

**RESOLUTION NO. 9566A**

**WHEREAS,** The Tribal Council is the governing body of the Confederated Tribes of the Warm Springs Reservation of Oregon; and,

**WHEREAS,** The Tribal Council seeks to involve Tribal members in the Tribal legislative, policy-making and policy oversight process through their appointment to various Tribal Council Committees; and,

**WHEREAS,** Although the Tribal Management Plan delegates day-to-day program operational authority and responsibility exclusively to Tribal Executives, Tribal Council Committee's fulfill an important function in the Tribal policy-making system by gathering information from Warm Springs community members and by making recommendations to the Tribal Council to promote the welfare of the reservation; and,

**WHEREAS,** The Tribal Council appoints Tribal Members and others to serve on Tribal Council Committees and, as such, Tribal Council Committee appointees serve at the pleasure of the Tribal Council; and,

**WHEREAS,** The Tribal Council has, from time to time, established policies and procedures to guide the appointees to Tribal Council Committees in their service to the Confederated Tribes, now; therefore,

**BE IT RESOLVED,** By the Twenty-First Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (s) of the Tribal Constitution and By-Laws, as amended, that the "Tribal Council Legislative Committees - Policies and Procedures Manual Handbook" attached hereto is hereby approved and adopted to govern the affairs of all Tribal Council Committees and all Committee appointees while serving in that capacity; and,

**BE IT FURTHER RESOLVED,** That these policies and procedures shall replace and supersede all policies and procedures heretofore adopted; and,

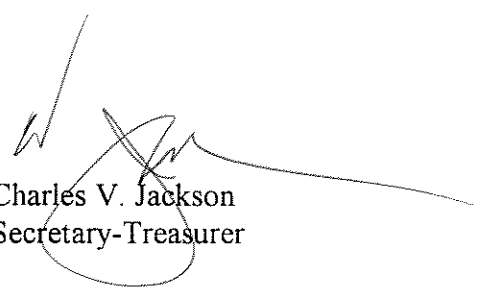
**BE IT FURTHER RESOLVED,** That these policies and procedures shall be strictly followed and shall remain in full force and effect until rescinded or amended by Tribal Council Resolution .



**RESOLUTION NO. 9566A**  
**PAGE TWO OF TWO**

**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 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 16th day of September, 1998; and that the foregoing resolution was passed by the affirmative vote of 4 members, 1 member abstaining and the Chairman not voting; and that said resolution has not been rescinded or amended in any way.



Charles V. Jackson  
Secretary-Treasurer

NOTED:



Gordon E. Cannon  
Superintendent

OCT - 7 1998

cc: Secretary-Treasurer  
Superintendent  
Administrative Service Center

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3/16/07

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

**RESOLUTION NO. 9566A  
SEPTEMBER 16, 1998**

**TRIBAL COUNCIL LEGISLATIVE COMMITTEES**

**Policies and Procedures Manual Handbook**

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## I. Introduction

This manual is made to be used as a working document and should assist Tribal Council Legislative Committees make decisions based on their best judgement and initiative. It is intended to help accomplish defined missions. Total Quality Management (TQM), goals and priorities in a consistent manner. The policy statements are more general but should provide enough guidance for committees to exercise reasonable initiative and judgement. They should make decision making an easier and enjoyable process. The procedures are intended as examples that give more specific situation comparisons with which to make final determinations. It is intended that committees use this manual as a working tool and help improve upon when ever possible.

These policies and procedures shall apply specifically to the Tribal Council Legislative Committees: Education; health and Welfare; Culture and Heritage; Land Use - Planning; Timber; Fish and Wildlife - On Reservation; Fish and Wildlife - Off Reservation; Range, Irrigation and Agriculture.

## II. Committee Membership/ Appointment

### A. Membership

The Tribal Council will seek Legislative Committee members who are sincere, dedicated and committed to serving and working hard for the Tribal Council. The Tribal Council sees Legislative Committee's as a way to get tribal members involved as in integral part of the policy making process. This is an important method in which tribal members can help make tribal government responsive. It also provides the Tribal Council with a way to get advice from knowledgeable and experienced tribal members.

### B. Qualifications

The Tribal Council will select tribal members that;

- 1.0 Can dedicate the time necessary
- 2.0 Have knowledge and understanding of the Tribes' major documents.
- 3.0 Can demonstrate understanding and acknowledge base of the specific committee responsibilities in which they will serve.
- 4.0 Have positive human relations skills and the ability to follow directions, be a team player, and meet timelines.
- 5.0 Can write reports and verbally explain committee actions and activities.

### C. Eligibility

Any tribal member twenty-one (21) years of age and older can serve on a Legislative Committee, unless any of the following conditions exist:

- 1.0 If convicted of a major crime.
- 2.0 If employed, the candidates immediate supervisor must provide written agreement.
- 3.0 If next of kins is on the committee. Next of kin is defined as mother, father, husband, wife, brother, sister, son, daughter, **common law spouse**.

D. Nomination

There are three (3) methods in which one can acquire Legislative Committee membership:

- 1.0 Fill out an application sheet and attach a personal resume.
- 2.0 Can be re-appointed to serve an additional term.
- 3.0 Can be recruited by the Tribal Council and agree to submit an application and resume.

E. Selection

The TRIBAL COUNCIL shall appoint committee's by secret ballot.

E.1 Before an employee can apply, be re-appointed, or accept nomination to a committee (s)he must reach an agreement with their supervisor/general manager that addresses their job performance/duties..

F. TERM of OFFICE

Members selected will serve within a three year term concurrent with the term of the seated Tribal Council, plus an additional 60 days after a new Tribal Council is seated in order that a smooth continuity and transition can take place.

G. VACANCY

When vacancies occur they will be filled from the alternate list in the order the names are listed. The candidate must confirm their willingness to serve for the remainder of that term.

H. APPOINTMENT

A Legislative Committee membership request will be posted and published by Tribal Council at least thirty (30) days prior to appointment. Appointments will be made within sixty (60) days after the new Tribal Council is seated.

### **III. OPERATIONAL POLICIES/PROCEDURES**

A. Responsibility

1.0 Policy: Notebook

1.1 Committees will develop and maintain a notebook to keep its membership informed and updated. Examples of notebook materials are: budget, Tribal Council goals.

1.2 Procedure: Development and maintenance of notebook will be initiated upon passing of a motion in committee for the secretary to order and purchase materials. The notebook once completed will be adopted by Committee action.



2.0 Policy: Calendar

2.1 The committee will develop a calendar that projects committee activities three months in advance. As each month passes, an additional month will be included. Examples of committee activities are: regularly scheduled meetings, special events, inter-committee meetings, Tribal Council meetings, budget calendar, meetings and activities with outside groups, major conferences and workshops, media release dates, meetings with management, project schedules.

2.2 Procedure: The calendar will be developed and maintained by the committee secretary and presented to the committee for update, additions, alterations, etc. The calendar will be approved upon committee action in the months of January, April, July, & October.

3.0 Policy: Meeting Resumes

3.1 Resumes of committee meetings will be maintained and kept current. Resumes will include all motions, major decisions and the attendance roster.

3.2 Procedure: Committees will review meeting resumes and have the secretary insert them into the notebook as they occur.

4.0 Policy: Travel Authorization (TA) Request

4.1 Travel Authorization requests and approval will be the committee's responsibility, and forwarded to Tribal Council for information include the names of those seeking authorization, informational material. When their funds are exhausted they may submit requests to Tribal Council to review as deemed necessary.

4.1.1 When Tribal council is in attendance of a major conference or workshop, they will use their discretion as to which committees or committee members need to attend the meeting/activity.

4.2 Procedure: Travel authorization requests will require approval through committee motion and action. Travel authorization must be completed two weeks prior to scheduled activity.

4.3 Procedure: From time to time there may arise emergency situations that the Committee should go ahead and use their discretion, and authorize travel and return and request a reimbursement.

- 5.0 Policy: Attendance
- 5.1 Committee members will be expected to attend 75% of all regularly scheduled meetings and all orientation sessions designated by Tribal Council.
- 5.2 Procedure: Attendance will be recorded by the committee secretary at all regularly scheduled meetings, and attendance will be taken at all orientation sessions.
- 6.0 Policy: Conduct of Meetings
- 6.1 Committee meeting will be conducted in an orderly and efficient manner following a printed meeting agenda.
- 6.2 Procedure: The committee chairman or vice-chairman will be responsible for the efficient conduct of meetings according to the agenda. The chairman, or in his absence vice-chairman, will insure the preparation of agenda and the secretary will mail it to committee members and other appropriate people three days before the meeting.
- 6.3 The chairman and vice-chairman will attend an orientation session on agenda building and conducting productive meetings.
- 6.4 Matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement of the committee.
- 7.0 Policy: Budget Meeting
- 7.1 Committee members will attend a preliminary budget meeting with the budget department.
- 7.2 Procedure: Committees will attend a preliminary Budget meeting with the budget department by April 30th of each year. Committees will have a preliminary copy of committee budgets by June 30th. Committees will have final copy of committee budgets by July 31st.
- B. Accountability and Reporting
- General Policy: Accountability and reporting. Committees are accountable for responsible performance and the reporting of their performance in:
- Carrying out committee responsibilities as specified in their mission statement and total quality management areas.
  - Sound money management by annual budget recommendations to Tribal Council and monitoring of budget expenditures and travel authorization.
  - Acting as a two-way communication channel with Tribal Council, community people, other committees and management.
  - Encouraging public interest and involvement in committee activities.

- 3.3 For purchase of a capitalized item, the chairman of the committee must sign the purchase requisition.
  - 3.4 To obtain a non-budgeted capitalized item, a request will be submitted to Tribal Council for approval; for purchase, the requisition must have attached a copy of the resume which shows Tribal Council approval.
- 4.0 Policy: Approve Budget Expenditures (wages & mileage)
- 4.1 Committees have the authority to approve budget expenditures for payment of the committee wages and reimbursement for mileage.
  - 4.2 Procedure: Committee members will submit invoices immediately following meetings to the chairman. The invoices will show the hours attended, the miles traveled to and from the meeting. A motion and action will approve the invoices.
    - 4.2.1 The wage rate will be \$7.50 per hour; the hours/rate will be calculated to the nearest quarter hour.
    - 4.2.2 Mileage will be calculated at the present federal rate.
  - 4.3 Wage and mileage check will be released on Fridays.
  - 4.4 Committee members will be responsible for their income tax liabilities related to committee wages.
- 5.0 The per diem rates will be determined by Tribal Council. The last known rates are:
- \$58.50 per day: Central Oregon (Prineville, Bend, Madras, Redmond or other cities within this area), and one day meetings.
  - \$117. Per day: Any other points in Oregon (including Vancouver, Washington)
  - \$175.50 Per day: Idaho and Washington (excluding Vancouver, Washington).
  - \$210.60 Per day All other states and Washington, D.C.
- 5.1 The approved travel authorization will be processed through the proper tribal administrative system.
- 6.0 Policy: Tribal Vehicle Pool Use
- 6.1 Committees have the authority to use Tribal Council vehicles from the Tribal Vehicle Pool.

- 6.2 Procedure: A motion will be passed in committee to initiate a request for use of a vehicle from the Tribal Vehicle Pool.
  - 6.3 The driver will have a valid Oregon Driver's License.
  - 6.4 The driver is responsible for the use of the vehicle.
  - 6.5 The driver is responsible for all traffic violations.
  - 6.6 Accidents (Vehicle pool regulations to be included here)
- 7.0 Policy: Use of Personal Vehicles for Committee Business
- 7.1 Committees have the authority to use personal vehicles while on committee business, valid operators license and insurance policy must be provided to Tribal Council Office.
  - 7.2 Procedure: A motion will be passed in committee to authorize the use of personal vehicles for committee business. The vehicle must have Collision and Liability coverage.
- 8.0 Policy: Speaking for the Confederated Tribes
- 8.1 Committee members have the authority to state positions of the Confederated Tribes if the position is sanctioned by Tribal Council.
  - 8.2 Procedure:
    - 8.2.1 The Committee will approve by motion the taking of a position on an issue affecting the Confederated Tribes.
    - 8.2.2 The committee will forward the position to Tribal Council to request approval.
    - 8.2.3 Tribal Council will notify the committee of its action on the position, or request a meeting with the committee for purposes of discussion.
    - 8.2.4 Slanderous remarks by a representative of the Tribe will not be condoned. The Confederated Tribes will not be responsible for slanderous torts.
- 9.0 Policy: Replacement of Committee Members
- 9.1 Committees have the authority to take action to ensure responsible conduct and meeting attendance by committee members.
  - 9.2 Procedure: Low attendance or undesirable conduct/actions within committee membership can be remedied through the discipline procedures identified in Operation Policies/Procedures: Discipline.

- 3.3 For purchase of a capitalized item, the chairman of the committee must sign the purchase requisition.
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- 1.0 Policy: Reporting activities to Tribal Council.
  - 1.1 Each committee will submit reports to Tribal Council to ensure that the intent of the committee is being met.
  - 1.2 Procedure: A semi-annual report in June of each year and an annual report in December will be prepared and approved in committee and forwarded to Tribal Council. The report will be a general overview of the committee's progress toward its mission, TQM's, objectives, budget expenditures, scheduling, communications and cooperation, etc.
  - 1.3 After returning from a trip, the committee will approve and submit a written report to the Tribal Council outlining specifically the achievements and benefits of the trip.
  - 1.4 The committee will schedule on its calendar at least semi-annual meeting with Tribal Council.
  - 1.5 Committee agenda's will be shared with Tribal Council and will display regular contact with affiliated departments/programs.
- 2.0 Policy: Budget Expenditures
  - 2.1 Expenditure of funds by committees will be directed primarily to the achievement of the committee's mission and total quality management areas.
  - 2.2 Procedure: Before a committee takes action on a major expenditure, it will be advised of the budget status, by staff.
- 3.0 Committee Performance
  - 3.1 If the performance of a committee falls below expectations of the Tribal Council, the Council will intervene to inquire and resolve problems. This will apply to all regular responsibilities of the whole committee. (Examples: Irregular meetings, no calendar planning, no reports issued, lack of cooperation, traveling without results, over-expending, general lack of achievement.)
  - 3.2 Procedure: Upon the request of two Tribal Council members, the Tribal Council Chairman will give notice of concern to the Committee Chairman. The notice will cite specific areas of concern and include a time to respond.
- 4.0 Policy: Communication with Community People
  - 4.1 Committees will encourage public interest and involvement in their activities.
  - 4.2 Procedure: News articles on the committees major concerns, activities and upcoming events, will be released for publication. The article will be approved for release by the passing of a motion and posted in four (4) public facilities.
  - 4.3 Committees will schedule public meetings, in cooperation with Tribal Council.
  - 4.4 Committees will invite and encourage tribal members to attend committee meetings.

5.0 Policy: Communicating with other Committees and Management

5.1 Culture & Heritage, Timber, Fish & Wildlife On & Off, Range, irrigation and Agriculture Committee chairman's will participate in a semi-annual joint meeting hosted by the Land Use Committee for Natural Resources coordination. Culture & Heritage, Health and Welfare and the Education Committees will do the same for Human Resources coordination and the Education Committee will host. This will allow other committee chairman and management to share ideas, problems and possible resolutions, and to be informed on matters of Tribal interest.

5.2 Procedure: Each year two joint meetings of all committees lasting one-half day will be hosted by Tribal Council. The second Monday in January and November are suggested for joint meeting dates.

C. Specific Authority

1.0 Policy: Prepare and Approve Budget

1.1 Committees have the authority to prepare recommended committee budgets.

1.2 Procedure:

1.2.1 By April 30th of each year, the committee will meet the Budget department for a preliminary budget session.

1.2.2 By June 30th of each year, the budget will be complete in preliminary form.

1.2.3 By July 31st of each year, the budget will be finalized and presented to Tribal Council.

2.0 Policy: Approve Budget (Operational) Expenditures

2.1 The committee will pass a motion to approve the budget expenditure. The approved budget expenditure request will be processed through the tribal administration system; all purchase requisitions for committee operational expenditures will have the signature of the committee chairman.

3.0 Policy: Approve Capitalized Expenditures

3.1 Committees have the authority to recommend capitalized expenditures which must be submitted and included in the committee budget for that calendar year.

3.2 Procedure: Capitalized expenditures are those expenses of \$1,000. And over. Capitalized expenditures must be submitted through the budget cycle.

- 9.2.1 Should those remedies fail or be inappropriate for the circumstances, the committee can pass a motion requesting Tribal Council to replace the committee member(s). A copy of that request will be forwarded to the committee member(s) concerned.

#### 10.0 Policy: Establish Meetings

- 10.1 Committees have the authority to establish meetings.
- 10.2 Procedures; Committees will establish a meeting calendar. Committee meeting dates will be established by the passing of a motion in committee.
- 10.3 Committees can establish emergency meetings.
- 10.4 The chairman, or in his absence vice-chairman, will develop the agenda and notify committee members of the meetings.
- 10.5 If the committee chooses to meet during the regular work hours of the employee, the committee must obtain the approval of the supervisor for that employee to attend. When that occurs, the employee must take committee pay and request annual leave or leave without pay for those hours of meeting. If the committee meetings outside of regular work hours, the employee may take committee pay without requesting use of leave.

#### 11.0 Policy: Cancellation of Meetings Lacking Quorum

- 11.1 Committees have the authority to cancel meetings because of lack of a quorum.
- 11.2 Procedure: If a quorum of the committee has not been assembled thirty (30) minutes after the scheduled meeting time, the meeting will be canceled. Committee members who were present should invoice their time and mileage.

#### D. Discipline

##### 1. Policy: Standards of Behavior and Infractions

- 1.1 Committee members are expected to conduct themselves in a lawful and responsible manner, they are expected to follow the directions of the TRIBAL COUNCIL and can be disciplined for:
  - 1.1.1 Misuse or theft of TRIBAL property.
  - 1.1.2 Drug or alcohol abuse, Committee members will be subject to random testing.
  - 1.1.3 Misrepresentation of tribe.
  - 1.1.4 Non-attendance at out of town meetings.
  - 1.1.5 Not following directions of the TRIBAL COUNCIL.



- 1.2 Procedure: A hearing will be administered by TRIBAL COUNCIL; to hear alleged misconduct. If an offense is judged to have occurred, the TRIBAL COUNCIL will determine the penalty/repayment.
  
- 1.3 TRIBAL COUNCIL can take action to levy penalties on committee members for infractions. Repayment by the committee members(s) for infractions. Repayment by the committee members(s) will be worked out following TRIBAL COUNCIL action. TRIBAL COUNCIL can require repayment of per diem, fees, airfare and mileage.

E. Evaluation

1.0 Policy: Committee Evaluation

- 1.1 TRIBAL COUNCIL will support an annual committee symposium to discuss accomplishments of committees missions and TQM's.
  
- 1.2 Procedure: TRIBAL COUNCIL will accept recommendations developed in the annual symposium as a method to evaluate progress and results of legislative committees. The symposium should be completed by December 15th of each year. The written recommendations will be shared and discussed with the appropriate committees.

## MISSION STATEMENT

1. PROVIDE TRIBAL COUNCIL WITH FEEDBACK AS TO HOW POLICIES ARE FUNCTIONING.
2. MAINTAIN COMMUNICATION LINK BETWEEN TRIBAL COUNCIL AND OTHERS.
3. MAINTAIN POSITIVE WORKING RELATIONSHIPS.
4. MAINTAIN LEGISLATION KNOWLEDGE BASE.
5. MAINTAIN POSITIVE ACCOUNTABILITY WITH TRIBAL COUNCIL.

## TQM's

1. Know policies  
Comp plan  
Tribal Council Goals  
Goals & Objectives  
Major Documents
2. Communicate Tribal Council goals  
Communicate committee purpose, mission, TQM's  
Hold public meetings  
Attend coordination meetings  
Be a positive role model
3. Meet for purpose  
Know tribal organization chart  
Be a positive problem solver
4. Legislative list  
Gather information  
Share information
5. Attend meetings  
Be present when reporting  
Control budget  
Follow directions  
Stay organized

(These are reminder listings and not meant to be complete)

TRIBAL COUNCIL

(JUNE 1998 ADMINISTRATION)

**Olney Patt, Jr**, Simnasho District - Chairman

**Garland Brunoe**, Agency District - Vice-Chairman

**Joseph Moses**, Seekseequa District

**Raymond Calica, Sr.**, Simnasho District

**Delvis Heath Sr.**, Simnasho District - Warm Springs Chief

**Nelson Wallulatum**, Agency District - Wasco Chief

**Vernon Henry**, Seekseequa District - Paiute Chief

**Brenda Scott**, Seekseequa District

**Earl Squiemphen**, Simnasho District

**Zane Jackson**, Agency District

**Bernice Mitchell**, Agency District

**Charles Jackson**, Secretary-Treasurer

