

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

Index

Subchapter/

Section

Page

165.010	General	2
	1. Purpose	
	2. Background and Intent (Reserved)	
	3. Definitions (Reserved)	
165.020	Jurisdiction (Reserved)	2
165.100	Fund Administration	2
165.200	Qualifications, Term and Selection of Trustees	3
165.300	Calculation of Fund Contribution	4

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

165.010 General

1. Purpose

The Coquille Indian Tribe has established a community fund to benefit tribal programs and the public of Coos, Curry, Douglas, Jackson and Lane counties. The Coquille Tribe has established the following guidelines to ensure the fair and equitable distribution of the funds. The Tribe will contribute to the fund, from The Mill Casino•Hotel net income, in the amount calculated as provided in the paragraphs below. The Mill Casino•Hotel will supply the funds to the Coquille Tribe quarterly or annually. The Coquille Tribe shall name the Fund.

2. Background and Intent (Reserved)

3. Definitions (Reserved)

165.020 Jurisdiction (Reserved)

165.100 Fund Administration

1. The assets of the Fund shall be expended for the benefit of the public within Coos, Curry, Douglas, Jackson and Lane Counties.
2. Grants from the Fund may be made to charitable organizations in the above counties, to the Tribe, or to local government agencies within the county within whose boundaries the Coquille Tribal Reservation is located (Coos, County) for any of the following purposes:

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

- (a) Education
- (b) Health
- (c) Public Safety
- (d) Gambling addiction Prevention
- (e) Education and treatment
- (f) The arts
- (g) The environment
- (h) Cultural activities
- (i) Historic preservation
- (j) And such other charitable purposes as may be provided by the by-laws of the Fund.

3. The Fund will be administered by a board of seven trustees. Each trustee shall have an equal vote on actions of the board.

4. The trustees of the Fund shall establish by-laws governing, among other subjects, the conduct and discharge of their responsibilities, the qualifications for trustees, not inconsistent with the terms of this subsection.

5. The trustees shall submit the by-laws to the Tribal Council for their review and approval. Any revisions or changes to the by-laws must be submitted to the Tribal Council for approval prior to becoming effective.

6. The Tribe shall submit proposals for grants from the Fund to the trustees, who shall make the final determination of the proposals to be funded in accordance with the by-laws and this document. Grants shall be made on the basis of merit. The trustees may reserve a portion of the Fund in a single year to fund a multi-year grant or grants.

165.200 Qualifications, Term and Selection of Trustees

1. The membership of the board of trustees shall be:

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

(a) One member of the Coquille Tribal Council of the Coquille Tribe of Indians, appointed by the Tribal Council;

(b) One Representative of the Coquille Economic Development Corporation Board of Directors ("CEDCO"), appointed by the Tribal Council;

(c) Four members from the public at large, appointed by the Tribal Council, from a list of candidates submitted by the community or Tribe to the Council. Two of these four must be non-tribal members;

(d) One member of the public at large, appointed by the Governor of the State of Oregon after consultation with the CIT.

2. Except for the initial board, trustees shall serve two-year terms and may be removed before the end of their terms by the appointing authority at any time for any reason. The initial board shall serve as follows:

(a) The Tribal Council member, and CEDCO board member shall serve for two years; the remaining members of the initial board shall serve for one year.

(b) Trustees may be re-appointed, by the appropriate appointing authority.

(c) Vacancies on the board of trustees shall be filled within thirty days by the appropriate appointing authority.

(d) Any trustee whose term has expired shall continue to serve until a successor has been appointed.

165.300 Calculation of Fund Contribution

1. The Tribe's annual contribution to the Fund shall be based upon The Mill Casino's Net Income as shown in the audited financial statement of the Gaming Facility for the calendar year ending before the contribution is made. The contribution shall be calculated as described in the Tribal State Compact for Regulation of Class III Gaming between the Tribe and the State of Oregon, as amended from time to

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

time by the parties. Currently that calculation is as follows:

(a) Deduct from the Mill Casino Net Income before tribal taxes, and excluding any payment for Oregon State Police assessments, for the prior calendar year, the amount paid by the Tribe for Oregon State Police Part A assessments for the State's fiscal year ending the preceding June 30.

(b) Multiply the result in subparagraph (a) of this paragraph by six per cent (6%). The product shall be the Tribe's base community benefit contribution.

(c) Deduct from the base community benefit contribution the amount paid by the Tribe for Oregon State Police Part B assessments for the State's fiscal year ending the preceding June 30. An amount equal to the difference is the amount of the annual contribution to the fund.

(d) For purposes of this calculation:

- (1) Oregon State Police assessment Part A includes the amount paid by the Tribe to OSB for all employee background investigations, all criminal and regulatory investigations, and any consulting or gaming related services requested by the Tribe that are not required by this Compact or by a Memorandum of Understanding under this Compact.
- (2) Oregon State Police assessment Part B includes the amount paid by the Tribe to OSB for routine monitoring activities and all comprehensive compact compliance reviews.

2. For purposes of determining The Mill Casino's Net Income, the Tribal Gaming Operation shall obtain an unqualified audit opinion from an independent public accounting firm that the financial statement fairly reflects The Mill Casino's financial position and The Mill

COQUILLE INDIAN TRIBAL CODE
Part 1 - General Governmental Affairs,
Chapter 165 - Coquille Tribal Community Fund

Casino Net Income. For the purposes of determining The Mill Casino's financial position, "Mill Casino" included the Class III Gaming Operation, bingo, pull tabs, restaurant, bar, gift shop and entertainment.

3. If there is a conflict between this document and any provision of the Tribal State Compact for Regulation of Class III Gaming between the Tribe and the State of Oregon, the provisions of that Compact will control.

4. If there is a conflict between the community fund bylaws and the Tribal State Compact for Regulation of Class III Gaming the provisions of that Compact will control.

5. If there is a conflict between the community fund bylaws and this document, the provisions of this document will control.

6. No trustee may vote on any matter in which he or she or a member of his or her immediate family has a direct interest, including but not limited to employment contracts, funding and grant decisions and appointment to committees or subcommittees. A board member attending a meeting but unable to vote under this paragraph will count toward any quorum requirement. For the purposes of this paragraph, "immediate family member" is defined as father, mother, son, daughter, husband, wife, brother, sister or any other relative living in the same household.

7. The community fund will not have the authority to waive the sovereign immunity of the fund, the Tribe or any Tribally owned and/or operated entity.