Tribal Council Minutes

UNAPPROVED

MEETING: Special Council Meeting
DATE: March 17, 1987
TIME: 6:00 p.m.
PLACE: Siletz Tribal Community Center

COUNCIL MEMBERS PRESENT:
Delores Pigsley, Chairman; Arthur S. Bensell, Alfred "Bud" Lane, III, Vice-Chairman; Douglas Brown (6:38 p.m.), Mary "Dolly" Fisher, Mary Alice Muncey, Secretary; Frank Simmons.

COUNCIL MEMBERS ABSENT: Lori Johnson, Alta Courville.

OTHERS PRESENT:
Tina M. Jones, Secretary; Ted Werth, STEDCO Exec. Dir.; Mary Viles, Jeff Williams, SIHA Exec. Dir.; Sharon Edenfield, Bus. Mgr.; Darlene Carkhuff, Secretary; Cynthia Viles, Historian.

Chairman, Delores Pigsley, called the meeting to order at 6:01 p.m. Roll call was taken with 6 Council Members present and 3 absent, however, Douglas entered the meeting at 6:38 p.m. Additions to the agenda include Culture Committee and Tribal Council Concerns.

MOTION #1 — Bud Lane moved to approve the amended agenda, with the following additions. Culture Committee Museum Proposal after Approval of Minutes and Tribal Council Concerns after Discussion on Water Agreement. Seconded by Frank Simmons. Motion approved, 6-0-0.

MOTION #2 — Frank Simmons moved to approve the minutes from the 2/21 - 2/22/87 Council Meeting. Seconded by Bud Lane. Motion approved, 6-0-0.

Cynthia Viles discussed the Museum Development proposal. The Culture Committee requested they be appointed as Interim Board of Directors for the museum development. The Interim Board would look at membership of the board, develop a charter for submission to the Council, long range plans for a museum, develop purposes of intent and identify funding sources. It would be similar to the interim STEDCO Commission and this interim Board would identify regular Board Members for Council approval.

MOTION #3 — Bud Lane moved to appoint the Culture Committee as the Interim Board of Directors for museum development. Seconded by Frank Simmons. Motion approved, 6-0-0.

DISCUSSION ON WATER AGREEMENT — Bud Lane read a letter from Mayor Rudy Kellison on the Tribe's proposal of 65 cents per 1,000 gallons of water. Bud felt the $75,000 cash contribution the Tribe was making would cover a portion of sewer costs for the homes. Jeff responded this was to offset hook-up fees, and the monthly charge would be negotiated once the water agreement was completed. The City feels the Tribe would use more than the estimated 30,000 gallons per day. LeRoy discussed this with Kris Kinney and he bases the 30,000 gallons per day on 5 people per home using 100 gallons per day per person. As long as the Tribe does not require more than 30,000 gallons per day it should not tax the City's water system. At the Council meeting where it was decided to negotiate a bulk purchase, the Council recognized that it should not pay double the cost. There are certain costs related to meter reading, billing, maintenance, collection, etc. that they would not have with the Tribe as the Tribe will do its own billing, meter reading, etc. Another issue the City is concerned about is that the Tribe is not within the city boundaries so the Tribe should pay double. The average in-city user pays $1.61/1,000 gallons, which includes collection, meter reading and maintenance. We should use $1.61/1,000 gallons and deduct a proportionate amount for each of the services we will not use. Jeff mentioned that City Resolution #110 says they agree to contract to sell water to the Tribe at actual cost of treatment and are now saying that some people are paying as much as $4.00+/1,000 gallons. He feels they are adding additional costs to the treatment costs which are not relevant. It was felt that half of the City's costs in their proposal are for depreciation. LeRoy pointed out that in the existing water agreement the Tribe is obligated to pay their proportionate share for improvements. The Tribe is within the City limits and the water purchase is within the city limits. Therefore, we should be negotiating a price based on in-city user cost.

TRIBAL COUNCIL MEMBERS CONCERNS — Art Bensell was concerned about the sewer hookup fees. Jeff noted the Tribe has a $75,000 cash contribution from amendment money to help pay for sewer improvements. Art mentioned the City had leaks when he was Mayor. The City would allow the sewer to go into the river and did nothing about it. DEQ knows about it, but does not do anything. Jeff reported that IHS & SIHA recognize this proiblem and this is why they are willing to give the $75,000 to help pay for sewer improvements. If the lines are repaired it should end the leaks. Douglas asked LeRoy to explain his comment about the 4 Council members who voted against making LeRoy an Honorary Tribal Member and that these 4 had never made a secret that they did not care for LeRoy. Douglas denies saying or doing anything to give LeRoy that feeling. Douglas stated he has always tried to treat LeRoy with respect and felt that LeRoy was wrong in saying those things. LeRoy responded that the resolution was put on a full page in the tribal newsletter, clearly stating who voted for and who voted against, and it was a public statement. LeRoy's actions were to make everyone understand that regardless of how people feel, or what they publicize in the paper, it would not make any difference in how LeRoy represents this tribe. He stated that if Douglas did not participate in trying to get his vote shown he apologies, but he still maintains that regardless of what appears in the paper or how they vote on Honorary Membership, he will continue to do his best for the Tribe as long as he is the tribal attorney. Tribal Council recessed to attend the meeting with the City at 6:48 p.m. Bud discussed the draft letter from the Sacred Lands Preservation Committee. LeRoy mentioned that hearings were held already. Administration of the Smithsonian had testified against it and some Indian people had testified for it. We are still in the comment period, so Dee suggested the Council send it from the Tribe. Tina was asked to air express it so the comments would be received in time. Bud discussed the letter from Selene Brandt stating she did not have time to sign up for a committee. Council agreed that enough notice had been made through the newsletter, existing committees, and announcements at General Council. Dee announced the Bureau had dropped the 15% indirect fee for FY 88. They have also dropped the initiative to move management of Bureau schools to states. A request for proposals was opened up for the Trust Fund management. Northwest Tribes had a major roll in these initiatives. Dee was concerned about the phase out, over a 3-year period, of the CHR Program. It is expected that tribes will take over funding this program. Frank mentioned that Georgia-Pacific (G-P) is trying to sell all their timber lands in Lincoln County. He suggested the Council approach them to donate the property our fishing site is on. LeRoy suggested asking them to transfer their land to the Tribe or work out a way for the Tribe to pay them through a harvest. Council decided their ad-hoc land acquisition committee and STEDCO will look into this. Bud reported G-P is unable to transfer their right-of-way to the Harney/Baker/Evans Cemetery. We will have to go through the same source as G-P to obtain access.

BUSINESS MANAGER'S REPORT — Sharon Edenfield asked about personnel moves. Council placed a hold on all personnel moves until the BIA and IHS funding initiatives were settled. Dee was concerned about BIA Higher Education only allowing 15% of the contract amount for administrative costs. This would not pay for Bob Tom or Sue Bevens' salary or benefits, their travel, telephone, etc. Judy is working on testimony for this comment period. Sharon reported the reprogramming for Social Services and Forestry were in place. Dee reported she talked with Forrest Gerard about or ICWA grant. Stan Speaks has not received an affirmation from the Central Office, in writing, on our receiving a three-year grant. The Bureau has cut back other three-year programs to one-year grants. Sharon reported our Revenue Sharing account has accrued $7,412.92 in interest over the years. Council discussed the line items and established a budget:

Death Benefits — $4,000
Special Projects — $1,412.92
Disaster Fund — $1,000
Holiday Fund — $1,000

MOTION #4 — Bud Lane moved to approve the attached Revenue Sharing budget. Seconded by Douglas Brown. Motion approved, 7-0-0.

Sharon presented revenue sharing requests, 2 for Easter and 1 disaster request. Bud also mentioned the Toledo Grand Night request from Lillie Butler.

MOTION #5 — Dolly Fisher moved to approve the following Revenue Sharing requests: $50 to Portland Area Office for their Easter Project from Holiday Fund; $200 to Siletz for their Easter Holiday from Holiday Fund; $100 to Toledo Grand Night from Special Projects; $200 to Richene Johnson for a fire disaster from the Disaster Fund. Seconded by Bud Lane. Motion approved, 7-0-0.

The Siletz Easter Committee requested permission from the Council to solicit donations from the Siletz Community for prizes and cash to purchase eggs. Council agreed to this. Lincoln County Mental Health requested permission from the Council to attach a mental health survey on drug/alcohol use and abuse in our community in the tribal newsletter. Mental Health would compile the statistics from this survey and the Tribe would be able to use the statistics. Coiuncil agreed to this request. Sharon presented the SYEP and JTPA Comprehensive Annual Plan. The SYEP Program will provide 2 positions in Siletz, 5 in Salem and 5 in Springfield. SYEP has the same eligibility requirements as the JTPA Program and it is difficult for Siletz youth to meet these requirements. The YOP Program will fund 9 students in Siletz.

MOTION #6 — Frank Simmons moved to approve submission of a JTPA Summer Youth Employment Program application to the Department of Labor in the amount of $14,010. Seconded by Dolly Fisher. Motion approved, 7-0-0.

MOTION #7 — Bud Lane moved to approve submission of the JTPA Program proposal to the Department of Labor in the amount of $323,392. Seconded by Frank Simmons. Motion approved, 7-0-0.

Sharon read a letter from the Confederated Tribes of Coos asking for a reciprocal agreement with our tribe to serve Siletz and Coos tribal members through both our USDA Food Programs. Dee asked Sharon to get more information on this agreement. Irene Holland, a tribal member, has started work as the CHN in the Portland Area Office. Frank Simmons requested approval for a fish/meat distribution at the General Council Meeting on May 2nd to get rid of everything in the lockers. Council agreed with this.

TRIBAL ATTORNEY'S REPORT — LeRoy prepared some comments on the draft Siuslaw Management Plan stating that principals of Trust and Federal policy of mandating Indian self-sufficiency requires the Board of Supervisor consider the impact on the Siletz Tribe for reductions in the allowable cut in the forest. He received good cooperation from represenatives of the private timber industry. They gave him drafts of their comments and provided LeRoy with facts and figures relevant to our comments. It is believed that when the Siuslaw plan becomes public, lawsuits will be filed and LeRoy believes the Tribe should participate in the litigation. The JTPA appeal for the Portland area has been drafted. The Tribe asked for inclusion of the JTPA Program in the three Portland counties. We were denied and the appeal states that regulations mandate that tribes be given first priority as grantees and our service area is our reservation. Sacred Lands Preservation Committee raised an issue regarding the lack of timely notice about digs in the area. A letter under Dee's signature was sent saying the Tribe wanted the matter rectified. The law says that the Oregon Commission on Indian Services will develop rules, which they have not done yet. The Commission has asked the Tribe to participate in drafting rules. Judy & LeRoy have discussed the drug & alcohol program money. LeRoy will draft a resolution to outline the basic program guidelines for the Tribes. LeRoy believes the thrust of the legislation is to allow tribes or grantees to construct, build or rehabilitate facilities for an alcohol treatment center. LeRoy does not believe there will be enough money for every tribe to build a permanent alcohol treatment center and thinks tribes should work in cooperation with each other to put together a comprehensive plan. Facilities construction is hard as money may run out two or three years down the road and tribes would be left to maintain the building and program. Dee mentioned that at a meeting at Chemawa a discussion was held about tribes utilizing Chemawa's alcohol program for teenagers. LeRoy will draft the resolution but the Tribal Council will have to develop the Tribal Action Plan. LeRoy reported that in the ANA grant, money is available to help with the Council's goal clarification. The Portland City Council worked with a specialist named Lyle Summick who specializes in working with city councils on goal clarification. He has worked with Springfield, Eugene and Portland City Councils. Mr. Summick is available June 19th & 20th. Council agreed to this training date as long as it does not conflict with Pi-Ume-Sha. LeRoy asked for a short meeting with the ad hoc Land Acquisition Committee to set timelines on getting the bill written. LeRoy hired a tribal member, Marva Janik, as Secretary for his office. The Tribal Council has been sued over LeRoy's honorary membership. LeRoy sent Dee a letter declining the honor and wants to get back to matters of more concern to the Council and put an end to the entire matter.

SUPERINTENDENT'S REPORT — Nelsen reported on the BIA budget initiatives. Most have been eliminated. The Mellon Bank is out and Ross Swimmer put together a task force to issue another RFP for management of tribal trust funds. Some of the Forestry cuts have been opposed by Congressional leaders and Nelsen should have more information by the end of the week. The Tribe's request to reprogram $30,000 from Forestry into Sccial Services is approved. A letter was received for approval of the Tribe's expanded service area, but it states the expanded service area cannot be implemented until notice is published in the Federal Register. Nelsen reported he has not received word on the Tribe's ICWA grant. This year all action will take place back in Washington, D.C. The Area Director indicated it was a three-year grant and everyone involved specifies it is a three-year grant, but no official word agreeing or disagreeing with this has come from the Central Office. There will be a training session on 93-638 contracts on the 30th, 31st & 1st in Portland at the Cosmopolitan Hotel. There will also be an ICW meeting on 31st & 1st. At this meeting will be information on the drug & alcohol monies. There has not been any indication from the Bureau on what will happen with that money. It is rumored there will be a large concentration on training. The money is expected to be managed back East. IHS is in the same boat with construction hold backs. Karen Grey Eyes is supposed to report at the 30th — 1st meeting on the Albuquerque meeting. Dee reported the 15% indirect rate is out, and the Education being funded to operate Bureau schools was out, but asked Nelsen about the 15% administrative cost ceiling for operating Higher Education programs. Nelsen has not had word on this and said it has not been published yet. Nelsen reported we received most of our indirect except in the Forestry contract.

TRAVEL REQUESTS — Frank Petersen requested approval to go to Olympia and Tahola, Washington for an ATNI ICWA Committee meeting and to meet on a tribal ICWA case on 3/23 & 3/24/87. Judy requested travel for Don Holman and Maxine Rilatos to Yakima, Washington to attend a CHR Conference on April 7 - 9, 1987. Judy is sure Don has funds available and is checking to see if Maxine has funds available. Kristi Martin requested approval to attend the Native American Press Association Conference in Albuquerque, New Mexico on April 8-11, 1987.

MOTION #8 — Dolly Fisher moved to approve out-of-state travel for the following: Frank Petersen to Olympia & Tahola, Wahsington to attend the ATNI - ICWA Committee Meeting and an ICWA case for a tribal member on 3/23 & 3/24/87; Don Holman and Maxine Rilatos to Yakima, Washington on 4/7 - 4/9/87 to attend the Northwest CHR Conference, provided funds are available; Kristi Martin to Albuquerque, New Mexico on April 8 - 11, 1987 to attend the Native American Press Association Conference. Seconded by Bud Lane. Motion approved, 7-0-0.

ANNOUNCEMENTS — Sacred Lands Preservation Committee will have a meeting on March 26th. An Elders Potluck will be held on Sunday, March 22nd. March 28th the first language class will be held. It will be to formulate a language curriculum so everyone interested should be there. Art and Mary Alice will leave for Kansas on Thursday.

Meeting adjourned, 9:33 p.m.

Mary Alice Muncey
Tribal Council Secretary