

Cases In and Out of Tribal Court

Coyote-Gate is the name being given to the recent scandal surrounding tribal member Edmund Ben's attempt to track a \$2500 donation given by the Tribal Council to the Siletz Rural Fire District.

Ben, you'll remember from last quarter's report, filed a petition in Tribal Court taking issue with Tribal Council's November's donation. Ben asserted that Tribal Council could not legally spend timber revenues in such a manner without the consent of the General Council.

Bud Lane, who wrote Tribal Council's answer to Ben's petition, stated that Tribal Council did not give away timber revenue money, but rather approved the "expenditure of \$2,500 in federal revenue sharing funds, under a federal financial grant."

Ben dropped his petition on Jan. 13th, agreeing that if federal funds had indeed financed the donation, then "no cause for review" existed in Tribal Court.

But Ben, along with several tribal members, was surprised to hear that the Tribe had revenue sharing funds available. For more than a year, Tribal Council had denied having a revenue sharing program. Could there be money but no program?

Ben decided to find out. At the General Council meeting on Feb. 3rd, he asked how much was left in the Revenue Sharing Fund. Tribal Council Chair Delores Pigsley answered that she believed the \$2,500 donation to the Fire Department was the last of the money.

Ben then asked whether the \$2,500 were carryover funds from previous years?

Pigsley answered, "Yes."

Ben then said something to the effect that "It is my understanding that if federal funds are carried over, then public hearings must be held."

Both Pigsley and General Manager Phil Rilatos said that they would have to do some research before they got back to Edmund on that point.

After doing his research, Rilatos wrote Ben a letter, which in part says this: "The funds donated to the Siletz Fire Department were not direct Revenue Sharing Funds but the interest earned from Revenue Sharing Funds deposited in the National Security Bank."

If Ben presses this any further, the \$2,500 donation might very well change back into timber revenue money.

And then he'd be back in Tribal Court, only to learn that the money was in fact revenue sharing money, only to learn a little later that the money was in fact carry-over revenue sharing money, and so it would go, on and on--forever--an endless chain of changing answers to the same basic question.

In a more recent and less confusing case, tribal member Andrew Viles of Eugene filed a petition in Tribal Court on April 14th alleging that General Manager Phil Rilatos violated his constitutional rights when Rilatos fired him for failure to comply with an oral directive to censor the Siletz News. Viles further alleges that Tribal Council added to the constitutional infringement by not taking remedial action.

Tribal Council has until the end of April to file an answer. □

Health Clinic Update

Friday the 13th of April was a lucky day for the Siletz Community Clinic. The U.S. Department of Housing and Urban Development released a \$250,000 grant for construction of a tribal health clinic. The Tribe added the H.U.D. funds into the same bank account as an \$89,000 B.I.A. Indian Business Development Grant awarded earlier in April.

"We are fully funded," said Judy John, Tribal Health Director. John said construction of the clinic will begin in late June or early July and will finish in early January, 1991.

"We hope to have the doors open by the middle of January," John said.

Architects D.H. Goebel and E.T. Miyakawa finished floor plans and detailed designs for the clinic in early April. The plans call for two square wings, joined at the points and set along the same axis. Medical offices and facilities will be housed in the larger of the wings with administrative offices taking up the smaller wing.

The Health Clinic project hit three snags during the first few months of 1990, John reported. The first set-back came when the City of Siletz mysteriously withdrew its offer to provide land for the Health Clinic. The City's action forced tribal planners to consider a site between STEDCO Offices and Gaither Street as the clinic's future home.

Problem number two: the site off Gaither had been identified by tribal elders as a "culturally sensitive" archaeological site. That fact meant that the Tribe had to obtain permission from the State Historic Preservation Office prior to construction.

"We've agreed to have an archaeologist on site at all times," John said. Members of the Tribe's Sacred Lands Preservation Committee and the Culture Committee have also been invited to be on site during the construction in order to safeguard possible cultural materials.

The third complication John identified is the lack of sewer connections for the property "STEDCO, when they built their offices, decided to go with a septic system," John said. But septic sewer is not an option

continued on page 6, "Health Clinic"