

Winning Artists at Museum



Courtesy photo.

The Twenty-Second Annual Tribal Member Art Exhibit is now on display at the Museum at Warm Springs. Winning artists include Brigette McConville, Shaylene Macy, Brutis Baez, Tamera Moody, John Howe and Edward Heath. The museum is on winter hours, open Tuesday through Saturday, 9 a.m. - 5 p.m.

Shop locally on Small Business Saturday

Local business owners are hoping residents will observe Small Business Saturday, coming up Nov. 28.

Small businesses have the power to propel the local economy and uplift the community. When our small busi-

nesses do well, our community does well too.

You can do your part with these simple steps:

- Commit to making at least one purchase from a locally-owned small business retailer.

You can also dine small at your local restaurant to usher in the new tradition of supporting local eateries too.

For more information, check out sba.gov/smallbusinessaturday

From the Office of the Special Trustee

Avoiding invalid wills in Indian Country

The Seattle University School of Law Institute for Indian Estate Planning and Probate focuses on wills and trusts issues in Indian Country.

This the second part of an article regarding the perils of tribal members relying on 'do-it-yourself' wills.

The article, courtesy of the Institute for Indian Estate Planning and Probate, points out potential problem areas, and the benefits of valid wills and trusts in Indian Country:

Mistakenly devising trust or restricted land by revocable trust.

A revocable living trust is a common tool used by estate planning attorneys to avoid probate when a person dies. It also maintains client privacy. However, this tool is inappropriate to use for Indian trust land or restricted property.

The reason is that Indian trust land is already held in trust by the government. As trustee, the landowner has an equitable, but not legal, interest in the property.

Because of this bifurcation of ownership, landowners are restricted. They cannot transfer the land to the trust or use the land to fund the trust. They also cannot include the trust or restricted real property in a testamentary trust for a child under

18.

Unaware of all trust property owned.

Some Indian landowners are unaware of all trust property they own. Thus, a closed probate case may have to be reopened years later.

To find out if they have Indian trust land or restricted property, people will need to contact a fiduciary trust officer at the Department of the Interior's Office of Special Trustee for American Indians.

Failing to include a residuary clause.

A residuary clause is a provision in a will that disposes of property not covered by other provisions, and is often overlooked by those who choose to prepare a will on their own.

A personal representative is not needed for trust or restricted property.

An appointed personal representative in a will manages the estate process under court supervision.

In selecting a personal representative, you should con-

sider whether the person is trustworthy, able and willing, available, and lives near you.

Trust land can be passed without a will.

Indians with simple estates, with only trust land, or who do not have immediate access to legal services, have the option to consolidate their interests by a gift deed.

Will contests.

Do-it-yourself Indian wills can be more susceptible to a will contest than a professionally drafted document, because no one has reviewed it for accuracy and validity—or even for proper signing.

One of the most popular ways to contest a will is to allege that the person who signed it did not have the minimum required legal capacity to make a will or was subject to undue influence.

While this does not guarantee free sailing for a will, avoiding do-it-yourself wills certainly adds an extra layer of protection to the process.

For more information contact the Office of the Special Trustee, 541-553-2409.

Warm Springs Community Counseling Relapse Recovery - 3:30 to 5 p.m. on Thursdays.

Summary of Tribal Council

November 2, 2015

1. Roll Call: Chief Delvis Heath, Chief Joseph Moses, Chief Alfred Smith Jr., Chairman Eugene Greene Jr., Vice-Chair Evaline Patt, Raymond Tsumpti Sr., Reuben Henry, Kahseuss Jackson, Scott Moses, Orvie Danzuka, and Carlos Smith. Recorder—Alfredine Smith.

2. November 2015 Tribal Council Business Agenda.

• Motion by Raymond to approve purchase of gift for Dennis Karnopp who is retiring. Fifty years of service to the Confederated Tribes of Warm Springs. Second by Delvis. Question; Joseph/yes, Carlos/no, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes; 8 yes, 1 no, 0 abstain, Vice-Chair not voting; Motion Car-

ried.

• Motion by Joseph to approve November 2015 Tribal Council Agenda. Subject to change. Second by Reuben. Question; Joseph/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes; 9 yes, 0 no, 0 abstain, Vice-Chair not voting; Motion Carried.

• Motion by Carlos to hold General Council Meeting regarding 2016 Proposed Budget, Thursday, November 12, 2015; Second by Scott. Question; Joseph/yes, Evaline/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes; 10 yes, 0 no, 0 abstain, Chair not voting; Motion Carried.

• The Proposed 2016 Finalized Budget will be included in the Secretary-Treasurer Update on November 16, 2015 at 9:00 AM.

3. Warm Springs Forest Products Industries Fire Salvage Resolution.

• Motion by Raymond to adopt Resolution No. 12066 authorizing Warm Springs Forest Products Industries to take necessary action to harvest fire salvage material for processing. Harvested timber will be counted against the remaining annual allowable cut for 2015. Second by Reuben. Question; Joseph/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes; 9 yes, 0 no, 0 abstain, Vice-Chair not voting; Motion Car-

ried.

4. November 2015 Travel Delegations.

• Motion by Joseph to approve November 2015 Tribal Council Travel Delegations. Second by Reuben. Question; Joseph/yes, Evaline/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/out of room, Orvie/yes, Raymond/yes. 9 yes, 0 no, 1 out of room, Chair not voting; Motion Carried.

5. Boards, Committees, Ad hoc for Judges and Commissioners.

• One Class II Tribal Member Position Board of Directors of Ventures. Motion by Scott to adopt Resolution No. 12067 appointing Charles V. Jackson to the Board of Di-

rectors of Ventures. Second by Reuben. Question; Joseph/yes, Evaline/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes. Ten yes, 0 no, 0 abstain, Chair not voting; Motion Carried.

• Motion by Kahseuss to adopt Resolution No. 12068 appointing Magdaleno "Chico" Holliday to the Water Control Board. Second by Reuben; Question; Joseph/yes, Evaline/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/yes, Orvie/yes, Raymond/yes. 10 yes, 0 no, 0 abstain, Chair not voting; Motion Carried.

• Credit Board, Adhoc for Judges and Commissioners discussed.

6. Nathan Estate issue.

• Motion by Carlos to table Nathan Estate Resolution; Second by Joseph. Question; Joseph/yes, Evaline/yes, Carlos/yes, Kahseuss/yes, Scott/yes, Reuben/yes, Delvis/yes, Alfred/out of room, Orvie/yes, Raymond/yes. 9 yes, 0 no, 1 out of room. Chair not voting; Motion Carried.

7. 2016 Budget

• Secretary-Treasurer presented Contingency Plan to the 2016 Proposed Tribal Budget which reflects the anticipated shortfall from Warm Springs Power Enterprise dividend.

8. No other items on agenda. Meeting adjourned 5:06 PM.

TERO, Casino & Resort, Credit board vacancies

TERO board

There are five positions open on the Warm Springs Tribal Employment Rights Office Commission - Warm Springs Ventures Economic Development Corp. The positions will be filled by Tribal Council appointment.

Some of the duties include:

1. Review contractor applications to certify that applicant is eligible for inclusion in Indian Owned business directory.

2. Certify on-the-job training hours as recorded by office staff for tribal apprenticeship programs.

3. The commission may conduct on-site visits if such visits are a part of their investigation for the decision making process for appeals.

4. Develop procedures necessary to implement the provisions of this code that are consistent with this code.

5. Conduct an annual review of the code.

The Commission will hold regular monthly meetings. Times and procedures for hearings will be set as necessary, when an appeal is filed on a sanction or decision of the Program Manager.

The commission will be afforded annual training on hearing procedures and decision making techniques.

Letters of interest and Resumes' of applicants interested in serving on the TERO Commission, submit to the following address no later than noon on **December 13, 2015**:

Glendon Smith, S/T-CEO
P.O. Box 455
Warm Springs, OR 97761
Or email:

lynn.davis@wstribes.org
Fax: 541-553-2236

Authorization letter will be mailed to all applicants for a criminal and credit background check to be completed & returned to the S/T's office. Information will be submitted confidentially to the S/T

WSCRI Board

There are three positions open on the Warm Springs Casino and Resort Enterprise Board of Directors. The positions are:

One non-member, Class I term expiring 12/31/16.

One non-member and one tribal member - Class III terms expiring 12/31/18.

The business and affairs of Warm Springs Casino and Resort Enterprise is managed and controlled by a Board of

Directors.

Regular meetings of the Board of Directors are held not less often than quarterly for the purpose of reviewing the preceding three months' operations, making plans for the ensuing three months' operations, and the transaction of such other business as may come before the meeting.

Letters of Interest and Resumes' of applicants interested in serving on the Board of Director, submit to the following address by no later than **December 13, 2015**:

Glendon N. Smith, Secretary-Treasurer/CEO
P.O. Box 455

Warm Springs, OR 97761
Authorization letter will be mailed to all applicants for a criminal and credit background check to be completed returned to Secretary-Treasurer's office. Informa-

tion will be submitted confidentially to the Secretary-Treasurer.

Credit board

There is a vacancy on the tribal Credit enterprise board of directors - non-member Class II.

Members of the Board of Directors must have a reputation for industry, dependability, honesty, and integrity. It shall be an initial and continuing qualification for members of the Board of Directors that they have no loan with the Tribes that is in a delinquent status.

General Powers. The business and affairs of The Enterprise shall be managed and controlled by the Board of Directors.

Regular Meetings. Regular meetings of the Board of

Directors shall be held quarterly for the purpose of reviewing the preceding three months' operations, making plans for the ensuing three months' operations, and the transaction of such other business as may come before this meeting.

Letters of Interest and Resumes' of applicants interested in serving on the Board of Director, submit to the following address by no later than **December 13, 2015**:

Glendon Smith, Secretary-Treasurer/CEO
P.O. Box 455

Warm Springs, OR 97761

Authorization letter will be mailed to all applicants for a criminal and credit background check to be completed returned to Secretary-Treasurer's office. Information will be submitted confidentially to the Secretary-Treasurer.