

TRIBAL COUNCIL RESOLUTIONS
JANUARY-DECEMBER 31, 2002

Updated: 05/13/03 Submitted by Lynn Davis, Management; Updated 09/20/15 for formatting by Alyssa Macy, Management.

<u>RES</u>	<u>DESCRIPTION</u>	<u>DATE</u>
10137	Warm Springs Tribal Council endorses and supports the participation of the Warm Springs Indian Health Service Health Service Unit in the FDA Efficacy study (participate as one of three sites in US to participate in the program). Endorse warm Springs Service Unit staff to provide all relevant information to the community about the study.	01/07/02
10138	Tribal Council believes Douglas Manion is a strong applicant for the Forest Manager position, and this Tribal Council supports the use of the IPA agreement between the Bureau and CTWS to bring Mr. Manion into the Forest Manager position.	01/14/02
10139	Enrollment: enrolled - 8	01/14/02
10140	Tribal Council appoints Nelson Wallulatum as the member of Wy-am Board in behalf of CTWS and Bernice Mitchell as alternate.	01/14/02
10141	Tribal Attorneys, such to the approval and concurrence of the Secretary-Treasurer of the Tribal Council, be and hereby are authorized and directed to take such actions as they deem appropriate, including filing suit against the United States for damages as a result of mismanagement of the trust assets of the Tribes, to protect the Tribe from a claim that the statute of Limitations has run.	01/15/02
10142	Realty - Tribal Council hereby grants the funding for a retracement survey of Allotment no. 615 and the Chairman or Vice Chairman and Secretary-Treasurer are hereby authorized to execute the necessary documents for and on behalf of the Confederated tribes.	01/15/02
10143	2002 Fishing Regulations are approved, adopted and enacted by the Tribal Council of the Confederated tribes of Warm springs (pursuant to WSTC 340.220 and Section 340.225)	01/28/02
10144	Authorized an investment of funds from the Warm Springs Revenue Reserve Fund to facilitate the acquisition of a portion of the Pelton Project, in the amount of ten million dollars (\$10,000,000). The investment shall be in a marketable note executed by the Tribe on such terms as are negotiated between the Secretary-Treasurer on behalf of the Warm Springs Revenue Reserve Fund, and the General Manager of Warm Springs Power Enterprises on behalf of the enterprise and the Tribe. Principal and/or interest payments may be re-invested in additional notes facilitating the acquisition of interests in the Pelton Project by the Tribe or in other investments of similar quality.	01/29/02
10145	Tribal Council hereby concurs with the recommendations of the Biddle Pass Project Assessment and approves alternative C from the Biddle Pass Project Assessment which will include salvage and sanitation harvest on over 2300 acres in the Biddle Pass area and also includes the harvest of some green lodgepole pine stands that are susceptible to the mountain pine beetle. Timber salvaged from commercial forest ground will be charged to annual allowable cut and timber salvaged from conditional use ground will not be charged to the annual allowable cut. Approval of the Biddle Pass Salvage and Sanitation Action Plan and timber sale contract shall follow the procedures established in the revised IRMP approved in 2001.	02/04/02

10146	Enrollment: enrolled - 5 {*Correction resolution approved on 02/05/02, not 01/05/02 as noted on resolution*}	01/05/02
10147	CTWS support the formation of Gorge Teleconsortium and recognize its responsibility to provide a forum for sharing information, coordinating efforts with regional significance with possible recommendations to local government, tribal council, and service providers on regional telecommunication issues that will serve for the public and private benefit. Appoint Sylvester Sahme Sr. to serve as the Warm Springs Tribes Representative to the Gorge Teleconsortium.	02/06/02
10148	2002 Budget is amended by \$25,000 for contribution to the Inter-Tribal Transportation Association in order that this association can better accomplish its purpose(s) and Raymond Tsumpti as our delegate will present this contribution on the Tribes behalf.	02/13/02
10149	Secretary-Treasurer is authorized to apply for a grant from ANA or any other sources to support the implementation of the IRMP monitoring processes and ST is authorized to negotiate and execute any application or award documents in connection herewith, including any modification thereto as required.	02/19/02
10150	GEO VISIONS is hereby established as a subordinate organization for economic purposes, in accordance with the charter (attached) and is authorized to seek geospatial contracts off the reservation and SBA 8A status. Continue to operate under the direction of the COO as delegated under the management plan, and as such the COO and General Manager of Natural Resources are authorized to enter into a contractual agreement w/WS Economic Development Corporation for initial startup funding.	02/21/02
10151	Realty - purchase an undivided 1/5 interest in Warm Springs Allotment No. 282, Oliver Kalama, deceased, at the negotiated consideration of \$16,400.00	03/04/02
10152	Realty - purchase an undivided 720/8400 interest in Warm Springs Allotment No. 112, Ida or Ukla, deceased, at the negotiated consideration of \$6,138.00.	03/04/02
10153	BIA and ODOT are hereby authorized to detour vehicle traffic except local Warm Springs traffic and take other measures as are deemed appropriate during the month of April, 2002 to effect repairs on the Highway 26 Bridge over Mill Creek in a professional, safe and responsible manner.	03/05/02
10154	Sherars Falls fishing regulation begins April 1 - June 15, 2002	03/05/02
10155	Adoption of the 2002-2006 W.S. National Fish Hatchery Operational Plan and Implementation Plan.	03/05/02
10156	2002 IAC Delegate: Ron Suppah; Alternate: Carmella Scott Term Ending 5.1.03	03.05.02
10157	Enrollments: Enrolled 4	03.11.02
10158	FERC Closing conditions met acceptance	03.11.02
10159	2001 Budget Carry-Over	03.18.02
10160	Fishing	03.19.02

10161	Retain the firm of Akin Gump Strauss Hauer & Feld L.L.P. are to negotiate on behalf of CTWS.	03/25/02
10162	InterTribal Timber Council (ITC) Delegates Delvis Heath Sr. and alternate Theron Johnson.	03.25.02
10163	Ollalie Fire	03/26/02
10164	Forest Management Implementation Plan	
10165	Wagner Ranch	04.08.02
10166	Mid-Atlantic	04.08.02
10167	Norm Johnson Contract	04.10.02
10168	Tribal Council approved Code Section 340.310, of a tribal subsistence fishery in the Hood River Basin are hereby adopted.	4/8/02
10169	Business and Economic Development Branch, through the Secretary-Treasurer, is hereby authorized to both contract for the financial grant assistance and execute the grant documents with the USDA rural Business-Cooperative Service.	4/9/02
10170	That a tribal referendum shall be held on May 21, 2002 and that the following question shall be submitted to the eligible voters: shall the tribe be authorized to finance construct and operate a gaming casino Tribal trust lands in the Columbia River Gorge, on such terms as the Tribal Council shall determine: PROVIDED, that any borrowing shall be the obligation only of the casino enterprise and shall not risk any other Tribal assets? YES or NO	4/29/02
10171	Janet Marie Tom Billey, Enrollee #1110, requested relinquishment, so that she could be enrolled with the Grande Rhonde Tribe, date March 18, 2002.	4/29/02
10172	The Following are enrolled members of the Confederated Tribes of Warm Springs Reservation of Oregon, as to the date set out below accordance Resolution No. 4301	4/29/02
10173	Tribe purchased a Courtesy Right	4/29/02
10174	Tribe purchased a undivided 96/432 interest in Warm Springs Allotment No. 263, Cree or Skitus, decreased, at the negotiated consideration of \$14,443.59. The Consideration to be paid from programmed land purchase funds.	4/29/02
10175	Tribe purchased a undivided 1/24 interest in Warm Springs Allotment No. 519, Sallie, decreased, at the negotiated consideration of 11,333.33. The consideration to be paid from programmed land purchase funds;	4/29/02
10176	Tribe Purchased an undivided 1/24 interest in Warm Springs Allotment No. 519-A, Sallie, decreased, at the negotiated consideration of 1,750.00. The consideration to be paid from programmed land purchase funds;	4/29/02
10177	Partitionment of lands described below between the confederated Tribes of the Warm Springs Reservation of Oregon and Mr. Kevin Blueback is hereby authorized for approval.	4/29/02

10178	Grants Morris Holliday a change in the legal land description to the above described Tribal Land and the Chairman or vice-chairman and Secretary-treasurer are hereby authorized to execute the necessary documents for and on behalf of the Confederated Tribes.	4/29/02
10179	The Amendments to WSTC Chapter 360 of the Tribal Code, attached as Exhibit "A" to this resolution, are hereby approved and enacted;	4/30/02
10180	The following persons be appointed to the Board of Directors of Warm Springs Credit Enterprise with the term as indicated:	4/30/02
10181	Tribal Code, that the following are hereby appointed commissioners of the Warm Springs Housing Authority: Lyle Rhoan Sr. Term Ending: 1/30/06 and Victor Moses Term Ending: 1/30/06	4/30/02
10182	That the following persons be appointed to the Board of Directors of Warm Spring museum with the term as indicated: TRIBAL MEMBER: Bernice Mitchell Term Ending 1/01/04 NON TRIBAL/MEMBER: Victor Atiyeh Term Ending 1/01/04 and TRIBAL MEMBER: Delvis Heath Term Ending 1/01/04	4/30/02
10183	That the following persons be appointed to the Board of Directors of the Warm Springs Forest Products Industries with the term as indicated: CLASS III: Term ends December 31, 2004 James Manion Tribal Member and CLASS IV: Term ends December 31, 2004 Robert Macy Sr. Tribal Member.	4/20/04
10184	Tribal Constitution, that the Secretary-Treasurer is authorized to apply for a grant from the Department of Justice, Office of Juvenile Justice-Delinquency Prevention program.	4/30/02
10185	That Michael Clements is hereby designed as the representative for the Intertribal Transportation Association and Ronald Suppah as the alternate;	4/6/02
10186	Attached revised Housing Code Ordinance No. 60 (WSCT chapter 400) by the TDHE and its Executive Director, is hereby approved and adopted and shall supercede all existing Tribal Housing Codes and regulations whether adopted by Tribal Ordinance, Resolution or otherwise;	4/8/02
10187	Secretary-Treasurer is authorized to apply for, and administer, The Oregon Watershed Enhancement Board grants for the Natural Resources Department.	4/7/02
10188	Pursuant to Warm Springs Tribal Code Section 340, that the following rules and regulations are hereby adopted for the 2002 season:	4/7/02
10189	Current Cutting Contract, as applicable between the Tribes and the Enterprise, is extended through December 31, 2003 and that the Addendum, attached hereto as Exhibit "A" is approved and the Chairman of the Tribal Council and the Secretary-Treasurer are authorized to sign, on behalf of the Tribe;	5/14/02
10190	Attached proposed amendment language to section 3.2 of Ordinance 77, the Flood Damage Prevention Ordinance, is hereby adopted as an amendment to Ordinance 77.	5/14/02
10191	Tribal Council hereby approves and adopts the "Tribal Council Tribal Policy" attached;	5/14/02
10192	Appointed as delegated to the N.A.R.C.H. Advisory Board: Tribal Council Representative Carolyn Wewa and Sal Sahme as the alternative representative; and Gayle Rodgers as the staff representative to the N.A.R.C.H. Advisory Committee, for a four year appointment for each appointee.	5/20/02
10193	Carl Michael Kalama, Enrollee #2202, requested relinquishment, so that he could be enrolled with the Puyallup Tribe, dated May 29 th , 2002; and,	5/29/02

10194	Enrolled Members of the Confederated Tribes of the Warm Springs Reservation of Oregon, as of the date set out below in accordance with Resolution No. 4301: Regina Dawn Bisner 5.03.02, Francine Marie Charley 5.01.02, Shawnell Tiffany Devault 4.29.02, Steven Wayne Devault 4.29.02, Justice Chase Diaz 5.28.02, Marion Brent Graybael III 5.10.02, Verbena Veronica Nora Greene 5.03.02, Cheydon Denay Herkshan 4.29.02, James Dylan Medina 5.21.02, Dapri Johnny Miller 5.14.02, Alyssa Marie Santos 4.29.02, Janell Lynette Santos 4.29.02, Rachel Lani Santos 4.29.02	5/29/02
10195	That the following regulations for a tribal subsistence fishery in the Warm Springs River Basin are hereby adopted for 2002.	6/3/02
10196	Restated and amended Warm Springs Tribal Code, Chapter 203, as attached hereto as Exhibit "A", is hereby adopted;	6/4/02
10197	Tribal Council endorses and supports the expenditure of \$1,596,927.00 to build an approximate 8,000 sq. ft. addition to the existing Health & Wellness Center. Using funds identified, as noted above, from the HIS Service Unit savings and savings from two Tribal operated HIS programs pursuant to the Joint Venture Agreement with the Indian Health Service;	6/4/02
10198	The Secretary-Treasurer is authorized to apply for a grant from the Department of Justice, Bureau of Justice Assistance, for a Alcohol and other drugs Law Enforcement grant to reduce AOD incidents and DUI fatalities;	6/4/02
10199	Tribal Council concurs with the issuance of the 401 Certification and hereby approves the Water Control Board signing the attached Clean water Act 401 Certification and Implementation Agreement for Portland General Electric and Confederated Tribes of Warm Springs Pelton Round Butte Hydro-electric Project on the Deschutes River;	6/11/02
10200	Restated Plan of Operation of WSFPI, that the fees for directors of WSFPI shall be set at \$80 per hour, beginning August, and that such fees shall be an expense of WSFPI.	6/11/02
10201	Enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon, as of the date set out below in accordance with Resolution No. 4301: Fawntana Madasun Arthur 6.20.02, James Ray Katchia Jr. 6/6/02, Olivia Janae Sanders 6/7/02, Joseph Clarence Torkelson 6/5/02, Mary Kaye Umtuch 6/21/02, Skyla Lee Rose Williams 6/20/02, Quadry Tre-Dee Wolfe 6/6/02.	6/24/02
10202	Tribal community development or land exchange purpose, or for such other substantive reason cancellation may be deemed necessary by the Tribes, such a provision to be written into and made a part of the lease terms;	6/24/02
10203	Honorable Robert F. Walberg, of Sunriver, Oregon, is hereby appointed as Judicial Advisor to the Warm Springs Court of Appeals;	7/202
10204	Warm Springs Tribes request a contract under authority of P.L. 93-638, to accomplish construction of the following projects at Warm Springs: WSIR M-942 pavement marketing, WSIR 29 (3) Upper Day Creek Reconstruction Aggregate, WSIR 804 Aggregate Replacement, WSIR 943 Chip Seal, Jackson Trail/Route 3, WSIR 3002 (1) Fish Hatchery Junction, WSIR 8 (7) Kah-Nee-Ta Junction, WSIR M-943 Pavement Marketing;	7/2/02
10205	Warm Springs tribal member students should be permitted to attend the Bureau of Indian Affairs boarding school of their choice, even if such boarding school is located outside of the "attendance area" assigned to the Warm Springs Indian Reservation.	7/24/02

10206		
10207	Enrolled Members of the Confederated Tribes of the Warm Springs Reservation of Oregon, as of the date set out below in accordance with Resolution No. 4301: Bryce Alisander Sanchez 7/19/02, Lane Reemo Scott 7/2/02, Corey Lee Stwyer Jr. 7/25/02, Kywon Laithyn Thompson 6/30/02, William Wayne Van Pelt 7/16/02.	7/29/02
10208	Purchase an undivided 1/432 interest in Warm Springs Allotment No. 263, Cree or Skitus decreased, at the negotiated consideration of \$150.46. The consideration to be paid from programmed land purchase funds;	7/29/02
10209	Jacqueline Thomas Swanson, Enrollee #1082, Muckleshoot Tribe, dated June 19, 2002;	7/29/02
10210	Conservation regulations are hereby adopted for the 2002 treaty Indian subsistence fishery on the Deschutes River during the fall Chinook Salmon time period (August 1 st , 2002 - December 31 st 2002)	7/30/02
10211	The "2002 Management Agreement for Upper Columbia Rive Fall Chinook, Steelhead and Coho" attached to this Resolution as Exhibit "A" is hereby approved;	8/30/02
10212	Warm Springs Tribal Code Chapter 341 "Sherars Bridge Management" attached hereto is adopted and that such amendment constitutes an amendment to Ordinance 65 "Law and Order."	8/12/02
10213	Tribal Council hereby permanently excludes Wanblee Smith from the Territory of the Confederated Tribes of Warm Springs, Oregon	8/12/02
10214	The "2002 Hunting Regulations" are adopted as provide in the attached recommendation from Natural Resources Department and Fish & Wildlife Committee.	8/13/02
10217	Secretary-Treasurer is authorized to negotiate and execute a grant award contract with the Central Oregon Intergovernmental Council (COIC), including any modifications thereto as required and on such terms as may be agreed upon between the Confederated Tribes and COIC;	8/27/02
10218	Development and Operation of an adolescent treatment program funded by the Portland Area Indian Health Service in the State of Oregon. Administratively overseen by a consortium of the nine tribes of Oregon. That staff of A & D directed to work with the other tribes in Oregon and the HIS to develop an adolescent residential treatment program in State of Oregon.	09/10/02
10219	Realty - Chirles Kirk homesite lease for fifty (50) years near Tenino Valley area.	09/30/02
10220	Realty - Michael Leecy homesite lease for fifty (50) years near Miller Flat area.	09/30/02
a		
10221	Tribal Council appointed Rafael Queahpama and Priscilla Frank to the Land Use Planning Committee. Current term to serve until new committees are appointed 60 days after the next term of the tribal Council.	09/11/02
10222	Enrollments - enrolled 11	09/30/02

10223	Warm Springs Tribes request a extension of Tribal Transportation Planning Project P43-WSIR and modification under contract no. CTP09T14546.	10/01/02
10224	Motion to intervene is hereby approved and the Tribal Attorneys are hereby authorized and directed to file it in Deschutes County Circuit Case No. 99CV038ST (Settlement agreement-water rights)	10/14/02
10225	Enrollments - enrolled 6	10/21/02
10226	CTWS request a contract under authority of PL 93-638 to accomplish design of the following projects at Warm Springs WSIR 24(5) Jackson Trail Road and WSIR 3003(6) Sunnyside Subdivision Phase 6	10/21/02
10227	Secretary-Treasurer authorized to apply for a Rural Utilities Service broadband grant to enhance telecommunications.	10/28/02
10228	\$1,100,113 is approved for the funding of the Warm Springs Intensive Forest Management Programs that such funds shall be reimbursed from Timber sales no later than quarterly to the Tribes from Forest Management Deduction fees.	11/18/02
10229	Enrollment - enrolled 11	11/18/02
10230	Warm Springs Forest Products Industries and enterprise of the tribes expressed desire to lease the Morrison and thereby assist in preservation of its value by carrying out appropriate repairs.	11/18/02
10231	Secretary Treasurer is authorized and directed to complete the purchase of the Shell Station property according to above terms for sum of \$282,000.	11/18/02
10232	Tribal budget is approved with effective date of January 1, 2003. That sum of \$22,049,537 is hereby appropriated for expenditure pursuant to the foregoing annual budget for the twelve month period 01/01/03 through 12/31/03 and Secretary of Interior or his/her authorized representative is hereby requested to approve such budget.	11/20/02
10233	Special Per Capita be distributed on 12/13/02 in amount of \$500 for each eligible member who appears on the roll as of 12/10/02. The amount of \$2,143,000 is hereby appropriated from the Revenue Reserve Fund-accumulated prior year earnings.	11/20/02
10234	Tribal Council appointed Joanne Smith to Education Committee member, Current term to serve until new committees are appointed 60 days after the next term of the tribal Council.	11/25/02
10235	Tribal Council appointed the following as directors on the Warm Springs Community Development Corporation as follows: Jolene Atencio, term end 12/31/03; Evaline Patt, term end 12/31/03; Carolyn Winishut, term end 12/31/04; Dawn Smith, term end 12/31/03; Dan Van Otten, term end 12/31/04.	12/02/02
10236	Support Bill 690 and the Native American Languages Act, the tribes agree to certifying these individuals to carry, protect	12/02/02

and pass on the tribal language, customs, and traditions of the tribes utilizing all resources. Support formulation of the CTWS Teacher Certificate for the expressed purpose of enriching the educational knowledge of the people, in their language, customs, and traditional ways.

10237 Warm Springs Tribes requests to contract under authority of PL 93-638 to accomplish design and construction of the above reference projects hereby designated as the Warm Springs Tribal TIP for fiscal year 2003. 12/02/02

10238 Tribal Council hereby modifies the annual allowable cut (AAC) from the Warm Springs Reservation Forest Area from 37.6 MMBF to 41.9 MMBF and accepts provisions 1-3 as recommended by Dr. Johnson in his September 4th 2002 report and shall conduct further analysis and review his recommendations 4-6. Resolution No. 10063 shall remain in full force and effect except as modified by the provisions of this resolution which shall be effective immediately and for this duration of this AAC period (2002-2011). 12/04/02

10239 Tribal Council hereby rescinds Resolution No. 10164, adopted 03/26/02, that the Secretary-Treasurer and the Tribes' senior legal counsel are authorized to negotiate with appropriate federal officials in order to resolve this issue. 12/04/02

10240 Tribal Council hereby amends WSTC 701.050 (limited liability companies), this resolution shall apply to all limited liability companies chartered pursuant to Ordinance No. 79 after 01/01/02. 12/04/02

10241 Scholarship Trust Fund for calendar year 2003 authorized for expenditure - amount not to exceed \$700,000. 12/05/02

10242 Senior Citizen Pension Trust for Senior citizen Pension for calendar year 2003 authorized for expenditure - amount not to exceed \$1,049,370. 12/05/02

10243 Per Capita distributions are authorized for the calendar year 2003 at \$100 per month for each eligible member of the Tribe, subject to conditions as noted. 12/05/02

10244 Amendment XI (attached as Exhibit "A") to the compact extending blackjack for an indefinite period of time, is hereby approved and the Tribal Council Chairman, or his designee, is hereby authorized to sign the Amendment on behalf of the Confederated Tribes. 12/20/02

10245 Authorizes and approves PSA 03-B (Wholesale Power purchase and sale agreement) No. 03-__ between CTWS and Portland General Electric Company. 12/20/02

10246 Appointment of Judge John M. Copenhaver is appointed to serve as tribal Court Judge Pro Tempore to hear and preside over cases in which the tribal court judge have conflicts of interest. 12/20/02

10247 Secretary-Treasurer is authorized to apply for Department

for Health & Human Services for an Indian Women's
demonstration project grant for the Warm Springs
Reservation.