

BOARD ORDERS AND MINUTES

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY ("the Board") sat for the transaction of county business in formal session on May 19, 2010, at 9:00 a.m. in Room 32 of the Courthouse, Commissioners Kathy George, Mary P. Stern, and Leslie Lewis being present.

Also present were Laura Tschabold, County Administrator; John M. Gray, Jr., County Counsel; Hannah Hoffman, News-Register; Megan Ramos and Jonia Pierce, PO Box 865, McMinnville; Kathy Thole, 554 NW Evans, Sheridan; Darrell Mahurin, PO Box 306, Grand Ronde; Michael Bunis and Sydney Stern.

Commissioner George called the meeting to order at 9:05 a.m.

A. **PUBLIC COMMENT:** This thirty-minute time period is reserved for public comment on any topic other than a quasi-judicial land use matter or other topic scheduled for public hearing. Unless extended or restricted by the Chair or majority of the Board, public comment will be limited to three minutes per person.

Kathy Thole stated that she had read the News-Register article about efforts being made by the Grand Ronde Tribe to facilitate a quicker way to get property into the tribal trust, and she urged the Board not to support these efforts. She said that as more land is taken off the property tax rolls, it increases the tax burden on the remaining property owners. She stated that she has a fixed income and if she can't pay her property taxes, her property would go to the county. She said that the 14th Amendment to the Constitution should give citizens equal protection. She distributed copies of a map from the Bureau of Land Management showing the Grand Ronde Reservation (see Exhibit A) and noted that, according to this map, the reservation does not include the extra section, which she referred to as the "Fort Hill property."

Darrell Mahurin stated that he expects government to treat all citizens equally and apply the laws to protect individual rights. He said that putting land into trust for the tribe would take money out of the community that others would then have to pay unless the budgets are reduced.

B. **CONSENT AGENDA:** Ms. Lewis moved approval of the consent agenda. The motion passed, Commissioners George, Stern, and Lewis voting aye.

Personnel

1. **B. O. 10-251** - Approve the employment of Emily Piper as HS Specialist 2 in HHS Abacus, Range 20, Step 6, regular part-time until occupational therapy license is obtained and regular full-time thereafter, effective June 1, 2010.

2. **B. O. 10-252** - Approve the change of status of Jeffrey Hindley to Juvenile Corrections Division Supervisor, Range 20, Step 5, effective June 1, 2010.

Contracts

3. **B. O. 10-253** - Approve the renewal of an agreement between HHS Adult Mental Health and Karen Peters, PMHNP, dba Northwest Behavioral Health, LLC, provider, for psychiatric services, \$86.57/hour, effective May 24, 2010.

4. **B. O. 10-254** - Approve an affiliation agreement between HHS Public Health and George Fox University for the county to provide clinical education experience to nursing students, effective July 1, 2010, through June 30, 2012.

Permits

5. **B. O. 10-255** - Schedule a public hearing for July 14, 2010, to consider a request for a mass gathering permit for the 2010 Chamber Trilogy Event on September 11-12, 2010, applicant Chehalem Valley Chamber of Commerce.

Resolutions

6. **B. O. 10-256** - Approve Resolution 10-5-19-1 in the matter of the 2010 election to receive national forest-related safety-net payments.

7. **B. O. 10-257** - Approve Resolution 10-5-19-2 in the matter of the 2010 election to receive O&C land-related safety-net payments.

8. **B. O. 10-258** - Approve Resolution 10-5-19-3 setting forth planned corrective measures concerning the audit for the 2008-09 fiscal year.

Title 2 Funding

9. **B. O. 10-259** - Recommend the following projects to the Salem District Resource Advisory Committee for 2010 Title 2 funding:

- | | |
|--|----------|
| a. Yamhill County Law Enforcement | \$12,650 |
| b. BLM Timber Haul Route | \$24,200 |
| c. Noxious Weed Control Programs | \$2,631 |
| d. Identify & Clean Up Illegal Dumpsites | \$9,333 |

C. OLD BUSINESS:

1. **B. O. 10-260** - Consideration of appointing Silas Halloran-Steiner as County Financial Assistance Administrator with the authority to process amendments to the 2009-11 Financial Assistance Agreement #127319 and the Service Element Prior Authorization (SEPA) with Oregon Department of Human Services on behalf of the county, effective June 15, 2010, through June 30, 2011.

Ms. George stated that Laura Tschabold has spoken with Silas Halloran-Steiner and feels

that there are enough safeguards in place to go ahead with this. She moved approval of item C(1). The motion passed, Commissioners George, Stern, and Lewis voting aye. Ms. Lewis noted that Chris Johnson would continue to mentor Mr. Halloran-Steiner through the end of the calendar year and Paul Kushner would also still be around.

D. OTHER BUSINESS (Add-ons and non-consent items):

1. **B. O. 10-261** - Consideration of authorizing the purchase of a new 2010 Ford Fusion from Chuck Colvin Ford for the Sheriff's Office, \$16,438, and declaring Unit P-119 as surplus county property to be sold on eBay.

Ms. Stern moved approval of item D(1). The motion passed, Commissioners George, Stern, and Lewis voting aye.

2. Consideration of authorizing the following Service Element Prior Authorization (SEPA) Approval Units for the 2009-11 Financial Assistance Agreement #127319 between HHS and Oregon Department of Human Services:

a. **B. O. 10-262** - SEPA Approval Unit #453355, -\$13,600;

b. **B. O. 10-263** - SEPA Approval Unit #450861, \$29,971.

Ms. George moved approval of item D(2). The motion passed, Commissioners George, Stern, and Lewis voting aye.

3. **B. O. 10-264** - Consideration of approval of a Consent Election Agreement between Yamhill County, Yamhill County Employees Association (YCEA), Yamhill County Juvenile Detention Workers Association, and the State of Oregon Employment Relations Board, Case No. RC-009-10.

John Gray provided background information and stated that the Juvenile Detention workers want to form their own bargaining unit. He suggested approving the agreement contingent on approval by YCEA and stated that he would add that condition to the agreement. Ms. Stern moved approval of item D(3). The motion passed, Commissioners George, Stern, and Lewis voting aye.

E. PUBLIC HEARINGS:

1. Receipt of public comment regarding the closeout of the Community Development Block Grant for the Regional Housing Resource Center, Project HC#712. *[No formal action necessary.]*

Ms. George opened the public hearing.

Megan Ramos, Homeownership Program Specialist for the Housing Authority of Yamhill County (HAYC), thanked the Board for its support of the grant. She discussed the services made possible through the Housing Resource Center, noting that the number of clients served by the Loss Mitigation Program for foreclosure counseling has increased significantly. Jonia Pierce

stated that this particular program is not limited to low- and moderate-income clients, but is available to anybody struggling to keep their home. Ms. Ramos stated that HAYC has secured a new grant to keep the Housing Resource Center open for the 2010-11 year.

There being no other comments, the hearing was closed.

F. ANNOUNCEMENTS:

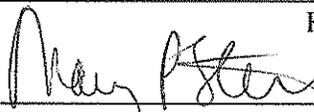
1. The following positions are open to the public. Contact the Commissioners' Office for applications.
 - a. Commission on Children & Families, four alternate members;
 - b. Parks & Recreation Board, one position;
 - c. Planning Commission, one position;
 - d. Special Transportation Advisory Commission, one position.

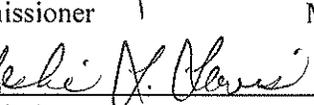
The meeting adjourned at 9:36 a.m.

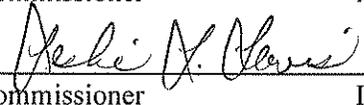
Anne Britt
Secretary

YAMHILL COUNTY BOARD OF COMMISSIONERS

Unavailable for signature

Chair  KATHY GEORGE

Commissioner  MARY P. STERN

Commissioner  LESLIE LEWIS

Accepted by Yamhill County
Board of Commissioners on
6/16/10 by Board Order
10-325

10 TERMINATE SUPERVISION OVER CERTAIN INDIAN PROPERTY

and many returned to their former homes in southwestern Oregon, their descendants now residing in all sections of their ancient habitat.

2. Grand Ronde Reservation

The Grand Ronde Reservation was established by Executive order on June 30, 1857, and was intended as a temporary reserve for holding Indians who came from the Willamette Valley and coastal locations until suitable homes could be found for them on the Coast Range Reservation. There is no Grand Ronde Tribe. Those who settled at Grand Ronde were members of the Calapoosia, Clackamas, Cow Creek Umpqua, Tackmuit, Mary's River, Molalla, Nestucca, Rogue River, Santiam Tumwater, Umpqua, Wapato and Yamhill Tribes. As time passed, they became known as the Grand Ronde Indians. A boarding school, a blacksmith shop, laundry, and school farm, were maintained by the Government until contacted to the Catholic missionaries. The original reservation contained 59,759 acres, and allotments totaling 33,148 acres were made to 269 individuals.

The Government negotiated treaties with following named tribes:

Rogue River.....	Sept. 10, 1853	10 Stat. 1018.
Cow Creek Umpqua.....	Sept. 19, 1853	10 Stat. 1077.
Rogue River.....	Nov. 15, 1854	10 Stat. 1119.
Clackamas.....	Nov. 18, 1854	10 Stat. 1122.
Umpqua and Calapoosia.....	Nov. 29, 1854	10 Stat. 1124.
Molalla.....	Dec. 21, 1853	12 Stat. 981.
Calapoosia.....	Jan. 22, 1853	10 Stat. 1143.
For Grand Ronde.....	Jan. 20, 1853	
Do.....	Dec. 31, 1853	

3. Southwestern Oregon

There are approximately 213 Indian families in southwestern Oregon, who live at 37 different locations. They are mostly of mixed blood and descend from those Indians who either did not move when the Grand Ronde and Siletz Reservations were formed, or returned to their former residences subsequent to removal to those reservations. The story of these people is interwoven with that of their friends and relatives at Grand Ronde and Siletz. In recent years many families have selected public domain lands under the fourth section of the General Allotment Act. The records indicate that 273 allotments and 18 homesteads were originally held. As time elapsed, many allotments and homesteads were either canceled, fee patented, or sold.

III. BACKGROUND OF ACTIVITIES

1. Population

The attached map is a copy and enlargement of the map contained on page 666 of 59 Federal Supplement, the original thereof having been prepared by the American Anthropological Association. Added to the original map are names of various bands and tribes affiliated with the tribes whose names appear on the original map. Bulletin 30, Handbook of American Indians, Bureau of American Ethnology, was utilized in making interpolation of names of Indian bands (quoting from 59 Fed. Supp. p. 967):

"The conclusion reached by this association from its investigation and research, as disclosed by its official records shows that this tribal distribution represented a fairly stable condition which had existed from about 1750."

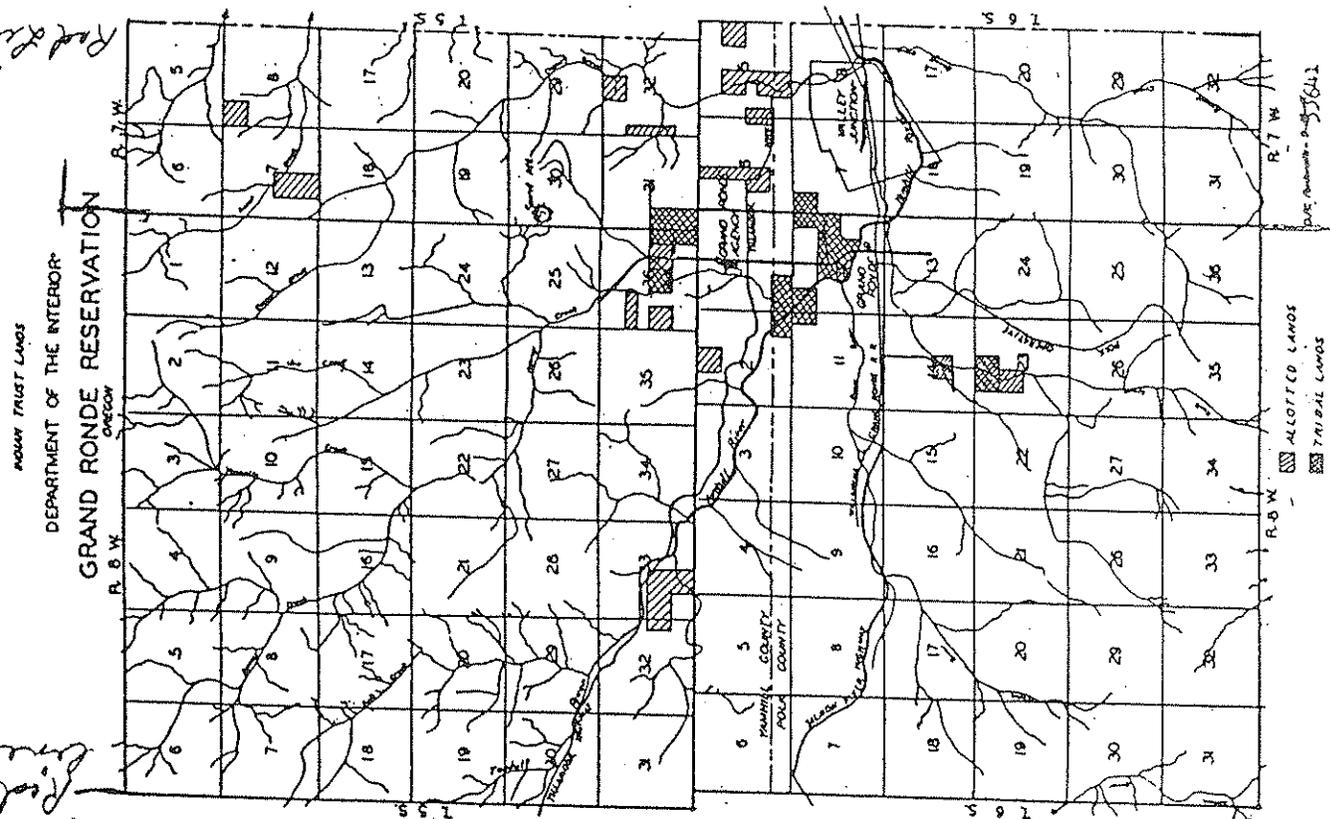
The attached map was prepared by Dr. John P. Harrington, an eminent ethnologist employed by the United States Bureau of Ethnology, likewise shows names and locations of original Indian tribes residing along the Oregon coast.

The census rolls of Indians under the Grand Ronde-Siletz jurisdiction as of June 1, 1950, show:

Siletz.....	731
Grand Ronde.....	546
Southwestern Oregon.....	804
Total.....	2,081

According to per capita rolls for the Siletz Indians, approved on August 7, 1951 and October 7, 1951 (the latter being supplemental to the former), the Siletz population is 786.

170 FEDERAL SUPERVISION OVER CERTAIN TRIBES OF INDIANS (THE 597,49A. REMAINING)



101
This map was not printed on the paper
State library records, so it is inserted
from the first printed map.
 B.O. 10-325
 EX-A 1/2

OREGON STATE LIBRARY
 83D CONGRESS : : : : 2D SESSION 1958
 JANUARY 6-DECEMBER 2, 1954
 DEPOSITORY U. S. DOCUMENTS

DOCUMENT COLLECTION

SENATE REPORTS

VOL. 3

MISCELLANEOUS III

Information on
 termination taken
 from the Senate
 Report by me.
 Kathy Thole

Tribe requested termination

To the Editor:
 Memories on Memorial Day — When I was growing up I learned that God Almighty

237 -
 5182
 a

created us... that we are to know Him, love Him and serve Him, and then to be happy with Him forever in heaven.

Further I learned that our Constitution was formed primarily to protect us from all enemies, foreign and domestic... that we are all created equal in our needs and rights... one nation, under Almighty God... with liberty and justice for all.

The deceased heroes and the living military heroes are still honored, especially on Memorial Day, and rightfully so.

But our government, especially here in Oregon, starting with Senator Hatfield, has created domestic enemies among us and indulges them with unequal, anti-constitutional and unjust powers government created.

Do the citizens of Grand Ronde remember that in the year 1951 the Tribe requested termination of the federal wardship? They were proud of themselves then—could stand on their own, could drink alcoholic beverages—removed the last vestiges of discrimination against them by paying taxes like everybody else. Do they remember and memorialize that?

There is no more equal treatment for the rest of us now wherever tribal reservations exist. HUD monies go by the billions for tribal housing, etc. ODOT monies go to close off direct access into 25 year old Ft. Hill Restaurant, gas station and mini mart now. If you can figure out before you arrive in front of these businesses just how and when to get in there, they may survive—we all know that closing off is unfair devised by Oregon government, Polk County and ODOT—and that the new four lane Highway 18 that closes off those businesses bottlenecks unsafely down to a two land Ft. Hill bridge. Then for more than half mile it's two lanes. Coin-

identally, there is only one place to get anything to eat, or gasoline, between Salem and the coast... the casino!

Also look at the Hwy. 18 entrance to Grand Rondé Road and see that ODOT/Polk county/Tribal government, without permission from Bonanza Antiques owner, have stolen the Bonanza's "grandfathered in" first entrance to their store.

There is a banner of protest by the Franzen's Bonanza, a 16 ft. long sign. While our tax dollars pay for the closure of the entrance by government, the Franzens are to pay themselves to have the closure removed.

Several of our government people will be in Grand Ronde on Memorial Day. They are to represent all citizens. Will the ungodly power of the Tribe keep them from seeing Bonanza's sign? Or doing anything about it?

Now I am growing older, Almighty God is still the creator of all of us, but the Constitution is not government's pride any more. The casino unequally pays no taxes, yet most employees do. We should memorialize with pride the tribe's 1951 action.

Kathy Thole
 Sheridan

Letters are welcome, but must be signed

Yes, we like letters. But they must be signed or they won't be published.

Please provide a telephone number—for verification purposes only. The phone number will not be published.

All letters are subject to editing. Please limit length to 300 words or less. Deadline is 5 p.m. Friday.

Send your letters to P.O. Box 68, Sheridan, OR, 97378.

You may also e-mail to: news@sheridansun.com.

EX. A 2/2