And home energy specialists described a number of issues for those on hand, and took questions.