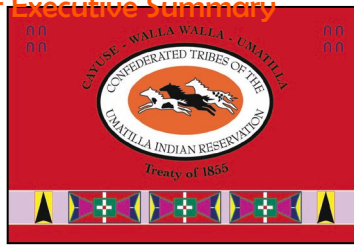


Confederated Tribes *of the*
Umatilla Indian Reservation

46411 Timine Way
Pendleton, OR 97801



General Council

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General Council Agenda

July 20, 2023 – 2:00 PM

Hybrid: In-person & Virtual via Zoom

1. Call to Order
2. Invocation
3. Ascertainment of Quorum
 - a. General Council Officers
 - b. Board of Trustees
 - c. General Council Members
4. Approval of Agenda
5. Approval of Executive Summary – May 18, 2023
6. Old Business
 - a. Gaming Revenue Allocation Plan (GRAP) Dividend Increase – Bob Shippentower, Tribal member (Invited)
 - b. Cayuse Holdings Annual Report – Billy Nerenberg, CEO Cayuse Holdings, LLC
7. New Business
 - a. Council Member Concern Small Modular Nuclear Reactor (SMNR), Cathy Sampson-Kruse
 - b. Waste Water Treatment & Reuse Facility Update – Justin Northern, Director, Public Works (deferred to September 2023)
 - c. Wellness Center Update – Kelly Angell, Architects, LPA
8. Open Mic
9. Announcements/Notes
10. Adjournment

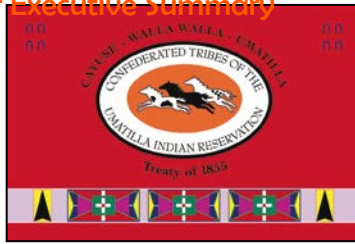
Note:
Only enrolled CTUIR
Tribal Members
permitted to attend
~
Contact GC Secretary
Shawna Gavin at
shawnagavin@ctuir.org
for zoom meeting
ID & passcode

Chairman Lindsey X. Watchman

June 20, 2023

Date

Confederated Tribes of the
Umatilla Indian Reservation
46411 Timine Way
Pendleton, OR 97801



From the Office of the
General Council
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General Council Meeting
Executive Summary
Hybrid: Nixyaawii Governance Center/Zoom
July 20, 2023

1. Call to Order

General Council Chair called the meeting to order at 2:10 PM.

2. Invocation

Invocation was given by Vice Chair Michael R. Johnson

3. Ascertainment of Quorum

X	BOT Chair- Kat Brigham	X	GC Chairman – Lindsey X. Watchman
X	BOT Vice Chair-Aaron Ashley	X	GC Vice Chair-Michael R Johnson
X	BOT Secretary- Sally Kosey	X	GC Secretary-Shawna M Shillal-Gavin
X	BOT Treasurer-Sandy Sampson	X	GC Interpreter-Thomas Morning Owl

PL BOT MAL-Toby Patrick
 TL BOT MAL-Corinne Sams
 X BOT MAL-Boots Pond
 TL BOT MAL-Lisa Ganuelas

At 2:10 PM there were thirty-four (34) tribal members signed in and the quorum was established. Final tribal member attendance was fifty-two (52).

4. Approval of Agenda

GC Chair reviewed the agenda. Aaron Hines requested to be moved to the beginning of action items.

Aaron Hines made a motion to approve as amended; seconded by Boots Pond. The motion carried by voice vote.

5. Approval of Executive Summary

The executive summary of May 18, 2023, was reviewed.

Motion to approve as presented by Aaron Hines seconded by Michael Johnson motion passed unanimously by voice vote.

6. Old Business

a. Gaming Revenue Allocation Plan (GRAP) Dividend Increase

Bob Shippentower presented a discussion on the GRAP dividend increase. It's been fifteen years since there was a five percent increase and it's been at the same level since while the cost of living has increased throughout the years. Could all use a dividend increase. We have a right to how our profits are being used.

Bob Shippentower hopes the BOT will take this to mind and do the right thing to increase the dividend by five percent (5%).

Chairman Watchman thanked Mr. Shippentower.

Don Sampson responded that in January the BOT asked to talk about the history of the GRAP and updates. There is now an advisory committee reviewing. Have contracted with Bob Yoder who is the tax specialist to assist. Hoping to get something in prior to September, then can present it to General Council and submit it prior to the end of the year to the Department of the Interior.

Chairman Watchman responded as well that it will likely be September or October that the Board of Trustees will work on this topic. Will make sure notification of work sessions are shared.

Eugena Stacona asked if Bob was making the motion to increase or if more discussion is needed.

Bob Shippentower: I make a motion to increase tribal dividends from twenty (20) to twenty-five (25) percent of our profits to be effective as soon as possible second by Eugena Stacona; Question called by Michael Ray Johnson; all in favor began by saying aye. Opposed requested to identify themselves Dave Tovey; Kathryn Burke x2241; Kat Brigham states she will abstain because there isn't enough information at this time. Sally Kosey X-2108 abstains. Opposing: Thomas Morning Owl; Jonetta Herrera; abstained: Don Sampson; Aaron Hines called point of order stating called for a hand vote count or fully counted voice vote. Chairman directed those attending via zoom to write "Aye, nay or abstain" in the chat box for the count and those in chambers were hand counted by Vice Chairman Johnson.

Hand vote was called for due to the number abstaining and voting against. The motion passed thirty-three (33) FOR; seven (7) AGAINST; twelve (12) ABSTAIN.

Chairman Watchman thanked Mr. Shippentower for bringing the topic to the General Council and shared that it would take some time to bring it forward to the BOT but that he would keep him posted on progress.

David Wolf X-493 made a statement in support of Mr. Shippentower's topic stating that this needs to be considered and is long overdue, especially with the way things are going now. With inflation increasing with food and gas. Also, should be taken into consideration by not only the Executive Director but also the Board of Trustees is the income that's deriving from our Farming enterprise. I don't know what type of accountability there is for that, how much is being made or spent. This money comes from trust land; some is from fee land, but trust land is non-taxable. This is something that could be utilized and possibly distributed to tribal members to possibly offset this gaming revenue. Thank you.

b. Cayuse Holdings Annual Report –

Billy Nerenberg presented the annual report by Cayuse Holdings. Cayuse Holdings Vision is to grow the company, grow the people, support the CTUIR Comprehensive Plan (CEDS). Cayuse Holdings Mission is to Become the #1 Native American owned commercial and government client services contractor, providing trusted value for our clients, reliable and lucrative careers for our employees, and contributing to the growth of the CTUIR.

Mr. Nerenberg reported on the first (1st) half of 2023 activities and went on to elaborate on the Cayuse Native Solutions (CNS) Drone Service program; Digital Inclusion for CTUIR; Apprenticeship Program; Cleared Roles; Succession planning. He further reported on the remainder of

Tribal Member Questions and Comments

- Thomas Morning Owl asked for a more detailed explanation of the financial report provided. Mr. Nerenberg responded that twenty-five percent (25%) per year profit goes back to CTUIR. Roughly half of that goes back into sustaining the building, the rest goes into the general fund. He stated that beyond this, would need to ask the Treasurer for further explanation. Thomas also asked who are on the board of directors and Mr. Nerenberg stated that besides himself as a non-voting member, he's not a liberty to divulge who the other members are but added that Cisco Minthorn in the Chairman of the board.
- Kola Thompson asked the BOT Treasurer for loss accrued or how it impacts this long-range plan we've been given. Under whose directive are these losses occurring. Mr. Nerenberg responded: any profits or losses are under my direct purview. I then report to a board of directors who can hire or fire the CEO Ms. Thompson also asked regarding the last slide entitled "Future Growth." Why are performing tribal members being let go and what are your plans to recruit and retain. Mr. Nerenberg responded that there are no performing tribal members being let go; nonperforming tribal members are let go. Mr. Nerenberg: 100% of tribal members that come on are performing.
- Chairman Watchman asked Billy to respond to a question from chat regarding types of leave provided for tribal members. Billy responded that several leaves are available for tribal members. Staff are allowed leave for General Council meetings.

Aaron Hines motion to approve report; Michael R Johnson seconds; motion passed by voice vote.

Mary Halfmoon motion to amend agenda removing wastewater treatment; second by Aaron Hines; motion passed by voice vote.

7. New Business

A. Council Member Concern Small Modular Nuclear Reactors

General Council member Cathy Sampson-Kruse presented information and a short video opposing small modular nuclear reactors. Small modular reactors won't achieve economies of manufacturing scale, won't be faster to construct, forego efficiency of vertical scaling, won't be cheaper, aren't suitable for remote or brownfield coal sites, still face very large security costs, will still be costly and slow to decommission, and still require liability insurance caps. Ms. Sampson-Kruse shared a 2021 letter from the CTUIR opposing the proposed Hanford Site SMNRD signed by CTUIR Chair Kat Brigham. This letter further requested consultation with Hanford to discuss this opposition. Next, Ms. Sampson-Kruse shared ATNI Resolution 19-10 entitled "Opposing Oregon Senate Bill 444 and any other new nuclear power plants in Oregon" which opposed Oregon Senate Bill 444 and supported the basic principle that new nuclear power plants must demonstrate the availability of a deep geologic repository for high-level waste before gaining approval and that ATNI has identified that nuclear waste often places a disproportionate pollution burden on tribal communities, and a county-level or city-level vote may not be the appropriate forum to address such challenges. After Cathy concluded her presentation, she made the following motions.

Motion by Cathy Sampson-Kruse:

We cannot greenwash the thousands of years the toxic waste will sit in many of our homelands, hear our sacred waterways or contaminate the air we breathe. With all that said, let's pass a motion to move forward to our governing Board of Trustees that strengthens the 2019 Affiliated Tribes of Northwest Indians (ATNI) opposing small modular nuclear reactors permanently.

Cathy Sampson-Kruse made the motion to move forward to the governing BOT the 2019 ATNI resolution opposing Small Modular Nuclear Reactors. Roberta Wilson seconded the motion. Cathy Sampson-Kruse stated that the Executive Director will work on how to strengthen that motion and ATNI is in September this year. Motion passed by voice vote with three abstaining.

Ms. Sampson-Kruse read into the record, verbiage from the ATNI resolution referred to:

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, *the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and*

WHEREAS, *ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and*

WHEREAS, *the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and*

WHEREAS, *since time immemorial, our economy, culture, religions, and way of life has been centered around our fishing, hunting, and gathering resources, and the lands and waters upon which they depend, and we have been and remain careful and conscientious stewards over them to ensure their continued health and well-being; and*

WHEREAS, *ATNI member Tribes depend on the natural resources of this region to sustain our way of life, rights to fish, hunt and gather, our economies, human health and fulfill our sacred obligation to protect our First Foods and our most precious natural resources, water; and*

WHEREAS, *ATNI member Tribes work tirelessly to protect tribal members health, safety, welfare, and futures both within and external to tribal reservations; and*

WHEREAS, *ATNI member Tribes recognize that, notwithstanding new smaller modular designs being developed in North America, all nuclear power requires nuclear fuel and generates nuclear waste; and*

WHEREAS, *uranium mining, nuclear power and nuclear weapons production, and nuclear waste disposal has occurred in areas within or in close proximity to tribal lands without significant input or consideration of tribal interests or rights; and*

WHEREAS, the nuclear fuel cycle poses significant risks to human safety, human health, sacred foods & medicines, homelands, waterways, and the air relied upon by ATNI tribes due to its long-lived toxicity.

THEREFORE, BE IT RESOLVED that the Affiliated Tribes of Northwest Indians opposes the development and deployment of any and all small modular nuclear reactors (SMNR's) in the Pacific Northwest.

Vote passed with the discussion that it be presented in the appropriate ATNI Committee to the floor at the Fall 2023 ATNI Conference.

Cathy Sampson-Kruse then made the following motion:

That a letter countering the misrepresentation by Bob Schuetz (CEO of Energy Northwest) at the June 6 Commission meeting before the Board of Commissioners of Clark County PUD where he falsely stated that our CTUIR was in favor of Small Modular Nuclear Reactors with a copy to ATNI and to include the CTUIR letter dated August 6, 2021 to Hanford Site Manager and the testimony to the Oregon Legislative assembly in Salem, Oregon on February 20, 2023 opposing HB2215.

Roberta Wilson seconded the motion.

Discussion: Aaron Hines curious what Cathy is stating is true, why didn't the tribe correct him? Cathy Sampson-Kruse responded that the tribe wasn't in the room; was the tribe not aware that those statements were made? My question was directed to the BOT and Chairman. Lindsey – I hadn't seen it as ex-officio on the board; motion on the floor.

Question was called for, two (2) ABSTAINED, Cami Lewis and Kathryn Burke; motion passed by voice vote.

B. Waste Water Treatment & Reuse Facility Update

Deferred.

C. Wellness Center Update

Kelly Angell, Managing Director, LPA presented via power point the CTUIR Wellness Center feasibility study summary. The presentation is available upon request. This Feasibility Study is a planning resource to identify and evaluate opportunities and constraints to develop a Wellness Center to provide services for Umatilla Indian Reservation Members.

Assumptions were informed by the following:

- Market Assessment
- Community & Stakeholder Engagement
- Project Tours
- Programming evaluation
- Assessment of potential sites
- Rough Order of Magnitude Cost Analysis
- Operational Analysis
- Financial Analysis

Ms. Angell reviewed the programming / project schedule and site studies. The Engagement Process which included the oversight committee meeting with focus groups, community workshops, stakeholder interviews, and an online survey. The SMS Survey results showed that out of five hundred forty seven (547) participants, the majority preferred the concept of a wellness/therapy/spa center to include an indoor pool; fitness center/gym; outdoor pool; and indoor sports court.

As part of her presentation, Ms. Angell shared the 2021 Community Health Assessment Report.

High blood pressure, asthma and pre-diabetes were the most commonly reported health conditions.

- 89% of respondents were overweight or obese.
- 79% experienced one or more stressor in the past year.
- More than half of respondents deal with stress, anxiety and depression with physical activity and by talking to someone they trust.
- More than half of respondents would like to see more parks and recreation areas, a wellness center, public swimming pools and shared outdoor spaces.

Her report continued with program scope, scenarios, and site options. Each site option is on lands already owned by the tribe; on the tribal water and sewer system; zoned appropriately for this purpose; on current or proposed pedestrian transportation network and have direct access to transit.

Her report concluded with the potential schedule with estimated construction initiated in 2025.

Tribal Member Questions and Comments

- Kathryn Burke X-2241 asked questions related to understanding target audience and locale for the medium. If you could tell me where that specifically is?

LPA responded the way service area is developed: the first area is the CTUIR, the second area is traveling 20 minutes or 30 minutes to visit the facility. Regional context of Pendleton and surrounding areas. That's how those two service areas are established. Revenues and expenditures are based on needs. Overlays market study and demographics. Membership primary; employee secondary; Wildhorse and other entities.

Ms. Burke's next question was in regards to vision; initially started out on wellness center. Further questions relating to the Community Health Assessment (CHA) LPA responded that the CHA wasn't a part of the feasibility study effort and would defer to Aaron Hines (YTHC CEO).

- Chairman asked Jeremy Wolf if he would like him to read his comment.
- Comment from email – Jeremy Wolf X-1184 read the comments sent by email before the General Council meeting:

"I concur with Althea's comments below. Additionally, have been informed that the likely placement of the proposed wellness center is at the old July Grounds.

With historical and current flooding and/or upwelling concerns, the most logical direction over time is to get all infrastructure out of all floodplains. The July Grounds was historically and prehistorically a seasonal gathering place so limiting infrastructure and returning our wetlands should be not only a Natural Resources goal but a Planning/Capital Improvement goal.

Additionally, would suggest it be tied to the casino hotel so that a small rate hike could cover O&M and make it cost effective. It could then be a world-class gym and another reason to stay at our resort all while keeping it free for use by Tribal Members.

The Wellness Center conceptually as a preventative healthy gathering place for tribal members and the community is something we supported even before we served on the BOT and certainly during. It's just need to take in all the perspectives of water, first food impacts and O & M.

I am curious which committee and commissions have had their chance to express their perspectives on this worthwhile effort?

Thank you for your time,

Comment from email: Althea Wolf, X-1196

Thank you for keeping us informed. I cannot make the meeting today, but wanted to share a comment for the record on item 7c regarding the Wellness Center.

Until Wildhorse Resort and Coyote Business Park have a greywater recycling system in place there should be no further development that will siphon from future generations groundwater. We are still using 5,000-year-old groundwater on our greens. I love golfing, but groundwater-use was frowned on when the golf course was proposed to the General Council over 20 years ago. The groundwater cost for the wellness center alone, during this climate crisis, is too much. We are not thinking of future generations at all if this is built. All development projects should include a "life cycle cost analysis" so everyone is informed of what the costs will be for future generations regarding funds and natural resources."

- Mary Halfmoon stated that she represents the elders as Chairman of Elders Advisory committee and asked how this facility going to be accessible to elders.
- Althea Wolf stated that groundwater cost for wellness center alone is too much. We're not thinking about our future generations if we go forward with this.
- Mary Liberty-Traughber asked if the team had taken into consideration gender neutral bathrooms; overlap with facilities at Yellowhawk. Aaron Hines responded that gender neutral; were a part of the focus meetings we had.
- Chairman Watchman asked about anticipated hours of operation. Hours of operation discussion. Quantities and costs are defined as part of that too.
- Kathryn Burke X-2241 stated that she served on the health commission for ten years and has been through this before; toured the Coeur d'Alene tribal wellness center and looked at their services. She further went on to say there's nothing wrong with it being a combination. There're opportunities such as employment; potential boys and girls clubs. There should be more folks involved. It's a great document. When Shawna and I were on the health commission and made the decision to move forward with a new clinic that was a huge responsibility, but we did it. Will there be another update at the General Council? Aaron Hines responded that it depends on where the work session with the Board of Trustees goes and what direction we receive from them.

Chairman Watchman stated that if there are further questions send to GC officers and we will forward.

8. Open Mic

Roberta Wilson asked about the work session that occurred with JD Tovey? Are non-Indians going to be allowed to move into the housing development?

Chairman Watchman responded that the work session had been done and the circumstances under which non-Indians would be considered as tenants for Timíne Way Apartments.

Ms. Wilson stated that she would not be in favor of any non-Indians in tribal housing. Tribal members should come first. If there's no housing for us, then what's the use of building.

Chairman Watchman stated that the Housing Commission has a special meeting tomorrow (Friday, July 21) at 1:00 PM and a link can be sent to Ms. Wilson to voice her concerns at the Housing Commission and will make sure your comment is in the record.

Jeanine Gordon announced that there will be a Pow Wow at Whitman college and the committee is looking for donations. It would be great if GC could budget donating or sponsoring a special over there. You could do that for multiple of our universities.

8. Announcements/Notes/Comments

Next meeting – August 17, 2023

9. Adjournment

Sally Kosey made a motion to adjourn seconded by Michelle Bratlie 5:29 PM; the motion carried and the meeting adjourned at 5:29 PM.

Respectfully submitted:

Shawna M. Shillal-Gavin, General Council Secretary

Approved: