

# CHAIRMAN'S REPORT

## Judge Upholds Expulsion

Lisa Brown's petition to appeal her expulsion from the Tribal Council was heard in court by Chief Judge Calvin Gantenbein. On June 8, 2009, the judge upheld the Tribal Council's decision to expel Lisa.

Briefly, in regards to the situation prior to June 8, a petition for a hearing went first before the judge on April 22 when Lisa requested that the matter be set-over until, among other things, she could retain another spokesperson (the person designated failed to show up and had not notified the court he would not be present).

Lisa requested audio tapes and minutes of many previous Tribal Council meetings that provided specific references to the expulsion action. Based on that first hearing, the judge, after listening to the parties, ordered the petitioner's request for audio tapes be denied because she already had been given complete transcripts of all the meeting minutes she had requested.

In regards to copies of the documents Lisa requested, the judge said in part:

"Discovery is allowed regarding any matter not privileged which is relevant in defense of a party seeking discovery. It is not to be used as a fishing expedition or to gather irrelevant material ... The Court is concerned only about the allegations against petitioner between February 9, 2009, and February 21, 2009.

"Petitioner stated that she wants these records to prove that Tribal Council members and the administration have, in the past, made decisions that had negative results on the Tribe. This is immaterial and irrelevant to this case.

"The only issue is whether Petitioner's conduct between February 9, 2009, and February 21, 2009, placed tribal assets in jeopardy. Furthermore, Plaintiff already has access to the Gaming Regulatory Act, the Notice of Violation, the Settlement Agreement and the Charter.

"Therefore, this court denies all of Plaintiff's motions for Discovery as being irrelevant, immaterial, and for creating an undue burden on the tribe."

In arriving at his final decision, the judge carefully considered the five alle-



Delores Pigsley

gations against Lisa Brown listed in the Feb. 21, 2009, Tribal Council resolution, namely:

1. Acting in a manner inconsistent with the supervision of an employee
2. Making racial comments
3. Jeopardizing the assets of the Tribe
4. Interfering with the day-to-day operations of the Tribe's gaming operation
5. Abuse of authority

According to his final ruling, the chief judge denied:

"... the Motion for Revocation of Siletz Tribal Council Resolution 2009-136 since it is a duplication of the initial Petition. This Court denies the Motion for Revocation of one year bar by the Siletz Tribal Gaming Commission. The Siletz Gaming Commission is a separate legal entity and not a party to the proceeding. Furthermore, they have their own appeal process in which Ms. Brown is participating."

The Tribal Council spent a great deal of valuable time on this issue and the expulsion decision. The court upheld council's actions in their entirety. It was an unfortunate chain of events complicated by several judicial filings. It also took weeks for Chief Judge Gantenbein to deliberate and render his final decision on Lisa's appeal.

## Kraxberger Inspires Memorial Day Gathering

The weather was perfect in Siletz and on the coast for our Tribe's Memorial Day Ceremony. Contributing to this special day was Tribal member Denise Kraxberger's moving and memorable address to those of us in attendance.

Denise talked about her career in the National Guard and how she was influenced by her mother. She is an excellent example of someone who, in spite of her initial objections, stuck with her agreement with the Guard and ended up making it her lifelong career. It was a very moving and significant presentation we shall long remember.

Adding to the occasion were the lovely flowers and beautifully decorated grave sites. And many thanks to the Cultural Committee for a great meal.

## Video: The Five Western Oregon Tribes

As reported in previous issues of *Siletz News*, all Oregon Tribes celebrated the 150<sup>th</sup> anniversary of the state of Oregon becoming part of the Union with a major pow-wow on Jan. 31 at the Oregon State Fair Pavilion in Salem.

We were all very proud of the fact that the five Western Oregon Tribes worked together to complete a composite video with each Tribe featuring its individual Tribal history.

On Sept. 4, the five Tribes will have one more scheduled intertribal activity to commemorate Oregon's 150<sup>th</sup> birthday and to share our culture and history with those attending the Oregon State Fair.

We will have the stage on that day from 10 a.m. to 2 p.m. and also will have room for Tribal displays and craft activities. Each Tribe will be responsible for its own individual presentations and activities on the stage.

In addition, Sept. 4 will recognize all veterans by admitting them to the fair for free. A veterans' parade also will take place in the morning. More information will be made available and announced as plans for this day are completed.

## Four Eastern Oregon Tribes Commemorate Oregon's 150<sup>th</sup>

On May 16, I attended the commemoration of Oregon's 150<sup>th</sup> anniversary in The Dalles. The four Eastern Oregon Tribes began by welcoming incoming canoes on the Columbia River at Celilo Village.

Then the Tribes paraded through the city of The Dalles. A pow-wow capped off the afternoon at the rodeo grounds. Along with the many floats and horses, the chiefs and Indians of the various Tribes looked great in their full regalia. It was an awe-inspiring event.

## Wilkinson Manuscript Sent to Publisher

Charles Wilkinson informed us that the completed manuscript on the book he has written about the history of the Siletz Tribe was sent to the University of Washington Press on June 1. The long-awaited book will be published by the University Press. More will be written about the book in a future issue of *Siletz News*.

## Congratulations to Graduating Seniors

To our graduating seniors – congratulations! I know you worked hard to achieve your diplomas and I wish you all great success as you face enormous challenges. To Timmy and all other graduates, well done on your years of accomplishments and best wishes as you face your future!



## TICC Board Has Vacancies

Résumés are being accepted for the Tenas Illahee Childcare Center Board of Directors. Two board positions currently are vacant.

If interested, please submit your résumé to Tribal Council, c/o Executive Secretary, P.O. Box 549, Siletz, OR 97380-0549 by 4:30 p.m. on Aug. 7, 2009.

### Siletz News Letters Policy

*Siletz News*, a publication of the Confederated Tribes of Siletz Indians, is published once a month. Our editorial policy encourages input from readers about stories printed in *Siletz News* and other tribal issues.

All letters must include the author's signature, address, and phone number in order to be considered for publication. *Siletz News* reserves the right to edit any letter for clarity and length, and to refuse publication of any letter or any part of a letter that may contain profane language, libelous statements, personal attacks, or unsubstantiated statements.

Not all letters are guaranteed publication upon submission. Published letters do not necessarily reflect the opinions of *Siletz News*, Tribal employees, or Tribal Council.

Please type or write legibly. Letters longer than 450 words may be edited for length as approved by Tribal Council Resolution #96-142.

Please note: The general manager of the Siletz Tribe is the editor-in-chief of *Siletz News*.

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Deadline for the August issue is July 10. Submission of articles and photos is encouraged. Please see the Passages Policy on page 23 when submitting items for Passages.



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