

CHAIRMAN S REPORT AND LETTERS TO THE EDITOR



Chairman Delores Pigsley

During the past month, all members of the Tribal Council were involved in many meetings of vital concern to our members. In addition to continuing issues involving our health, education, and natural resources programs, we also were actively involved, and had input in, the Department of Interior's proposed fee-to-trust regulations that affect tribes across the country, including Siletz.

Because the Tribal Council functions as the Gaming Board of Directors, we meet regularly with Chinook Winds management to review the status of Chinook Winds' programs. We discuss concerns about specific issues, but Council is careful not to interfere with the day-to-day operations of

the tribe's gaming enterprise. We do want to ensure that adequate policies and procedures have been established that guide management.

Although our tribal and state negotiating teams have finally agreed to gaming compact amendments, we are awaiting sign-off by the governor, after which the compact will be submitted to the secretary of the interior for his approval. Details of the amended compact will be reported in the next issue of the Chinook Winds Bulletin that is distributed to all adult members of the tribe.

There have been persistent allegations that the IHS account with Dean Witter has lost money. The account in question is a short-term account that Dean Witter established to meet the tribe's federal funding in interest-bearing federal notes while making those funds available to the tribe to meet program cash needs.

In a letter to the tribe, Ken Miller of Dean Witter reported that both the BIA and clinic accounts had earnings from their respective bonds that increased in cash value during this time. In addition to recovery of the tribe's initial investment, there were substantial earnings on the tribe's investment.

Ken Miller said in his letter: "I sincerely apologize for the concern that has been created by the gain/loss summary software..." (and in closing said) "I would like to state that the rumor in the community that the tribe has lost money in this account

is incorrect. In fact, the account gained a substantial amount."

Readers of the Siletz News and other publications will recall that a number of lawsuits and appeals were filed by individual members of the tribe that were heard in Tribal Court. Some appeals were never heard and settlements were reached. These suits were mainly settled out of court but with the assurance to the plaintiffs that the terms of the settlements would be kept confidential – a pledge the Tribal Council kept. However, because of the wild rumors regarding the monetary settlements (in one case, alleged to be \$100,000 when the settlement was only \$20,000), the Council felt public disclosure was necessary. Written permission was secured from each successful plaintiff to publicly disclose the terms of their settlements.

To dispel any further misinformation regarding this matter, the provisions of these settlements were publicly read at the General Council meeting on Aug 7. We had been asked to publish them in the newspaper, but because of the nature of the settlements, decided that those wanting that information could receive them individually.

The Tribal Council invites tribal members interested in receiving copies of particular cases to request such copies in writing from the Siletz central office. You may call the tribal office at 1-800-922-1399 and ask for Kelley or Laura to request this information.

To the editor:

I attended the August General Council meeting and I encourage you to get the taped meeting at a cost of \$10.

Past cash Council settlements were discussed. The first was Evaristo Bayya's settlement that the Council paid of \$9,999. Dee Pigsley said the settlement money came from insurance money that is carried by Chinook Winds, but she then retracted her statement to say it came from the Council's gaming budget, which is \$1.2 million. The insurance company for the casino was going into court but was told by the council attorney that the Council made a settlement. The Council gaming budget (\$1.2 million) is revenue earned from the casino that belongs to the tribal membership and is in the care of the Council. Bayya's suit was not against the Council but against Chinook Winds, but the Council chose to make a settlement out of your monies. The Council acted as a one-sided judge and jury. They never made contact with other parties while doing the settlement.

The following monetary settlements also came from the Council gaming budget:

A settlement for attorney fees went to Kristi Martin-Bayya. She chose to personally hire an attorney for a class-action suit without Council approval and the present Council paid her attorney fees of \$14,000+.

A settlement for attorney fees went to Nancy McCrary. She chose to personally hire an attorney without Council approval and the present Council paid her fees of \$30,000+.

A settlement went to Phil Rilatos of \$20,000 plus a job at Chinook Winds as the personnel director. Dee Pigsley stated that this was a Tribal Court case. The Council was dropped from the Rilatos case and he filed against individual Council members on a hiring issue. As to date, there is no order from the court of monetary settlement to Rilatos; the Council acted on their own to give your money away for this settlement plus an added bonus of a job.

A settlement of a job went to Brenda Bremner. The Council recreated the position of assistant general manager, which paid around \$50,000 plus benefits. Dee Pigsley said Bremner had an appeal on a hiring issue filed, but no filing was done in Tribal Court. Bremner was also given annual leave that she should have already been paid for when the assistant general manager position was eliminated. The monies for the paid annual leave will come from program dollars.

We were told at the meeting that we will receive a one-time-only payment of \$100. Too bad we are not friends or family of the Tribal Council; maybe we would receive thousands of dollars or get benefits of jobs we do not have to compete for.

I encourage the members who did not attend the August General Council meeting to buy the tape.

Lillie Butler

(See additional letter on page 4)