

Council Minutes Continued

Council Member Absent: Mary Fisher

Others Present: Judy John, Secretary; Bob Lockyear, General Manager; Joella Kline; Bristo Bayya; Esther Easter; Pauline Ricks; Kathryn Harrington; LeRoy Wilder, Attorney; John Roe, Chief Judge; Phil Rilatos, Comptroller; Caroline Easter; Joan Washington; David John; Cheryl Bigelow; Gladys Staggs; Alice Werth; Doni White, Human Res. Mgr.; Bill Towner

Chairman, Delores Pigsley called the meeting to order at 9:25 a.m. Roll call was taken with 6 Council members being present and 3 absent.

MOTION #1 — Bud Lane moved to enter Executive Session to discuss personnel, 9:25 a.m. Seconded by Alta Courville. Motion unanimously approved 6-0-0.

MOTION #2 — Kristi Martin moved to return to Regular Session, 11:16 a.m. Seconded by Arthur Bensell. Motion unanimously approved 8-0-0.

Pauline Ricks requested to be added to the agenda.

MOTION #3 — Alta Courville moved to approve agenda with addition of Pauline Ricks. Seconded by Douglas Brown. Motion unanimously approved 8-0-0.

Invocation by Arthur Bensell.

Pauline Ricks explained that the Mid-Winter conference for the Affiliated Tribes will be held in Eugene sometime in January. Would like the Siletz Tribe to sponsor the conference. Pauline has been reelected to ATNI as an officer and has been assigned to coordinate the upcoming conference. Have already been approached by several hotels in the Eugene area wanting to host the conference. Hosting the conference would not require a monetary contribution, but would involve a lot of work and donation of time from Council Members to get the conference organized. May want to sponsor a dinner at the long house. This would be up to the Tribe. Pauline suggested that she could work closely with Alta and Dolly since they helped her up in Spokane. The Conference will focus on new tribes. This is especially timely since the recent federal recognition of Grand Ronde, Cow Creek and most recently the Coos. Siletz Tribe led the way to restoration, other tribes followed. There will be a meeting in Portland on December 5 to set the dates of the conference. It will be scheduled just before the NCAI Mid-Winter Conference. Chairman said it would be great if the Siletz Tribe sponsored the Conference and had some input on the agenda. Frank Simmons asked if this would be a good time to submit resolutions. Pauline said yes it was.

MOTION #4 — Frank Simmons moved that the Siletz Tribe host meeting of the Affiliated Tribes of Northwest Indians. Seconded by Douglas Brown. Motion unanimously approved 8-0-0.

Pauline said she will keep in contact with the delegate and alternate.

Approval of Minutes.

MOTION #5 — Kristi Martin moved to approve minutes of October 19, 20 and 21, 1984. Seconded by Frank Simmons. Motion unanimously approved 8-0-0.

Secretary read minutes of November 3, 1984 Special Council meeting.

MOTION #6 — Jane John moved to approve minutes of November 3, 1984 Special meeting. Seconded by Douglas Brown. Motion unanimously approved 8-0-0.

Kristi Martin was concerned about the last General Council meeting. Per capita is a hot and touchy issue. The Tribal Council should state exactly how we feel. Kristi said that she had assumed that her family would be in favor of a per capita and was surprised when they said that they were terminated and did not want to be again, so they did not want it. Chairman suggested that the next General Council meeting should focus on what we are doing towards self sufficiency. If \$300 per capita was paid, there would be no funds left to run the government. If there were no successful timber sales in 1985, will not be able to pay the rent. Bud Lane said that if we are going to discuss this at the next General meeting, should discuss it fully. The last timber sale did not go, the market is down. The next timber sale will probably be low. Need to educate the Tribal Membership on how we get funds and what would happen.

Gladys Staggs asked how Sue Eggart was paid when there were not Head Start funds available. Chairman said that she was paid from Timber Revenue which was repaid when the Head Start funds came down. Gladys Staggs said this was a mistake on the part of Administration. She should have been left in JOM until funds came through. Jane John said she does not know how we expect Tribal Members to vote when Council members do not come up with a work plan and not just vote popularity. Douglas said that his was not a popularity vote, that is how he feels. Jane said that you should come up with a workplan then on how we can pay it and still operate the programs. Phil Rilatos said that he has talked to a lot of Tribal members and it appears that members are either misinformed or not informed. Tribal Council needs to do some P.R. work. Need to keep the Tribal members informed.

Joan Washington said that she voted for what the people wanted. Council has not done what they said they would. What has been done in the past 6 years? Delores said she thinks she is wrong, the Tribe has done a lot, especially providing services to its members. The people services are there. Delores said that we need to put that money to work. The Tribal Council is ready to move ahead on some plans. The people need to ask themselves what they are doing to informed. Need to have interested people. Some people who voted last week have never been to a Council meeting.

Frank Simmons said he was concerned about the cemetery road. It needs to be graded. Kristi Martin said that at the Siletz Revenue Sharing meeting, this was brought up. Funds were put in the budget for this. This will be discussed when the Revenue Sharing Budget is approved. Bob Lockyear said that the County parks a grader by the Area Office, may be able to get them to grade the road. Frank was also concerned about the water situation in the CHR building, it has been like that for a long time. Bob Lockyear said that IHS looked at the well. There is 6-8 feet of water in the well. Dan will be contacting someone in Newport to get longer pipe down there. This will happen next week. If the well does not fill up, may have to get on City water and install a booster pump behind the house.

Arthur Bensell was also concerned about the per capita payment. The original purpose of restoration was to get health and education services for the Tribal members. If we give a per capita payment the BIA will probably object to it very strongly. They would raise a lot of questions as to why the Tribe needs federal funds. At the last General Council meeting gave the timber report. In the next 10 years timber will amount to 8 million dollars. The Timber market is bad right now and not expected to improve. We should keep these people advised on what we are doing. Art said that Pauline could verify that the time spent in Washington, D.C. we never did say that we would give a per capita payment.

Arthur Bensell was also concerned about Tribal Court. We should be kept informed on what they are doing. Do not know how many cases have had and what they are doing.

Delores Pigsley was concerned about the expansion of the service area. The Cow Creeks got their service expanded. Would like to suggest that LeRoy look at what it would take to get expansion and what kind of results and what it would do to the current service area. Alta Courville said that when we got restoration, the 8 counties were a surprise to us. Have to tread very lightly because they could take it all away. LeRoy said that when it was first mentioned to look into it we were the only Tribe restored. There are now other Tribes. The 8 county service area was not congressional action, it is something someone just made up. Now we have new Tribes that have larger ser-

vice areas than the Siletz, it would be unfair to the Siletz to make our service area smaller. Delores said that during her part of testimony for restoration, it was brought out that we have a lot of Tribal members in Portland, the Urban Indian Program, however, would not support us if there were any conflicts in service areas. Suggest that LeRoy explore what this would entail. Arthur Bensell said he would go along with the idea of finding out what it would take. Council agreed that LeRoy look into this.

Lunch Break 12:30 to 1:25.

Superintendent's Report — The Bureau does not have anything new to report and therefore are not here. Delores said that she needs Nelsen to pick up the video equipment at Chemawa. Nelsen is the only person who can sign for it. Bob Lockyear will find out what kind we need.

General Manager's Report — Bob Lockyear — Have checked into a bull pin for Tribal vehicles. Cost will be \$50 per foot with an 8 foot fence. Location will be near the Aldridge House. Could mount flood lights to the Aldridge House to light the area. Size will be 24x26. Cost will be \$3,000 which has been added into the Forestry Contract.

The Economic Development office in Seattle has approved the selection of Jim Willis as the Tribal Planner. Are now advertising in-house for a Housing Coordinator. Asked that Jane John sit in on the interviews. Will let her know when a date is set. An event calendar has been made and distributed to the Area Offices and staff for posting. Items for the calendar need to be in to the Central Office by the 25th of each month. Chairman suggested that the cut off date for the newsletter needs to be included on the calendar. Have three newsletters left before the elections. Bob then distributed rules and regulations for the use of the Tribal pickup. Bob said that programs will be charged for use of the vehicle. LeRoy suggested some wording changes.

Bob Lockyear reported that he contracted the owner of the property behind the Aldridge House. The property is not for sale, however, the owner stated that he would sell if the price was right. Bob then presented travel requests.

MOTION #8 — Frank Simmons moved to approve the following travel requests: Doni White to Phoenix, AZ to attend training on 93-638 contracting on November 27-29, 1984; Phil Rilatos and Sharon Edenfield to Oakland, CA to attend training on computers on December 10, 1984; Jim Willis to Seattle, WA on November 26-29 to attend HUD Economic Development training; Shirley Strickler to local training on reports and letter writing; Alice Werth to attend Social Service training on November 13-17, 1984; and change Ted Werth's previous travel to a local training on Report and Letter writing. Seconded by Kristi Martin. Motion unanimously approved 8-0-0.

Phil Rilatos said that Harold Culbertson will be here soon to finish the FY 83 audit. One thing that came up was spending funds that we do not yet have in the bank. It takes from 3-6 weeks to get funds down sometimes. Technically, programs would have to be closed down until their actual funds arrive. The Tribe has a general fund that pays for most of the contracts. What we have been doing is using someone else's money to cover others' expenses until funds come down. Phil would like to take \$10,000 from Contract support line item and use it as a revolving account. These funds would go right back into the account when funds arrived. At the end of the year would still have \$10,000 in Contract Support. Chairman asked if this required a motion. Bob Lockyear said that the line items have been approved when the budget was approved, do we have to get approval again? Economic Development Grant requires \$9,000 in-kind required. Phil said that it comes down to check requests. Chairman said we have the same situation again with Miss Siletz requesting funds to travel, this has already been approved in the budget. Douglas Brown said that if it is already budgeted, do not think so, just keep Council informed.

MOTION #9 — Bud Lane moved to transfer \$10,000 from Contract Support to the General Fund Account. Seconded by Alta Courville. Motion unanimously approved 8-0-0.

Phil Rilatos then presented an amendment to the FY 85 Indirect Cost Proposal. When the Inspector General audited the Indirect Cost Proposal, it was based on estimated figures. There are now some additions to make and would now like to amend the proposal. The amendment includes hiring a Bookkeeper III. Mary Brown has been working in the Area Office under the JTPA Program. Could hire her through the OJT program and at the end of the period of training could transition full-time permanent employee. She is doing a good job. Salary would be \$12,000. Also included in the Indirect Cost amendment is 10 percent of the salaries for the Area Office Supervisors and their Secretaries. Phil said he was assuming that the Field Reps. were going to be changed to Area Office Supervisors. Right now the Field Reps. are required to do some indirect work with out being paid from indirect. It is estimated that 10 percent of the Supervisors' time is spent on Indirect functions, therefore, 10 percent of their salary needs to be paid out of Indirect. This will also increase the amount of program money available for services. Two secretaries will also be paid 10 percent from Indirect because they support the Supervisors. Douglas Brown said that Siletz does not need a Supervisor, but the Salem and Springfield offices need them. Frank Simmons asked if the 24.1 percent fluctuates. Phil said that it is standard right now. Also included in the Indirect cost amendment is funding for a Consultant to provide technical expertise and training on the computerized accounting system. These funds will be used until the CORE Grant is approved. Last item in the amendment is purchase of one fire proof file cabinet for the accounting office. With the amendments, the Indirect Cost Rate would increase from 24.1 percent to 26.7 percent. If the rate was not changed, we could end up with an over recovery at the end of the year.

Phil then said that the results of the FY 82 have been received. Have disallowed costs amounting to \$202.00. This is not bad considering that the tribe had a 1½ million dollar budget that year. There were 5 things disallowed, 4 of these were related to travel, changing the travel form. Council is responsible for this \$202.00.

Phil then reported that the FY 85 Self Determination Grant came in with an effective date of November 1, 1984. There were charges in October amounting to \$1,742 that will have to come from Timber funds. Judy said that the Tribe requested an effective date of October 1, do not know why the effective date was set at November 1. Delores said that this should be taken up with the Area Office. Phil said that these expenses need to be covered now, can back them out if we get an effective date of October 1.

MOTION #10 — Bud Lane moved to pay \$202.00 disallowed costs for FY 82 out of Contract Support. Seconded by Jane John. Motion unanimously approved 8-0-0.

MOTION #11 — Kristi Martin moved to approve amendment to Indirect Cost Proposal. Seconded by Frank Simmons. Motion unanimously approved 8-0-0.

MOTION #12 — Douglas Brown moved to cover Judy John's Salary and expenses for the month of October from Contract Support. Seconded by Jane John. Motion unanimously approved 8-0-0.

Mike Cloughesy reported that all the letters we sent to Congressmen asking for more money for Forestry worked. Last week they printed out the final appropriations on Timber Sale add-on and forest development and the Siletz Tribe is going to get \$140,000 a year for forest development and about \$66,000 for timber sale add-on. Since this is coming down we want to include these funds in the 93-638 contract. These are the types of things that were originally going to come out of Admin. fees, planting, spraying, etc. Have put together the contract to include these. May have to modify the contract later to add more. Mike reviewed the additions to the contract, included in the contract is travel for the Timber Committee members. Will add a Crew Foreman to take on the responsibilities of the crew and equipment. Will be hiring a total crew of 6. Admin fees can be carried over for up to five years. This has not gone

before the Timber Committee because of short notice. Should get the money sometime in January. Delores Pigsley asked if the salary was an increase. Mike said that there is a salary increase included. Nine months of the salary will be paid out of the contract and three months out of Admin Fees. Delores said that Council has discussed a salary increase earlier. Council should act on it so it can be put in the contract.

MOTION #13 — Jane John moved to increase Mike Cloughesy's salary from \$19,775 to \$22,078, level 8, step 2, effective October 1, 1984. Seconded by Kristi Martin. Motion unanimously approved 8-0-0.

The Forestry Contract will be changed to reflect this. Mike said that the fire wood program for the elderly has not been doing very well. Will put something in the newsletter that Council support this program.

MOTION #14 — Kristi Martin moved to approve Forestry Contract as amended. Seconded by Bud Lane. Motion unanimously approved 8-0-0.

Chairman suggested that Council act on the other salary increases that were discussed in Executive Session.

MOTION #15 — Kristi Martin moved to award the Enrollment Clerk a merit increase to level 8, step 4, to \$16,881. Seconded by Douglas Brown. Motion unanimously approved 8-0-0.

MOTION #16 — Jane John moved to increase Donnita Burks' salary from \$12,597 to \$13,227, level 14, step 8. Seconded by Kristi Martin. YES: Delores Pigsley, Kristi Martin, Alta Courville, Jane John. NO: Arthur Bensell, Alfred Lane, Douglas Brown, Frank Simmons. Motion defeated 4-4-0.

Attorney Report — LeRoy Wilder — On Tuesday, members of the Hunting and Fishing Committee met with the Columbia Inter-Tribal Fish Commission to discuss how the Commission can help the Tribe. Ted Werth said the meeting went well and he will be providing a report.

The Native American Program has asked that Tribes prepare a position paper on domestic violence restraining. Asked each Tribe to prepare a paper on how the State regulations apply on their reservations. LeRoy read a proposed position. Council agreed with the paper.

Kristi Martin asked when we can get pull-tabs on the Hill, LeRoy said that they are still illegal. The lottery bill passed, but it does not approve pull-tabs.

LeRoy said that a brochure has been prepared for the Tribe's Indian Child Welfare Program. The brochure informs families of their rights under the Indian Child Welfare Act.

Gladys Staggs asked about the Family Welfare Court. LeRoy said that he has discussed this with John Roe and there is no money for another Court. Will propose to the Tribal Council that they appoint only judges who sit on the judge's panel to sit on the Family Court. They would operate under the same procedures. This will require some changes to the Ordinance. Can appoint a Family Welfare Committee that will operate the same as other Tribal Committees. Gladys Staggs said that when this first started, Tribal Members were told that they would be eligible to be on one court or the other. If now are not going to have the Family Court, then people should be paid for their time and travel to take the training. LeRoy said that he sent out a letter to those who took the Family Court training asking who was interested in serving on the Family Welfare Court. So far have only gotten three responses. Chairman said that the Court was discussed at the last Council meeting, the Court does not have enough funds. Have talked about reducing the number of judges from 25 to 12 or 15. John Roe said that the BIA has recommended reducing the judges to 12. There are no additional funds for training. Alice Werth said that she would be restricted from serving on the Court because she only completed training on the Family Welfare Court. LeRoy said that the budget cannot afford another separate Court. Alice said that she attended all the training on the Tribal Court, but when it came to the mock trials, she was not informed, therefore was not certified as a Court Judge. This also happened to Gloria Werth. LeRoy said that this was an administrative error in his office, they should have been informed. Jane John said it was advertised in the newsletter. Chairman said that mock trials should be held for Alice and Gloria and anyone else who did not get certified because of missing only the mock trial. Kathy Harrington said that people were told that they could only sit on one court or the other. So some people only took training on one of the courts. LeRoy said that one problem is that we have more interested judges than cases. Douglas Brown asked about rotating judges. LeRoy said that all of them would still have to receive the training. Jane John asked LeRoy to check the list for those people who only missed the mock trial. Gladys Staggs said that if Council agrees to take programs out of the 8 county service area and we are bound to travel outside should be paid for the travel. Jane John said that more than half the judges are from Portland. John Roe said that selection should not be made until after the training. John will conduct the mock trial. Chairman said that it has been decided to have another mock trial and then decide who will sit on the panel. Jane John said that John Roe and LeRoy Wilder should make recommendations to Council on the selection of judges. John Roe said it is his responsibility to assist in the selections. John suggested appointing a committee to bring recommendations to Council. Delores Pigsley, Jane John and Douglas Brown went through all the training and will serve as an Ad Hoc Committee to recommend to Council on the selection of the Judges. Will cut the list of judges down to 15.

LeRoy said that the recommended Election Ordinance changes prepared by Tina Jones on behalf of the Election Board have not been fully reviewed. LeRoy suggested that he review these and make recommendations for Council at a Special meeting this coming Saturday.

Council reviewed the October Attorney invoice.

MOTION #17 — Douglas Brown moved to approve October Attorney Invoice. Seconded by Jane John. Motion unanimously approved 8-0-0.

Frank Simmons asked about the statute of limitations on oil rights off the Oregon Coast. LeRoy said that it probably expired. Would not get too excited about it.

Bingo Report — Bud Lane — Distributed a written report of Bingo activities. Have had some good luck with our Bingo Game so far. Average attendance is around 135. Phil Rilatos said we should not expect to make a profit for the first year.

Housing Report — Jane John — Nothing new to report since the last meeting.

Kristi Martin said that she needs volunteers for the Restoration Day dinner. Jane John volunteered. Stan Speaks will be attending the celebration. Dinner will be served at 12:30. Delores said she is working on getting a drum to attend. The Siletz Court will be there. Have some slides to show of people in costume. Also have a film to show on Economic Development. Then will play a short Bingo program in the evening. Bill Towner said that he also has some slides.

Delores Pigsley said that the dinner for John Weddle is being held November 29 at the Red Lion. Some Council members should attend.

Delores Pigsley requested travel to the next ISRP meeting in Seattle.

MOTION #18 — Douglas Brown moved to approve travel for Delores Pigsley to Seattle, WA to attend next meeting of ISRP. Seconded by Bud Lane. YES: Arthur Bensell, Kristi Martin, Alta Courville, Alfred Lane, Douglas Brown, Frank Simmons, Jane John. NO: -0-. ABSTAIN: Delores Pigsley. Motion approved 7-0-1.

Meeting adjourned 4:45 P.M.

/s/ Jane John
Jane I. John,
Council Secretary