

**RESOLUTION NO. 10,811**

**WHEREAS**, The Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon deems it appropriate to update and modify the Management Plan approved and adopted by Resolution Number 9070 on May 8, 1995; and,

**WHEREAS**, Updating is needed to reflect the present management structure and to define and clarify roles and responsibilities of all units within the Tribal Organization, and to clearly define the relationships, purposes, and responsibilities for internal Tribal policies; now, therefore,

**BE IT RESOLVED**, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(f), (1), and (s) of the Constitution and By-Laws, and Sections 4, 9, and 12 of the Corporate Charter that the Management Plan of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby approved and adopted; and,

**BE IT FURTHER RESOLVED**, Warm Springs Tribal Code Chapter 105 shall be updated to reflect necessary changes; and,

**BE IT FURTHER RESOLVED**, The Tribal Council hereby directs and authorizes the Secretary-Treasurer CEO to work closely with the Chief Operations Officer to complete a review and update of the Tribal Organization structure and complete any revisions for Tribal Council concurrence on or before December 1, 2007; and,

**BE IT FURTHER RESOLVED**, That Resolution Number 9070 is hereby rescinded.

**CERTIFICATION**

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal council is composed of 11 members, of whom 8 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 11<sup>th</sup> day of September, 2007 and that the foregoing resolution was passed by the affirmative vote of 7 members, the Chairman not voting, and that the

**ORIGINAL**

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said resolution has not been rescinded or amended in any way.

SEP 19 2007

NOTED:

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ACTING

Paul W. Young  
Superintendent

Attachment: Exhibit "A"

cc: Secretary-Treasurer  
Superintendent  
Administrative Services Center



Charles R. Calica  
Secretary-Treasurer

**WARM SPRINGS TRIBAL CODE**

**CHAPTER 105**

**THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF**

**OREGON**

**MANAGEMENT PLAN**

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**WARM SPRINGS TRIBAL CODE  
CHAPTER 105**

**THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF  
OREGON**

**MANAGEMENT PLAN**

**I. PREAMBLE**

The Confederated Tribes of the Warm Springs Reservation of Oregon is a unique sovereign governmental and corporate entity, which traces its existence in a direct and continuous line from the Treaty between the United States and the Tribes and Bands of Middle Oregon of June 25, 1855.

Pursuant to the provisions of the Indian Reorganization Act, the Confederated Tribes have adopted a Constitution, By-Laws and Corporate Charter. These organic documents set out the Tribal membership, objectives, powers and authority, and make provisions for a Tribal Council to act on behalf of the membership to carry out Tribal goals. They represent the policies of the membership and provide specific delegation of governmental powers from the general membership to the Tribal Council.

The development of the tribal government and enterprises has expanded markedly over more recent decades. Although the Tribal Council has direct responsibility for all Tribal operations, by virtue of the wide range of activities which are the responsibility of the Tribal Council, it is necessary for the orderly operation of the tribes to provide for delegation of certain functions to others within the Tribal organization, subject to the overall direction by the Tribal Council.

The Tribal Council has followed the practice of separating the governing policy-making function from the executive and operational functions necessary to carry out policy. To accomplish this separation the Council has retained the policy-making role and has delegated broad executive and operational responsibility to the operating units of the Tribal Organization to carry out the policies.

It has also been the policy of the Tribal Council to provide formal delegations of authority to the Tribal Organization through a management plan, which provides formal instructions and guidelines of the Tribal Council for the Tribal Organization.

**II. PURPOSE**

The purpose of this Plan is to define and give clarity to relationships, roles and responsibility of the different units within the Tribal Organization; and to clearly define the relationship between purpose of and responsibility for the internal Tribal policies. It is expected to support and facilitate a strong stable and effective Tribal Government and Corporate organization. This Plan replaces and supersedes the Management Plan of the Confederated Tribes which was adopted May 8, 1995 pursuant to Tribal Council Resolution Number 9070.

### III. AUTHORITY

Authority for this Plan is contained within Article V, Section 1 (f), (1, (o) and (s) of the Constitution and By-laws, and Sections 4, 9 and 12 of the Corporate Charter

### IV. TRIBAL GOVERNMENT ORGANIZATION OF ROLES

The Tribal Government's organization of the Confederated Tribes of the Warm Springs Reservation of Oregon consists of the voting membership, Tribal Council and all subordinate boards, committees, officials, employees, organizations and enterprises chartered or appointed by the Tribal Council in accordance with the Constitution and/or the Corporate Charter.

Management of the affairs of the Confederated Tribes is the responsibility of the Tribal Council. The Tribal Council has provided for the following roles, within the organization:

- (1) **Policy and legislation.** The role of the Tribal Council in management shall be to charter subordinate organizations, establish goals and adopt legislation for the reservation and the organization. Legislative acts shall be adopted by resolution or enacted by ordinance as provided within the Constitution.
- (2) **Subordinate Organizations.** In order to apply maximum management attention and skills to important tribal goals, the Tribal Council shall charter subordinate organizations as authorized by the membership, pursuant to the Constitution and Corporate Charter, for major economic ventures, cultural matters and other important matters for which such subordinate organization are appropriate. Such organizations shall be managed in accordance with their respective charters.
- (3) **Tribal Council Committees.** In order to ensure maximum participation from the community in Tribal Government, and continuity of knowledge of Tribal affairs on the part of Tribal Members, the Tribal Council shall establish such committees as it deems appropriate for both general and specific purposes. The Secretary-Treasurer shall prepare charters for such committees for adoption by the Tribal Council. Membership on Committees shall be by appointment of the Tribal Council. Committees shall report to, and serve at the pleasure of, the Tribal Council as prescribed in applicable Tribal codes and ordinances.
- (4) **Tribal Court.** In the exercise of the sovereign powers of the Confederated Tribes and pursuant to its authority under Article V, Section 1 of the Constitution, the Tribal Council has established the Warm Springs Reservation Tribal Court and Appellate Court. Judges of the Tribal Court and Appellate Court are selected by the Tribal Council and may be continued in, or removed from, office by the Tribal Council.
- (5) **Executive and Operational Management.** In order to clearly separate the governing and operational duties of the Tribal Council and to ensure a strong and stable Tribal organization to carry out Tribal Government operations, the Tribal Council shall appoint:
  - (a) Secretary-Treasurer/Chief Executive Officer (CEO) who shall have the responsibility to implement the legislative actions and assignments of the Tribal

Council, and to carry out those duties outlined by the Tribal Constitution, Corporate Charter and other organic policy documents.

- b) Chief Operating Officer who shall work under the leadership of the Secretary-Treasurer/CEO will be responsible for the day-to-day operation of programs and services provided by Tribal government.

**(6) Authorities of the Secretary-Treasurer/Chief Executive Officer (CEO).**

The Secretary-Treasurer/CEO is an Officer of the Council as provided for in the Tribal Constitution Article IV, Section 11; Article 1 Section 3 of the By-laws and, by reference, the Corporate Charter, Sections 4 and 9. who shall have the responsibility to implement the legislative actions of the Tribal Council, the Secretary-Treasurer/Chief Executive Officer is hereby delegated the authority to:

- (a) Exercise responsibilities as provided by the Constitution and By Laws, Corporate Charter and other ordinances and resolutions and other directions of the Tribal Council.
- (b) To represent the Confederated Tribes by signature, title and person.
- (c) To review, evaluate, set standards and audit the fiscal affairs of all subordinate boards, committees, enterprises and cooperative associations of the Confederated Tribes. To determine the applicability of Tribal laws and policies to such subordinate organizations and the Tribal Courts. To report to the Tribal Council all matters of concern related to such organizations.
- (d) To exercise direct line authority over all work units reporting to the Secretary-Treasurer / CEO and to determine the overall organization structure and positions necessary to carry out assigned functions and responsibilities in the most effective manner.
- (e) To hire, train, promote, assign, compensate, discipline and discharge employees, and to develop future leaders and managers. To fully implement the Tribal Member Preference Policy pursuant to Resolution No. 8363 dated January 24, 1992, and Resolution No. 8363A dated November 12, 1992, and to assure that the Tribal Organization develops an Affirmative Action Plan.
- (f) To charter subordinate work units and positions to carry out all assigned functions, to establish the responsibility of such units along with the authority, and to hold subordinates accountable.
- (g) To provide overall executive policy direction to all tribal operations to ensure appropriate use of tribal assets and resources, to expend funds, negotiate and execute contracts and agreements, create depositories and establish checking accounts, approve and regulate contracts, and determine operational priorities.
- (h) To codify all legislative acts of the Tribal Council within the Tribal Code. To maintain the Tribal Code through the review and interpretation of the policies of

the Tribal Council and to recommend changes as may be required by changing conditions or to better address Tribal goals.

- (i) To exercise emergency authority to protect life, property, the reputation and integrity of the Confederated Tribes.
- (j) To monitor and report on all internal and external matters, including the provision of services by other governments, which impact the Confederated Tribes, and to develop and implement plans and strategies to protect tribal sovereignty, treaty interests and achieve tribal goals.
- (k) To implement the legislative policies of the Tribal Council. To promulgate regulations as necessary to regulate the affairs of the Tribes and to carry out the foregoing responsibilities, and to establish standards for the conduct of Tribal business.
- (l) To take action, when necessary, in the absence of formal policy, to promote and protect the interests of the Confederated Tribes.

**(7) Authorities of the Chief Operations Officer**

Provide overall management of those services which maintain, improve, and protect the natural resources, population, self-reliance and the living environment of the reservation; to enforce all laws and ordinances of the Confederated Tribes and prosecute offenders, and coordinate and integrate all programs within the Tribal Organization with other governments and agencies. Responsibility and authority for these functions are vested in the Chief Operations Officer who is appointed by and reports to the Tribal Council, through the Secretary-Treasurer / CEO

Authority and Responsibility:

- (a) Possess total line and staff authority over all assigned functions which include, but, are not limited to:
  - (1) hiring, training, advancement and firing of subordinates;
  - (2) delegations of responsibility and authority establish and maintain standards for service delivery and customer satisfaction;
  - (3) appointment of persons to act in his behalf;
  - (4) designation of persons to special assignments or projects;
  - (5) determination of operational priorities, evaluation of services and realignment of organization and resources to best provide services; enforcement of policies and performance standards as provided by ordinances, resolutions and directives; and preparation, recommendation and administration of operating budgets and plans.
- (b) Initiate and adopt operating policy and procedures in areas of responsibility, provided that these shall conform to Tribal Council adopted policy.
- (c) Administer the expenditure of funds as assigned by the Secretary-Treasurer / CEO pursuant to Budget Ordinance and/or resolutions.



- (d) Negotiate and execute contracts as directed and authorized by the Tribal Council or the Secretary-Treasurer / CEO which are \$500,000 or less.
- (e) Recommend to the Secretary-Treasurer / CEO for signature contracts and agreements which are:
  - 1. \$500,000 or more, pursuant to tribal budget and part of a continuing program without substantial change, provided all these conditions are met; and/or agreements for services with external agencies except those which constitute a government-to-government relationship.
  - 2. Cause the creation and modification of functional units, delegate necessary authority and hold persons responsible and accountable to deliver services, as provided by Tribal Council adopted policy, priorities and tribal budget and grant/contract terms.
- (f) Represent the tribe by signature, title and person when properly authorized.
- (g) Emergency authority to protect life, health and property, provided any exercise shall be fully reported to the Secretary-Treasurer / CEO and the Tribal Council at the earliest date.
- (h) Regulate tribal property assigned to areas of responsibilities.
- (i) Actively monitor and recommend governing policy and legislative strategy to the Tribal Council through the Secretary-Treasurer / CEO.
- (j) Develop forecasts of community service needs and prepare strategies, work plans and schedules for meaningful and timely responses.
- (k) Administer the coordinated management, protection and development of human, natural and economic resources and physical structures with the specific exclusion of BIA and IHS trust responsibilities.

## V. TRIBAL POLICIES

The policies of the Tribal organization shall be separated into six levels and maintained in good order as follows:

- (1) **Tribal Organic Documents.** The organic documents of the Confederated Tribes include the Constitution and By Laws and the Corporate Charter, established by the membership. These documents set out the policies of the membership and confer governing powers to the Tribal Council.
- (2) **Tribal Statutes.** Laws or acts of the Tribe adopted by resolution or enacted by ordinance of the Tribal Council.
- (3) **Tribal Code.** A facilitating document containing, in subject matter order, the current

laws of the Tribal Council.

- (4) **Tribal Regulations.** Temporary Policies and Rules established by the Tribal Council to regulate activities on or near the Reservation, such as, Annual Fishing and Hunting Regulations.
- (5) **Administrative Rules.** Operating standards and procedures set forth to ensure the implementation of programs and services in accordance with Tribal laws and regulations.
- (6) **Tribal Department Manuals and Charters.** Procedures and guidelines established within work units to guide the day-to-day operations. Included are forms and information to facilitate efficient operations.

## VI. RESPONSIBILITY

It shall be the responsibility of the Tribal Council and all subordinate Tribal Organizations, officials and employees to uphold the Tribal policies, and to promote the goals and strategies of the Tribal Organization and; to observe ethical conduct which promotes tribal values.

## VII. TRIBAL GOALS AND STRATEGIES

The Tribal Council has identified the following missions, goals and strategies to guide the actions and expectations of all Tribal Organizations:

- (1) **Tribal Government Mission.** The government of the Confederated Tribes is charged with securing and protecting the perpetual health and prosperity of the Confederated Tribes. The tribal government fulfills this mission by:
  - (a) Preserving and strengthening the sovereign status of the Confederated Tribes,
  - (b) Protecting the treaty and legal rights and interests of the Confederated Tribes,
  - (c) Creating a community and economic environment which affords every member of the Confederated Tribes the opportunity to attain good health, self-sufficiency, pride and self-esteem.
- (2) **Tribal Government Goals and Strategies.** Every organization of the Confederated Tribes is expected to contribute to this mission and to the following goals and strategies:
  - (a) **Maintain political -governmental support for the interests of the Confederated Tribes.**

To accomplish this goal we will develop good relations with surrounding communities and governments, continue to contribute to the economic, cultural and social well being of the region and local area and become a full and active participant with other alliances, regional governments and the Federal government.

- (b) **Increase and maintain tribal government and economic self-sufficiency.**

To accomplish this goal we will assume greater and more timely responsibility for the delivery of governmental services. We will develop and maintain the ability to manage and direct all aspects of tribal government and enterprises, with particular emphasis on developing future leaders of the Confederated Tribes.

We will protect and expand the resource base of the Tribes and develop a strong reservation economy that provides consumer goods and services, nongovernmental jobs and income and a diversified source of revenue to support our community.

At the same time, we will maintain a fair share of governmental services and funds flowing into the reservation and continue to hold the Federal government accountable for fulfilling its trust responsibilities to the Confederated Tribes.

**(c) Develop and enhance the well-being and self-reliance of individual members of the Confederated Tribes.**

To accomplish this goal we will ensure that quality health and education services are available to every member of the Confederated Tribes. We will protect the safety and property of residents and expand tribal enterprises and private businesses so that there are job opportunities for all members of the Tribes.

We will continue to combat substance abuse and to support effective programs for community involvement, treatment, prevention and education in this area. Family safety and security must be preserved and ensured by the prosecutions of offenders.

At the same time we provide these services and opportunities, we will reduce dependency on tribal government by continuing to return responsibility to families, individuals and community groups to ensure that the tribal government does not displace the roles and responsibility that rightfully belongs to the community and individuals.

**(d) Provide a strong sense of identity for members of the Confederated Tribes.**

To achieve this goal we will work to preserve and strengthen the traditions and values of the Confederated Tribes. In doing so, we will encourage traditional leaders, families, community groups and volunteer organizations to take leadership in maintaining and passing on traditions and values.

**(3) Community Development Strategy.** Tribal government services and program are directed at developing a community in which:

- (a)** People take responsibility for their actions.
- (b)** The community sets standards of conduct and is an active partner with tribal institutions and organizations in solving problems and implementing remedies.
- (c)** Traditions and cultural practices are maintained and passed on by families, traditional leaders, community groups and volunteers.
- (d)** People respect each other's property.

- (e) People deal with each other and resolve problems and differences on a positive basis, with positive results.
  - (f) Every member feels useful and capable and has a sense of pride and belonging.
  - (g) The tribal government helps those in need, provides services that individuals cannot provide for themselves, but does not assume responsibilities that should belong to the individual, the family or the community, or allow people to become permanently dependent on the tribal government.
- (4) **Organization Development Strategy.** The Confederated Tribes will develop strong, effective organizations to achieve our goals, and that our employees are proud to be a part of and our community is proud to support. We expect all of our organizations to:
- (a) Value and be responsive to the people they serve.
  - (b) Earn the respect of the community through timely and effective communication and consultation.
  - (c) Reinforce the values, goals and expectations of the Confederated Tribes.
  - (d) Value honesty, ethics, integrity and meeting commitments.
  - (e) Provide good role models for our young people.
  - (f) Advance employees on the basis of hard work, dependability, effective performance, accomplishments and learning.
  - (g) Value and reward team work, cooperation, sharing of resources and information, support for team decisions and effective resolution of problems.
  - (h) Encourage and motivate employees to reach their full capability.
  - (i) Apply resources wisely and demonstrate concern for cost effectiveness, productivity and measurable results

#### **VIII. STANDARDS (RESERVED)**

(The Secretary-Treasurer/Chief Executive Officer shall recommend standards for incorporation herein by which the Tribal Council can measure its progress towards established Tribal goals.)

#### **IX. OPERATING POLICIES**

The Tribal Council, in delegating operating authority to the Tribal Organization, establishes the following policies to be followed in the conduct of Tribal business:

- (1) **Administrative Rules.** The Secretary-Treasurer/Chief Executive Officer shall order, in writing, such administrative rules as shall be necessary to carry out the responsibilities

and functions and to implement policies, resolutions, ordinances and other assignments of the Tribal Council. The Tribal Council expects that all Administrative Rules and regulations shall:

- (a) Be codified within the “Administrative Rules of the Confederated Tribes of the Warm Springs Reservation of Oregon.”
  - (b) Be promulgated with full consideration to maximum input from all affected parties to ensure broadest possible team work, involvement and advice in their development. Accordingly, the Secretary-Treasurer/Chief Executive Officer shall be expected to invite participation by employees, committees, subordinate organizations, community members, businesses and other governments as deemed appropriate.
  - (c) Be consistent with and shall include by reference necessary provisions of all applicable tribal and federal laws and regulations.
  - (d) Be provided to all effected parties and to the Tribal Council in draft, for a period of comment of not less than 30 days prior to enactment. The Secretary-Treasurer/Chief Executive Officer shall provide instructions on how to submit comment and shall give consideration to all comments so submitted.
  - (e) Be provided, following their promulgation, to the Tribal Council, all affected parties and all holders of Tribal Administrative rules. Notice of such rules shall be provided to all employees.
- (1) shall include at a minimum:
    - (1) a clear statement of purpose of the document enacted,
    - (2) designation of the official within the organization responsible for implementation of the guidelines, rules or procedures so enacted, (3) a requirement that the document be reviewed not less than once each year by the responsible official, with recommendations for changes where needed to meet changing circumstances, provided further, that,
    - (4) charters for subordinate work units shall incorporate at a minimum; (i) a clear statement of purpose for the work unit, (ii) the values by which the efforts of the work unit are to be guided, (iii) the specific areas for which the work unit is accountable, and (iv) the standards against which performance of the work unit will be measured.
  - (2) **Organization Structure.** (See Organization Charts, Attachment A)

In order to ensure that employees and the public are informed about the Tribal organization structure, the Secretary-Treasurer/Chief Executive Officer shall publish the Organization Structure of the Tribal Organization at the beginning of each calendar year and at such other times as any material changes in the structure shall occur. To the maximum extent possible, the Tribal Council shall be notified of the change in the organizational structure at least 30 days in advance of any material change being implemented.

For purposes of publication, the organization Structure shall include the names of all work units, key positions and total authorized positions for each work unit, the delegated functions and responsibilities to be carried on by each work unit and the lines of authority and accountability.

In establishing the Organization Structure it is the expectation of the Tribal Council that the Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer seek the following organizational goals:

- (a) The organization should be timely and responsive to the people it serves.
  - (b) The organization should have clear lines of accountability and responsibility.
  - (c) The organization should make efficient use of all human and financial resources, integrate programs and services, have effective coordination and avoid duplication.
  - (d) The organization should be proactive, and should process all decisions, authorizations, transactions and services timely, effectively and efficiently.
  - (e) The organization should focus resources on direct delivery of services, avoiding unnecessary layers of administration, management and/or burdensome processing requirements.
  - (1) The organization should be structured consistent with purpose, functions and goals.
- (3) **Employment.** The Tribal Council shall appoint the Secretary-Treasurer/Chief Executive Officer, Chief Operating Officer, and Chief Judge who shall appoint all other employees falling within their respective jurisdiction.

All employment related matters shall be regulated by the personnel guidelines enacted by the Tribal Council and Secretary-Treasurer/Chief Executive Officer. In establishing or recommending guidelines, the Secretary-Treasurer/Chief Executive Officer shall consider the following expectations of the Tribal Council;

- (a) **Continuous employment** of all employees of the Tribal organization shall be subject to the availability of funds and to the continuation of the positions in which employees are employed.
- (b) **Advertising of positions.** All vacant or newly created positions shall be advertised within local newspapers and posted in a conspicuous place in the Tribal place of business for a period of not less than seven calendar days and all applicants shall be provided fair consideration for employment before appointments to any position are made. Provided that the Secretary-Treasurer/Chief Executive Officer or Chief Operating officer may waive these requirements for short term temporary employment, in emergencies and otherwise as deemed appropriate in the circumstances.

- (c) **Qualifications.** In making appointments, the qualifications and experience of the individual, past work record, attitude and suitability for the positions shall be considered important hiring factors. Effective performance and accomplishments shall be the principal expectations of the Tribal Council for all employees.
  - (d) **Equal Opportunity and Indian Preference.** Equal opportunity in employment shall be practiced by the organization in all hiring; provided, that members of the Confederated Tribes, persons who are married to Tribal Members and other Indians, respectively, shall have preference in hiring, when all other qualifications are equal and all requirements for positions are met; provided further, that employment with the Confederated Tribes is considered a privilege, not a right.
  - (e) **Affirmative Action programs.** The Secretary-Treasurer/Chief Executive Officer and Chief Operating officer are authorized to operate affirmative action programs to provide for the recruitment, placement, employment, development and advancement of Tribal Members, within available funds and tribally funded projects.
  - (f) **Disputes and Grievances.** Any disputes or grievances arising from employment of individuals shall be settled in accordance with the Tribes Personnel Policy, applicable federal policies, judicial and and/or formal administrative rulings.
- (4) **Compensation and Benefits.** The Tribal Council shall negotiate the compensation of the Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer.

Compensation ranges for all other positions shall be established by the Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer for their respective areas, in accordance with the Tribes Salary program and provided:

- (a) No benefit plans may obligate the Tribe to contribute in the future for benefits earned currently. All benefits are to be paid or contributed as earned.
  - (b) Increases of compensation within established ranges shall be based on performance.
  - (c) All Compensation ranges shall be reviewed not less than three year intervals to ensure they remain consistent with the market.
  - (d) The Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer shall maintain a plan of compensation for employees of the Tribe, which shall set out uniform guidelines to ensure fair and consistent administration of compensation.
- (5) **Fiscal Management.** The Secretary-Treasurer/Chief Executive Officer shall establish Administrative Rules to provide for the effective administration of all fiscal matters of the Tribe, including, implementation and management of budgets, accounting and information systems, receipts and depositories, expenditures and disbursements, procurement, property management and tribal records.

In providing for the effective fiscal management of the Tribes, the Tribal Council expects that the Secretary-Treasurer/Chief Executive Officer shall ensure that system are effective and;

- (a) Conform to all applicable federal and Tribal laws,
  - (b) Are consistent with generally accepted principles for the discipline involved and
  - (c) Are maintained consistent with the current state of the art.
- (6) **Audits.** The Secretary-Treasurer/Chief Executive Officer shall engage a firm of independent Certified Public Accountants at the end of each calendar year to make an annual audit of the books, records, financial statements and procedures of the Confederated Tribes.

The audit shall include an auditors report on financial statements, internal control and such other requirements as Federal or other contractual obligations shall require. Such audit shall include all subordinate organizations, including chartered business operations.

The auditors report shall be addressed to the Secretary-Treasurer/Chief Executive Officer and the Chairman of the Tribal Council and copies provided each member of the Tribal Council. Such reports shall be made available for viewing by the members of the Confederated Tribes at the Tribal place of business.

The Secretary-Treasurer/Chief Executive Officer shall be authorized to call for such other audits and reviews as considered necessary to ensure the protection of Tribal interests and policy compliance, provided that the Tribal Council be briefed at the earliest opportunity.

- (7) **Bonding and Insurance.** A fidelity bond shall be purchased which shall insure the Tribe from loss due to employee dishonesty or theft.

Insurance of other forms and types, including adequate fire and liability coverage on all tribal operations, shall be purchased in amounts determined appropriate by the Secretary-Treasurer/Chief Executive Officer to protect the interests of the Tribe.

- (8) **Professionalism in Operations.** It shall be the responsibility of the Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer to represent the Tribe in a highly professional and ethical manner and to ensure that all employees of the Tribe conduct themselves accordingly.

The Tribal Council expects all employees to work efficiently and cooperatively with others. All activities of the Tribal organization are to be carried out in a highly legal, ethical and professional manner.

- (9) **Legal Requirements.** It shall be the responsibility of the Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer to ensure that all legally required reports, payments, withholdings, and other actions are made on a timely basis and that all policies and procedures conform to all pertinent laws and regulations.



- (10) **Reports.** The Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer shall ensure that effective reporting of all Tribal activities is made to the Tribal Council and the members of the Confederated Tribes.
- (11) **Fair and Equal Access to Services.** The Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer shall establish procedures to ensure that all members of the Confederated Tribes are afforded fair and equal access to services offered by the Tribal Organization.
- (12) **Business Operations.** All Tribal Business Operations shall strive to operate on a profit making basis. Subsidies to offset losses from business operations may not be made unless recommended by the Secretary-Treasurer/Chief Executive Officer and authorized by the Tribal Council. The Tribal Council shall be notified in advance of any anticipated losses through the Secretary-Treasurer/Chief Executive Officer.

The Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer shall seek out business opportunities for the Tribe and shall jointly recommend economic ventures which are economically feasible and which are consistent with the goals and values of the Confederated Tribes. When recommending such ventures, the recommending officer(s) shall provide recommended management plans and pro-forma financial statements, as well as, market information, fixed and variable costs and other information necessary for effective evaluation of the proposed venture. No venture may be undertaken unless authorized by the Tribal Council.

Business operations shall include all enterprises and internal services of the Confederated Tribes.

Business plans shall be prepared and filed with the Office of the Secretary-Treasurer to establish five-year strategic directions, business projections and financial forecasts to aid Tribal Council to ensure the Tribes economic vitality and viability.

Budgets for all business operations shall be prepared for each calendar year and shall contain provisions for estimated income, expenses, profits, capital investments and other information pertinent to evaluating the proposed operation for the coming year.

For business operations which are chartered and managed by boards of directors or commissions, budgets shall be approved by such boards and submitted to the Secretary-Treasurer/Chief Executive Officer before December 1 of each year for the succeeding calendar year.

The Secretary-Treasurer/Chief Executive Officer with concurrence of the Tribal Council may approve budgets for all other business operations, and shall submit such budgets to the Tribal Council and the Superintendent of the Bureau of Indian Affairs not later than December 1, for the succeeding calendar year.

In the event that business operations require subsidy in the form of appropriation, then such budget shall be submitted to the Tribal Council not later than September 1 for the succeeding calendar year.

Approved Capital expenditures may be made in accordance with plans of operations and within the limitations of available resources.

All tribal business operations shall submit monthly financial statements in such form as shall be required by the Secretary-Treasurer/Chief Executive Officer.

The Secretary-Treasurer/Chief Executive Officer shall recommend levels of cash, retained earnings and reserves to be maintained within business operations. All excess cash shall be transferred to the General Fund of the Tribe or invested in a means that is approved by the Tribal Council and be subject to periodic audits and reporting.

Plans of Operations shall be reviewed and recommended by the Secretary-Treasurer/Chief Executive Officer for all tribal business operations, which shall include business purpose, management authority, benchmarks and special operating conditions for the operation.

(13) **Real Property Management.** Real property is managed by the Tribal Council and administered by the Bureau of Indian Affairs, Branch of Realty. The Secretary-Treasurer/Chief Executive Officer shall monitor the activities of the BIA and coordinate on behalf of the Tribal Council.

(14) **Public Relations.** Building and maintaining good public relations is the duty of every Tribal Council member, employee and all delegates appointed by the Tribal Council.

The Secretary-Treasurer/Chief Executive Officer and Chief Operating Officer are responsible for effective day-to-day relations with the public and news media, as well as other governments.

(15) **Intergovernmental Coordination.** Coordination of activities and communication with the Bureau of Indian Affairs, Indian Health Service and other agencies, and the State of Oregon shall be the responsibility of the Secretary-Treasurer/Chief Executive Officer.

(16) **Legal Counsel.** The Tribal Council shall select legal counsel to represent the Confederated Tribes and to assist the organization in legal matters, subject to approval by the Secretary of Interior. The Secretary-Treasurer/Chief Executive Officer shall execute approved contracts with legal counsel, and coordinate services.

(17) **Contracts with Federal, State and Other Governments.** The Tribal Council shall approve all contracts with Federal, State and other governments. The Secretary-Treasurer/Chief Executive Officer shall seek, negotiate, execute, and modify and amend such contracts as necessary to carry out the intent of the Tribal Council.

(18) **Borrowing.** The Secretary-Treasurer/Chief Executive Officer shall execute notes, mortgages, bonds and other borrowing which have been authorized by the Tribal Council.

## X. IMPLEMENTATION

This Management Plan shall be effective as of the date adopted by the Tribal Council.

The Secretary-Treasurer/Chief Executive Officer and Chief Operating officer shall take all necessary actions to implement the provisions of this plan.

## **XI. REVIEW AND AMENDMENT**

It is the expectation of the Tribal Council that the growth and development of the Confederated Tribes will require frequent modification to reflect changing conditions. Therefore, it shall be the policy of the Tribal Council to review the Plan frequently, but no less than once a year.

The Secretary-Treasurer/Chief Executive Officer shall review this plan each year and shall make recommendations for changes necessary to meet tribal goals.

Amendments to this Management Plan may be made by the Tribal Council. Subject to the approval of the Secretary of Interior or an authorized representative.