

THE GRAND RONDE REVIEW



A Publication of the Grand Ronde Tribe

Umpqua • Molalla • Rogue River • Kalapuya • Chasta

Dispute with Grand Ronde Water Association will be settled in circuit court

By Tracy Dugan

Tribal attorneys are currently in the discovery stage of a pending lawsuit between the Grand Ronde Tribe and the Grand Ronde Water Association. The lawsuit was filed by the Tribe as a final alternative to a year-long disagreement between the Tribe and the Association over the cost of a water hook-up for the Tribe's Grand Meadows Housing Project.

When initial building at Grand Meadows began, the Tribe approached the Water Association in order to seek water service to the home park. The Association agreed to do so. The Tribe agreed to pay \$2,500 for a new water hook-up, the amount the Water Association charges other members. But when Grand Meadows was completed, and the first home moved into the park, the Tribe received a bill from the Water Association for \$92,500 — 37 times the amount other Water Association members are billed. Grand Meadows was designed to support 37 single fam-

ily dwellings, but the Association only installed one single service line in Grand Meadows. The Tribe paid all expenses of running the water lines to the residents of the park.

"The Tribe acknowledges that it is a large user of water in this community," said Rob Greene, Tribal Attorney. "We use more water, and we pay for the water we use. Our monthly water bills have always been paid. But this is a hook-up fee that has nothing to do with water use. We just want to be charged the same as everyone else."

The Tribe tried to solve this dispute informally, and was unsuccessful. Tribal attorneys then proposed arbitration, which was rejected by the Water Association.

On March 26 of this year, the Tribe mailed the Association a check for \$10,020, to cover the cost of the hook-up fee for Grand Meadows, and other domestic and fire line fees. This was the amount that officials and

attorneys intended to pay, and believed the Tribe owed to the Association. The check was returned with a letter from the Association's attorney, Jerry Brown.

After the payment was returned, the Association notified the Tribe that all water to the Grand Meadows home park would be turned off within ten days if no payment was received. Tribal attorneys then filed a restraining order with Polk County preventing this action, and the Tribe was granted a Preliminary Injunction that prevents the Association from turning off the water to Grand Meadows.

Finally, in June, the Tribe filed a Declaratory Action in Polk County Circuit Court. The court date is set for December 2, 1998 in Dallas, Oregon.

Residents of Grand Meadows do not have to fear that their water will be turned off. A judge will decide which party should be held accountable in this matter.

"The Water Association must fol-

low its own by-laws. It is their governing document, and they are acting inconsistently with those by-laws," said Kim D'Aquila, one of the Tribe's attorneys. "The Association has refused our attempts to informally and formally arbitrate this matter."

On September 10, the Water Board held a meeting to discuss proposed changes to their by-laws, which Association members approved by a vote of 27-4. Tribal officials are concerned that some of these changes may adversely affect many Association members, as they relate to fees and new and existing service charges the members are paying. "We are concerned about the nature of these changes and how they will be applied to the Tribe," said D'Aquila.

Council member Ed Larsen, who also sits on the Water Board, has recused himself from participating in discussions about the lawsuit with the Tribe, but continues to serve on the Board in regard to all other business.



The 3rd annual community HEALTH AND SAFETY FAIR was held on September 18, despite the heavy downpour of rain which prevented LifeFlight from landing. The Health Fair was created as a result of a need to give free immunizations. All Grand Ronde students and the 3rd graders from Willamina attended.

PHOTO: Gayle White from Polk County Mental Health, demonstrates the importance of bicycle helmet safety.

Native applicants sought for fellowship ■ Intern will serve in Washington, D.C.

The Tribe has announced that applications for the Mark O. Hatfield Congressional Fellowship are now open. Each year, the Hatfield Fellow will be selected from Native American applicants to serve as an intern for a member of Oregon's Congressional delegation. This year's intern will serve in Oregon Senator Ron Wyden's Washington, D.C. office.

The Fellowship honors Mark Hatfield for his accomplishments as a U.S. Senator and Governor of Oregon and for his mentorship of many members of his staff who became leaders in their own communities.

"Following in Mark Hatfield's footsteps as Oregon's senior Senator is an incredible honor and challenge. The Mark Hatfield Congressional Fellowship will give young people from our state's American Indian community the opportunity to help make a difference for all Oregonians, and I am extremely proud to have the first of these fellows working in my of-


ice," said Senator Wyden.

Applicants must be enrolled adult members of federally recognized Indian tribes in Oregon, Washington, Idaho, and Montana, with preference given to the nine federally recognized Oregon tribes.

Highlights of the fellowship include:

- The Hatfield Fellow will be rotated every year between the House and the Senate members of Oregon's delegation.
- Each Hatfield Fellow will serve for nine months and will receive a stipend, moving and travel expenses, and participation in a special American Political Science Association Orientation.

Application packets may be obtained by contacting Amber Russell at Spirit Mountain Casino. Call 1-800-760-7977 and ask for extension 3608. The deadline for completed Fellowship applications is 5 p.m. on **October 2, 1998**. Announcements of the first Hatfield Fellow will occur on October 13, in Portland.



Confederated Tribes of the Grand Ronde
Community of Oregon
9615 Grand Ronde Road
Grand Ronde, Oregon 97347
Address Service Requested

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
SALEM, OR
PERMIT NO. 178

University of Oregon Library
Received on: 10-01-98
Smoke signals

Ser: 1299
EUGEN