

Tribal Council OKs attorney fees payment

By Dean Rhodes

Smoke Signals editor

After postponing in mid-April approval of a reimbursement to Tribal Council member Denise Harvey for attorney's fees she incurred in defending herself against an ethics complaint, Tribal Council voted on Wednesday, May 9, to pay the fees despite a final ruling not yet being handed down by Tribal Court Chief Judge David Shaw.

Tribal member Rebecca Knight filed an ethics complaint against Harvey regarding her participation in job interviews for a new Spirit Mountain Community Fund program coordinator.

A March 26 authorization to proceed approved by seven Tribal Council members OK'd transferring \$111,011.65 from general contingency to the Tribal Council budget to pay for Harvey's legal expenses and attorney's fees.

Tribal Council considered the reimbursement at its April 17 Legislative Action Committee meeting and was set to approve it at the April 18 Tribal Council meeting. However, it was pulled from the agenda.

Tribal Council Vice Chair Chris Mercier said at the time that the reimbursement was postponed because more motions were filed after Shaw ruled from the bench in Harvey's favor. Mercier said Tribal Council would await a final resolution before re-addressing the reimbursement.

At the Tuesday, May 8, Legislative Action Committee hearing, the issue returned with Tribal Council Chairwoman Cheryle A. Kennedy and Tribal Council member Kathleen George saying that the reimbursement is consistent with previous Tribal Council practices when a Tribal Council member defended themselves against a complaint.

An Executive Summary issued in April stated that the Tribal Council Ordinance authorizes the reimbursement and follows past practice with how the Tribe handled ethics proceedings involving Tribal Council members that occurred six previous times.

"The Tribal Council Ordinance authorizes indemnification of an individual who is made a party to the proceeding because of conduct by the individual while she is or was a Tribal Council member against liability for reasonable expenses, including defending costs, incurred in the proceeding if council determines that the individual met the standards of conduct set forth in the Tribal Council Ordinance," the proposed April 18 resolution stated.

Harvey was appointed to the

Community Fund Board of Trustees in September 2016 to fulfill the term of former Tribal Council member Ed Pearsall and was re-appointed to serve a two-year term in October 2017.

Tribal Council member Jack Giffen Jr. said at the May 8 Legislative Action Committee meeting that he supports paying the legal fees, but not those incurred during an initial mediation process.

In response to a question from Kennedy, Tribal Attorney Rob Greene said mediation is now part of the process required under the Tribal Council Ordinance.

Harvey abstained from voting on the issue.

In other action, Tribal Council also approved an agreement with the Bureau of Indian Affairs to receive \$513,866 in Tribal Transportation Program funding.

Also included in the May 9 Tribal Council packet were approved authorizations to proceed that:

- Directed Finance Officer Chris Leno to allocate the \$25,000 2018 Pepsi sponsorship funds as follows: Veterans Powwow, \$10,000; Contest Powwow, \$13,000; Grand Ronde Food Bank, \$1,000; and Community Garden, \$1,000;
- Moved the deadline for Tribal Council member submissions for *Tilixam Wawa* to the last Friday of the month;
- Approved scoring and evaluation changes for enrollment in the Tribal Head Start Program that include increased scoring for poverty, domestic violence, unstable housing, foster care, kinship care, teen parents and family in recovery from substance abuse;
- Approved a letter, as presented by staff, to the Federal Energy Regulatory Commission regarding the Jordan Cove/Pacific Connector projects in southern Oregon;
- Approved the Tribe's application to the Oregon Health Authority for its Opioid State Targeted Response grant that would bring in \$27,870 over two years.

Cultural Resources Department Manager David Harrelson made the cultural presentation to open the meeting, discussing two summers – cultural practices that are changing as warmer weather arrives and the June 1 opening of Chachalu Museum & Cultural Center, which will display 16 items from the Summers Collection that are being loaned to the Tribe by the British Museum in London.

The entire meeting can be viewed on the Tribal website www.grandronde.org by clicking on the News tab and then Video. ■

Giffen appointed to Willamette Falls Locks Commission

By Dean Rhodes

Smoke Signals editor

WEST LINN – Oregon Gov. Kate Brown has appointed Tribal Council member Jack Giffen Jr. as one of two Native American representatives to serve on the new 23-member Willamette Falls Locks Commission.

The commission will oversee the potential recommissioning of the Willamette Falls Locks, which possibly would create millions of dollars in transportation and recreation benefits for Oregonians.

Located on the Willamette River in West Linn, the Willamette Falls Locks are owned by the Army Corps of Engineers. The locks opened in 1873 and provided passage around Willamette Falls.

They were decommissioned and given a "non-operational status" in December 2011 because of failing gate anchors and needed extensive repairs. A lack of potential national economic benefit has prevented the Corps of Engineers from justifying requests for federal funding to repair and re-open the locks.

Options for the Willamette Falls Locks include decommissioning them or transferring ownership from the Corps of Engineers to a new owner, either private, public or a combination of both.

The commission will work to advise state, local and regional stakeholders on the development and implementation of policies relating to the repair, re-opening, operation and maintenance of the Willamette Falls navigation canal and locks. The commission also will oversee transfer of ownership from the corps, as well as the operation and financing of the navigation canal and locks.

According to an economic study conducted by Portland-based ECONorthwest, Oregon would see economic



Jack Giffen Jr.

benefits from recommissioning the locks estimated from \$24 million to \$99 million, as well as environmental benefits from reducing the

number of truck trips on Portland-area roadways.

"Re-opening the locks and returning navigational access around Willamette Falls also holds tremendous historical and cultural value to Oregonians and to the state's Native American Tribes," said a press release announcing commission appointments. "Tribal history in the area dates back at least 14,000 years, once serving as a place to collect food and fiber, and to trade with other Tribes, as well as a spiritual and ceremonial gathering place for members of the region's Tribes."

Giffen, 66, is serving his fifth term on Tribal Council. He is joined on the commission by Umatilla Tribal Chairman Gary Burke.

During a Wednesday, May 2 meeting, West Linn Mayor Russ Axelrod was elected chair of the commission and Clackamas County Commissioner Martha Schrader and West Linn resident Sandy Carter were named co-vice chairs.

The commission is scheduled to meet several times over the next two years to determine the best option for repair, re-opening, operation and maintenance of the navigation canal and locks.

The next meeting is slated for Wednesday, June 6, in West Linn City Hall.

The Oregon Legislature created the Willamette Falls Locks Commission in 2017 with the passage of Senate Bill 256. ■

MARRIAGES IN TRIBAL COURT

Tribal Court is now issuing marriage licenses and is able to perform marriage ceremonies for a filing fee of \$40.

For questions regarding scheduling, please contact the Tribal Court at 503-879-2303. ■

Elders sought for New York City trip to see Tomanowos

Two Elders are being recruited for a planned June 19-22 trip to visit Tomanowos – the Willamette Meteorite – that is housed in the American Museum of Natural History in New York City.

The deadline to enter a drawing to go on the trip is 10 a.m. Wednesday, May 30.

Elders must be 60 or older and physically able to get around since there is a lot of walking involved. Elders who have previously gone on the trip are not eligible.

A sign-up sheet is posted at the Elders Activity Center, 48940 Blacktail Drive.

The itinerary includes travel days on Tuesday, June 19, and Friday, June 22. The meteorite ceremony will be held on Wednesday, June 20, and a breakfast with museum staff is slated for Thursday, June 21.

If selected, Elders will need to submit their current ID, list of medications, emergency contact, primary care physician and any special needs to Public Affairs Administrative Assistant Chelsea Clark by Tuesday, June 5.

For more information, contact the Elders Activity Center at 503-879-2233. ■