



**City of Seneca**

Phone/Fax: (541) 542-2161

PO Box 208 / 106 A Ave.

Seneca, OR 97873

**CITY COUNCIL  
REGULAR MEETING  
June 13th, 2017**

**Present Council**

**Bill Williams**

**Melissa Pettyjohn**

**Andrea Combs**

**Public**

**Matt Wenick**

**Linda Starbuck**

**Darla & Shelby Long**

**Valerie Hendrix**

**Scott ? and Daughter**

**City Manager/Recorder Josh Walker,  
Minutes taken by Raamin Burrell**

Mayor Combs called the meeting to order at 6 pm.

**Open Floor:**

Mayor Combs called for open floor items from the public. No comments.

**Approval of Minutes:**

Mayor Combs read the agenda item aloud. She confirmed that the minutes from the Regular Council Meeting from May 9th, 2017 were read prior to the meeting by all Councilors. Mayor Combs asked if there were any additions or corrections that needed to be made to the minutes before signing.

*-Councilor Pettyjohn made the motion to accept the meeting minutes, Councilor Williams seconded it. All were in favor, motion passed and Minutes signed.*

**Budget Hearing and Approval of Minutes:**

Mayor Combs read the Agenda item aloud. Mayor Combs called the Public Hearing for the budget concerning the fiscal year 2017-2018 open and invited public comment. No one signed up on the public hearing sign in, no comments made. Mayor Combs suspended the Budget Hearing at 6:20 due to late arrivals who wished to speak during the open floor period. Mayor Combs re-opened the open floor agenda item at that time.



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- Darla Long spoke up in regards to a bill for services sent to Shelby Long and Kip Mortimore. She stated that Shelby and Kip were requesting an itemized bill for services and supplies rendered by the City in regards to getting the property ready to have a dwelling placed on it. Darla also stated that in her opinion the City side of the work done, meaning the part of the work done on the part of the water and sewer system that was on City land, not the lot, should not be their responsibility to pay for. City Manager Walker responded by stating that the City Code dictates that all new water services, including the installation of a water meter, will be billed by the City. Darla argued that the water meter should have already been on the lot and that it's not Kip and Shelby's fault it wasn't there when Shelby Long purchased the empty lot. City Manager Walker explained that when the City was initially having the water system installed, owners with empty lots could opt not to have a water meter installed at that time. There are several lots in town that still do not have meters as they have not had a dwelling on them since the water system was installed. Darla Long reiterated that they wanted an itemized bill and questioned why the cost on the City side was so high. City Manager Walker explained that Kip Mortimore came to him asking the City to do the work required to prepare the lot for the dwelling that was going to be placed on it. That work included man hours, hauling rock, dirt, and moving snow, and the use of City equipment to perform those tasks. Darla and Shelby went on to state that the serving of the bill to Kip Mortimore at work was unprofessional and embarrassing, especially since Shelby is always at home and it could have been delivered there. City Manager Walker stated that he was going to John Day and had the letter with him. Also, that it was in a sealed envelope and was handed directly to Kip Mortimore with no discussion as to the contents. Shelby Long stated again that she wanted an itemized bill as the items currently on the bill were vague and she didn't know what they were for. She also explained that they will have to set up a payment plan in order to pay off the bill as they didn't have that kind of money. Darla Long offered a repayment plan at \$50 per month until paid off. Mayor Combs explained a couple of key points. One that when the lot was sold to Shelby Long the fact that there was no water meter should have been disclosed by the seller. If it wasn't, then that was in no way the City's fault and the cost and fees for the installation of the water meter still apply. Second that the City needs to recoup the cost for the supplies, time, and equipment used and that \$100 per month was more appropriate with the intent of paying off the bill within a years' time. Darla and Shelby both spoke as to how they feel harassed by the





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City and by City Manager Walker and that they no longer feel comfortable in Seneca and that they are very unsatisfied with the City in general. Darla cited her water bill as being unjustly high because she used over the base rate and was charged accordingly. Mayor Combs discussed the rate to repay the City, and Raamin was asked to draft a written agreement for repayment of the bill. Along with the Agreement, a copy of an itemized invoice would be delivered to Kip and Shelby by the Mayor to be signed at that time. The Long's agreed to this plan of action and went on to say that they feel personally targeted by the City. Councilor Pettyjohn stated that they were not being targeted, that if anyone else in town had had the same or similar work done by the City, that they would be billed just the same. Also, that everyone pays the same rates for City services and that Darla was not the only person who went over the base rates on their water usage. Her household had used way over the base amount and had to pay their bill just like everyone else. Darla Long then went on to state that she thought it was deplorable that the City would allow families with small children to be left without city utility services and further accused City Manager Walker for singling people out. Mayor Combs stepped in by telling all present not to put the responsibility on City Manager Walker, that he acts and does his job to hold everyone accountable and to the same standards at the direction of the City Council. Furthermore, that all complaints of such a nature should be directed to the City Council, directly.

- As there was no further comment, Mayor Combs resumed the Council meeting where it was paused earlier.

When the Budget Hearing was resumed, Mayor Combs called for any open comments on the Budget, none were offered. Mayor Combs ended the public hearing. Mayor Combs confirmed that the Budget Meeting minutes (Attachment A) were read by the Council and asked if there were any questions. No questions or changes, Minutes approved.

- Linda Starbuck and Matt Wenick (Budget Committee Members) were present for approval of minutes. Mayor Combs signed the Budget meeting minutes.

**Resolution 09-17: Adopting Budget for Fiscal Year 2017-2018:**

Mayor Combs read the title of the Resolution and the text of the document aloud. City Manager Walker explained that the bulk of the budget is again devoted to the Sewer Project. Mayor Combs called for a motion to accept the proposed budget as it stands and sign the Resolution (Attachment B).





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*-Councilor Williams made the motion to approve, Councilor Pettyjohn seconded it. All were in favor, Budget passed and signed.*

**Subdivision:**

Mayor Combs read the title of the Agenda item aloud. City Manager Walker stated and showed the preliminary plat map of the subdivision done by Jack Watson at Cornerstone Surveying. He explained that as part of this subdivision being established, the City Council would have to come to a consensus as to the names of the streets that have to be added for proper access, and a Resolution written and passed to legally place the names on the map. The suggestions for the new roads were as follows:

- The space that was to be an access road to the Water Tower and the lot it sits on, of which the City will retain ownership, was deemed necessary to make an actual roadway so as to negate any issues in the future with encroachment. It was suggested to be called "Water Tower Road". All agreed and thought that was entirely appropriate.
- The second is a short road to provide frontage access to the two most easterly lots in the subdivision. City Manager Walker had suggested "Rail Car Road" as it runs parallel to the old rail line. Several other suggestions were offered up. Linda Starbuck suggested "Edward Hines", Matt Wenick proposed "Edward Hines Way", all agreed and decision made.
- As a side note, while "Shirttail Creek Road" is not technically a named street in the City of Seneca, it is an accepted road name in the County and on all reference maps of the area and the City. Just to be sure we are in compliance with any and all zoning and naming conventions, "Shirttail Creek Road" will also be a part of the Resolution to officially name the streets in the Subdivision.

City Manager Walker went on to explain that also as part of the documentation required to plat the subdivision and submit it to the County, the Council had to approve and sign a Letter for Release of Easements. He explained that when that area was still owed by the Hines Lumber Company, the City had easements to run and use utility lines. When the City was deeded that land, the easements should have all been absorbed, but for some reason, they weren't. Mayor Combs made a motion to approve the signing of the Letter for Release of Easements.





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*-Councilor Pettyjohn made the motion to approve, Councilor Williams seconded it. All were in favor, motion passed, Letter signed.*

City Manager Walker said that the last piece of business for now is that since the water and sewer updates and maps are almost completed, he recommended that the Councilors hold a work session to finish the Request for Proposals (RFP) so that it can be sent out for offers in July or August. The Council decided that Monday, June 26<sup>th</sup> at 3 p.m. was an agreeable time for all present and that Sue Holliday and Brad Smith would be notified.

### **Dog Nuisance:**

Mayor Combs read the title of the Agenda item aloud. City Manager Walker explained that since Raamin had done almost all of the research and work on this that he would hand the floor over to her to explain to the Council. Raamin then summarized the documentation and recommendations that were in the Council packets. Due to lengthy research and conversations with other cities in Grant County and John Day River Veterinary Clinic the situation and recommendations were as follows:

- The City of Seneca has no law enforcement body, nor does it have a history of needing one. That being said, there does occasionally arise situations, like the current one, where it would be in the City's best interest to have some sort of code enforcement official.
- The proper steps to create this official are relatively easy. A "job description" is submitted for approval, then the Council votes to create the position, on an "as-needed" basis, with the position being a secondary position for an existing employee of the City.
- As "nuisances" are already lined out and comprehensive in the City Code there only remains the matter of setting a fee schedule for fines. This must be done by Resolution. In the packet is a proposed Resolution that sets those fines and is the next agenda item, if the Council deems it acceptable.

City Manager Walker explained that costs involved would be for a suitable kennel for a vehicle for transportation, if needed, and proper safety equipment for handling potentially dangerous animals. Also, the potential cost to the City if the owner neglected to pick an impounded animal up from the vet who would be boarding the animal. Mayor Combs asked who the proposed candidate was. City Manager Walker stated that Shane was willing to undertake the responsibility. Councilor Pettyjohn wants all of the pertinent information posted in the monthly





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newsletter and that all questions, comments, and/or complaints need to be directed to the Council. At this point Mayor Combs read the Resolution which is agenda item #7 ...

#### **Resolution 05-17: Adopting a Schedule of Fees For Nuisance Violations:**

Mayor Combs read the proposed resolution in its entirety. Discussion ensued among the Councilors. Councilor Pettyjohn would like to see a summary abatement for serious attacks. Mayor Combs read the abatement procedure from the City Code then asked about the enforcement of a specific abatement process by giving an example. Discussion further ensued with a concern being brought up that the Council could be setting itself up for seeming to single people out. Mayor Combs would like to see additions made to the Resolution to include: First offense for non-aggressive behavior being a warning. City Manager Walker asked how the Council wants to define aggressive versus non-aggressive actions and the process for abatement for each. As there was a lot of conversation about how to go about definitions and implementations, Raamin spoke up and suggested that perhaps an addendum to the Nuisance Ordinance would be more appropriate for setting these definitions and processes. Mayor Combs read over other nuisance violations and fee schedules as defined by the City Code. A decision was made to make this a part of the work session on June 26<sup>th</sup>.

#### **Public Hearing for Dangerous Buildings:**

Mayor Combs read the agenda item aloud. She then read the hearing summary sheet (Attachment C) explaining the point and purpose of this hearing and that all the parties directly involved had been properly and legally notified in advance. Earlier in the meeting, Valerie Hendrix had handed a letter to Mayor Combs from the owner of the property, Joy M. Graves. As no one else signed in to speak at this hearing, and Ms. Graves is the sole owner, Mayor Combs read the letter aloud at this time, as testimony from the owner. (Attachment D) The Council then decided to pause the current proceeding and obtain a legal review by the City Attorney. At this time, even though they didn't follow correct procedure, Mayor Combs allowed the remaining public to comment and ask questions regarding the abatement procedure. A lot of unstructured conversation followed. A gentleman by the name of Scott and his daughter, who are currently living on the property, stated that they wanted to get the property cleaned up for Ms. Graves as she is ill. They want to fix up the buildings and use the City services while they are there. They expressed frustration at the City for getting involved, at all, a lack of understanding that the City has any control of this situation in the first place and that the City laws





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cannot dictate how they live on the land. Scott doesn't understand why he's not being talked to or addressed with regards to the property issues and that he's been paying the property taxes for years so that should get him something. Mayor Combs tried to counsel Scott and his daughter that the City, just like the County and State, have laws that determine health and safety for residents. One of those laws for Seneca states that if running water and sewer access are not available, then the property cannot legally be lived on until such time as services are available. In this case, beside the fact that the lot has a lien for unpaid utility services levied against it that has to be paid, in full, and kept current before services will be restored, the buildings are in such disrepair as to not be able to have services connected to them. Within the City limits, the City Council has to uphold the laws that govern it and this is applicable to anyone living within the City limits. As for the matter of him paying the property taxes, that's very kind of him, but that does not, in any way, designate him as a person who can speak legally for the owner, nor does that legally allow him to live on the lot in violation of City health and safety codes. Scott stated that he's been on the lot for three months with the purpose of taking care of it. Mayor Combs offered that unless he could get Ms. Graves to either sell the lots to him, legally sign over power of attorney to him where the lots are concerned, or legally claim you as a representative of the owner, then the City Council has no legal obligation to include him in any procedure taken for or against the property. The Council would rather work with him and Ms. Graves to settle this, but any decisions or actions made by the Council have to be legally sound. If any action were made at the request of Scott, with no documentation as to legal liability to speak for or be the owner of that lot, then the City is liable for any action taken without due process. At this point, Scott and his daughter left and Mayor Combs closed the hearing.

### **Resolution 06-17: The Abatement of Dangerous Buildings:**

Mayor Combs read the agenda item aloud and tabled the resolution until further notice.

### **Surplus Equipment:**

Mayor Combs read the agenda item aloud. City Manager Walker stated that in order to sell or auction off City owned equipment it has to be done by Resolution. He then explained that some of the antiquated or no longer needed equipment owned by the City should be put up for auction. The intent is to free up space needed by current equipment and recoup some of the costs incurred by having to replace broken apparatus. A couple of changes need to be made to the list of equipment, then it will be submitted for signature. Also, the City is looking at





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purchasing a truck with a dump bed for the additional use of having the snow plow attached to it.

**Resolution 07-17: Sale of Surplus Equipment:**

Mayor Combs read the agenda item aloud and tabled the Resolution until the afore noted changes were made, then it could be signed. Mayor Combs called for a motion to pass the Resolution once changes were made. (Attachment E)

*-Councilor Pettyjohn made the motion to pass and sign Resolution 07-17, Councilor Williams seconded, all in favor.*

**Resolution 08-17: Adopting Metered Water Rates:**

Mayor Combs read the Resolution aloud in its entirety. City Manager Walker explained that these rates were decided and voted upon at the November 2016 City Council meeting, but the Resolution had yet to be officially adopted. Mayor Combs called for a motion to approve and sign the Resolution. (Attachment F)

*-Councilor Williams made the motion to approve and sign, Councilor Pettyjohn seconded. All in favor, Resolution 08-17 adopted and signed.*

**Bills Before the Council:**

Mayor Combs read the agenda item aloud and called for a motion to approve and sign the bills.

*-Councilor Pettyjohn made the motion to pay and sign the bills. Councilor Williams seconded it. All were in favor, motion passed, checks were signed.*

**Mayor Combs adjourned the meeting at 8:25 p.m.**

**Mayor:**

**Attest:**





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Attachment A

## **BUDGET COMMITTEE MEETING**

**April 18, 2017**

### **PRESENT**

#### **City Council**

N/A

#### **Budget Committee**

Dennis McCormick  
Winnie Browning  
Matt Wenick  
Richard Schwartz  
Linda Starbuck

#### **Public**

N/A

**Josh Walker, City Manager/Recorder (Budget Officer)**

**Raamin Burrell, Assistant City Manager/Recorder**

City Manager Walker called the meeting to order at 6:10pm.

City Manager Walker covered the reappointments of Richard Schwartz and Dennis McCormick to the Budget Committee.

City Manager Walker asked if the Committee would like to appoint Richard Schwartz as Chairman of the Budget Committee, again. Mrs. Browning made the motion, Mr. Wenick seconded the motion. The motion passed with all in favor. City Manager Walker reviewed the current terms of the Committee Members:

<b>Budget Committee Member</b>	<b>Term Expires</b>
Linda Starbuck	12/2018
Matt Wenick	12/2017
Winnie Browning	12/2017
Dennis McCormick	12/2019
Richard Schwartz	12/2019

The budget message was presented by City Manager Walker. He started by explaining that the message was very similar to last years'



message. The numbers have been adjusted to the next fiscal years' needs, including the hiring of the Grant Administrator for the Wastewater Facility Project. The budget is considerably smaller due to the fact that most of the monetary needs for the Wastewater Facility Project are projected to be in this next fiscal year. Mrs. Starbuck asked who was awarded the Grant Administrator, the answer being Ducote Consulting, Inc. City Manager Walker discussed the firm and the process of having the Council rate both of the applicants to the position.

Mr. Schwartzter asked if City Manager Walker would proceed through the budget as he did last year.

Each fund was reviewed and discussed. The main differences being due to the Wastewater Facility Project getting started, the projected sales of the subdivision lots and the city allotment grant funding for the roads.

Chairman Schwartzter called for any corrections or changes to the budget as proposed. There no changes were deemed necessary to the budget or to the tax rate.

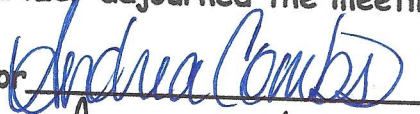
- Mr. McCormick made the motion to approve the budget and the tax rate and for adoption by the City Council, Mr. Wenick seconded. Motion passed with all in favor.

There were no public present for public comment.

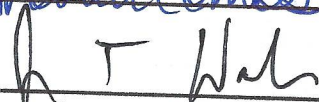
The budget hearing is scheduled during the regular council meeting on June 13, 2017.

Mr. Schwartzter adjourned the meeting at 6:45pm.

Mayor



Attest:



City Recorder/Manager



# RESOLUTION 09-19

## A RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2017-2018

BE IT RESOLVED that the City Council of the City of Seneca hereby adopts the budget for fiscal year 2017-2018 in the sum of \$4,320,093.00 now on file at the City Hall, 106 A Ave, Seneca, OR.

BE IT RESOLVED that the amounts for the fiscal year beginning July 1<sup>st</sup>, 2017 and for the purposes shown below are hereby appropriated:

General Fund		Road Fund	
Personnel Services	\$31,000.00	Personnel Services	\$20,500.00
Materials & Services	\$68,500.00	Materials & Services	\$20,600.00
Capital Outlay	\$15,000.00	Capital Outlay	\$80,000.00
Transfers	\$63,563.00	Transfers	\$0
Other Expenditures	\$0	Other Expenditures	\$0
Contingencies	\$82,976.00	Contingencies	\$40,786.00
<b>Total</b>	<b>\$261,039.00</b>	<b>Total</b>	<b>\$161,886.00</b>
Water Fund		Transfer Station Fund	
Personnel Services	\$19,000.00	Personnel Services	\$12,500.00
Materials & Services	\$23,300.00	Materials & Services	\$17,200.00
Capital Outlay	\$65,644.00	Capital Outlay	\$0
Transfers	\$0	Transfers	\$0
Other Expenditures	\$0	Other Expenditures	\$0
Contingencies	\$35,056.00	Contingencies	\$36,300.00
<b>Total</b>	<b>\$143,000.00</b>	<b>Total</b>	<b>\$66,000.00</b>
Golf Fund		Sewer Fund	
Personnel Services	\$3,500.00	Personnel Services	\$22,500.00
Materials and Services	\$25,300.00	Materials & Services	\$18,700.00
Capital Outlay	\$5,000.00	Capital Outlay	\$3,500,000.00
Transfers	\$0	Transfers	\$0
Other Expenditures	\$0	Other Expenditures	\$0
Contingencies	\$18,263.00	Contingencies	\$94,905.00
<b>Total</b>	<b>\$52,063.00</b>	<b>Total</b>	<b>\$3,636,105.00</b>



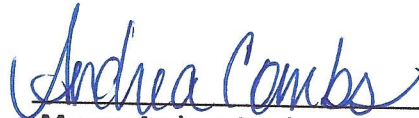
**TOTAL APPROPRIATIONS**

**ALL FUNDS** **\$4,320,093.00**

BE IT RESOLVED that the City Council of the City of Seneca hereby imposes the taxes provided for in the adopted budget at the rate of \$6.0017 per \$1,000.00 of assessed value for operations and that these taxes are hereby imposed and categorized for tax year 2017-2018 upon the assessed value of all taxable property within the district.

**General Government**  
**General Fund** **\$6.0017/\$1,000.00**

The above resolution statements were approved and declared adopted on this day, June 13<sup>th</sup>, 2017.



Mayor: Andrea Combs





Council Members



Attest, Budget Officer



**Note Time Hearing Begins:**

*I'd like to welcome you all to this public hearing to discuss the nuisance located at certain real property commonly known as Lot 4, Block 13, Tax Map 16E31S35CD, Lot 4500, 106 B Ave, Seneca, OR 97873 (the "Property"). This hearing is called with the purpose of discussing a violation of the Building Regulation Ordinances of the type of a Dangerous Building(s) at 106 B Avenue, Seneca, the procedure and potential costs for abatement, and whether or not to proceed with abatement on behalf of the owner and the City Code, should the owner not respond. The owner has been properly and legally notified of this hearing.*

*Do any Council members have any ex-parte contacts, a conflict of interest, or are biased in this matter?*

**BACKGROUND**

*It has been noted and brought to the City Council's attention, on several occasions, that the buildings located on the property at 106 B Ave are derelict, dangerous, and also what the City Charter qualifies as an attractive nuisance. The buildings have also been summarily inspected by the Seneca Fire Chief and been legally determined to be a danger and a hazard, not just to those who may live on the property, but to the surrounding properties. While ample notification has been sent to the property owner over the past years with respect to issues related to this property, thus far the City has yet to receive any response. This hearing is being held with the sole purpose of making a decision whether to move forward with the abatement process on behalf of the City of Seneca and the Owner. This abatement process would include demolishing all buildings located on this lot, removing all trash, garbage, and metal waste, properly dealing with any and all abandoned property on the lot, and posting no trespassing signs until such time as the owner is able or willing to deal with the property personally. Following this hearing, notification will be sent to the owner as to the outcome and they will have a limited number of days to respond before the abatement proceeds.*

*Comments will now be taken from participants who have requested to speak on the sign-in sheet. If there is anybody who has not signed in or would like to be added to the sheet, you may do so at this time.*

*Please limit testimony to items specific to the agenda and be considerate of the time limit set by the presiding officer (Mayor) so that all interested parties may speak. Per ORS 197.763, testimony, arguments, and evidence must be directed toward the criteria. Failure to raise an issue with sufficient specificity to afford the board and other parties an opportunity to respond to the issue precludes an based on that issue. Questions may be directed to either the council, or to the person(s) present representing the owner. If testimony in opposition is presented, the applicant will be given an opportunity for rebuttal. (If someone in opposition wants to rebut applicant's rebuttal they are allowed to once, and then the applicant is again able to rebut once.*

**Begin Testimony Using Sign-up Sheet**

*Is there any written testimony being submitted?*

*At this time, the council may ask questions of the applicant, and those opposed.*

*With it now being \_\_\_\_\_ (the time) we will close the hearing for the councils' deliberations. During council deliberations, there will be no comments welcomed from the audience, although, the council may ask questions of the applicant, and those opposed.*



(503) 910-6612

Official Letter to City Counsel of the city of Seneca, Oregon

To Whom ALL this May concern,

I am Reverend Sachem Healer Joy Maxine 'Hawkeye' Graves, spiritual leader of Oklevueha Naïve American Church Kautanowit's Mecutea (ONAC KM) and Owner of 102, 104, and 106 B Ave. in Seneca, Oregon. I am contacting you today in regards to your "meeting" concerning 106 B Ave. As per Mr. Walker's most Gracious offer for my "allowance" to Respond to this meeting's agenda involving my Land.

I am contacting you via this letter here today, Presuming he will actually Allow it to be presented To you and have it read for all residents present to be aware of my "response" To this issue. Please note that it may be a bit over the 3 minute allotment Mr. Walker warns of, but I ask that you please bare with me and hear it through as it ultimately has a dual purpose, one being testimony and the other being official legal notice To you... Thank you.

For those of you who are Unfamiliar with the facts, my family (The Graves family) purchased our lands listed above beginning January 1<sup>st</sup> of 1999 with the purchase of 2/3 of the properties above, the last being bought around 2001 and which is the focal land on your meetings topic today, 106 B Ave. Seneca, Oregon.

An additional point to which it's important that you should be aware of that factors Here, is that under the Religious Land Use and Incarcerated Persons Act (RLUIPA) of 2000, which you will find as: 42 of the US Code of "Law" in chapter 21, publication # L.106-274, that because we had Legally converted and dedicated the focal agenda of said lands being into establishing our Church Sanctuary as of September 1<sup>st</sup> 2013, that said land then became federally Protected and Sanctioned under Federal law.

I highly suggest you research said law as it is among the first of a list of Many Federal laws that you are being coerced by Mr. Walker into to Violating by aiding and abetting his efforts of targeting Our land illegally via this "Threat" of abatement action against it and us by YOU per His request. Other such basically obvious laws he's additionally attempting to lead you folks into violating Criminally here today includes such as the Religious Freedom Restoration Act (RFRA) of 1993, the American Indian Religious Freedom Act, and if we want to get rather blunt, he is desecrating our sacred ceremonial grounds which could lead us into our burial rights in law as well (If ya want to get Technical), but sticking to the most basic of them, the first amendment of the US Constitution and hopefully too, the Second amendment of the Oregon State Constitution to which the city of Seneca gets vested Your authority, and etc.. is what I Assure you that you will find most obvious as being among the laws he is violating, and so the long short of it is, that Because you are being attempted coerced by Mr. Walker, into aiding him and abetting him in his attempt to CONTINUE to Illegally Violate Multiple Oregon state as well as US federal laws against we and our property KNOWING it is a legally declared and sanctioned bona-fide Native American Church by the state and federal governments of the land by attempting to convince you to condone and permit his illegal actions including specifically now this attempt of an Illegal abatement proceeding against we and said property in Addition to the multiple Federal laws he in fact is now violating by just simply proceeding against us this far! This cannot nor will not be tolerated on our part to be continued by him, and as a reflected employee under Your authority we Hereby put you on notice to such position regarding Mr. Walkers entrusted authority as a Seneca city official.

So you are aware, Mr. Walker has before attempted to come at us quoting what he Claimed to be "City Code" violations, the first time regarding our perimeter fencing as well as in regards to our rights to build and maintain temporary building structures. He also at that point made it Very Clear and in front of Multiple Eye-Witnesses, that he Personally has "Issue" with the fact that we are using this property for Church Purpose. Mr. Walker went so far then as to try to get the county Sheriff's office to stand with him as he attempted to declared us "Not legally Allowed to BE a church" on this land, to which He was CORRECTED to his Misconception regarding the "Law" and ultimately shut down.



It is imperative for the best bet of the Whole of Seneca residents that you **CLEARLY** comprehend for yourselves, independently as well as collectively, that **we ARE in fact a valid Federally recognized and PROTECTED sanctioned church** Regardless of who among ANY may like it or not, and are further legally solidified as being a Native born American Church - specifically so is that very land in your very county's own Circuit Court and your DA's office **WITHOUT DISPUTE**.

I am Sorry that Mr. Walker, whom knows nor has even asked a **Thing** about our church for whatever reason feels Dissention toward it and us, the bottom line is as far as he personally is concerned, that the reality of fact Remains true in that we did **NOT NEED** He nor the cities permission or input to be legally protected as such, contrary to his personal objections . Legally speaking... He was wrong then for abusing his position as a city employee to illegally target and plot attacks on us and he remains wrong now for continuing onward with that objective via him gathering you good people together here today for this devious, selfish and illegal plot of his.. now trying to **Coerce YOU** to co-conspire With him into the criminal fire along with is Beyond disgraceful, it's Destructive for the Entirety of Seneca and it's residents and simply Reprehensible for a man in his titling to do and we Cannot, will not nor should we be Expected to stand idly silent and simply Tolerate his Ignorance to the "Law" detriment us any longer than he thus far already has Presuming he's properly legally informed you to His criminal conduct and actions? We will not. Before I continue on confusing you more, I wonder at the question as to whether or not any of You are in fact Familiar with the "Law" regarding the state of Oregon and their disposition as authorities overseeing the land? It's ok if you're not familiar with the **OAR**, just some knowledge in the **ORS** will do, preferably in regards to property and land "Legal" criteria, authority and jurisdiction. I wonder if Mr. Walker has Advised or provided any of you with ANY of the **Oregon Revised Statutes** at **Minimal** that he is attempting to illegally Violate in a detrimental and very Criminal way? I would hope that by him electing to include each of You as his **Accomplices** that he might have, but somehow I am doubting it, so let ME be so humbly obliged if I may to enlighten you.

I reference you to first, to ORS 150.170 as This is the Disguise of the "Law" Mr. Walker intends on manipulating YOU into violating these laws along with him. Next, I direct your attention to ORS 570.175 sub-sections (1), (2), (3), (4), **and** (5) so that you yourselves can clearly See how he is attempting to **BYPASS** the entire state's structure Governing over "**Abatement**" procedures all together.

This ladies and gentlemen is out-right and point-blank **CRIMINAL** on Mr. Walker's part to attempt to be doing, first on his own as a person, and next doing so As a representative Of the City of Seneca as he's doing it takes it to a more extreme and alarming level as far as we, as it Should with all of You... A raise of **Great Concern** as to his Ability to Properly be employed as a "City Official" across the board for heaven's sakes as he is setting not only himself AND now trying to so include all of you, but too, he is Single-handedly **ENDANGERING** the well-being of the entire **CITY** of Seneca's residents by luring **YOU** into a firing line of "Legal Hell" that he Personally has created **USING** the city as his own personal Justifiable shield **KNOWING** it's He who is blatantly in the Wrong here and too, that the city of Seneca as it stands right **NOW** is more likely than not Incapable of surviving the battle he declared and yet has already long legally LOST... "Legally" speaking of course it will be the Entire city to suffer his defeat **IF** you stand with him and condone his criminal violations of Law against us as he is Asking you to do here today I assure you!

For those of you confused, let me put it as simply as is possible for you to comprehend, **Mr. Walker is attempting to CONTINUE to break Multiple STATE laws of Oregon by attempting to proceed against our land, from criminal trespass to this "abatement", and as he so continues, is ultimately breaking Multiple Federal laws as well...** by him bringing You as Seneca City Council into this as validating such actions against we and our land, he is attempting to make **Each of you an Accessory** To his crimes, which you can confirm for yourselves under **16 of the US Code sections 241 and 242**, meaning in short that **Should you Agree to conspire with Mr. Walker Against we OR our land, you Too will be subjected to both Civil as Well as Criminal action being brought against Each of you and ultimately Will include the possibility of your Legal Incarceration**, in Addition to setting the entire City up for a Lawsuit as well.

I encourage you to confirm this fact of law with Judge William Cramer who also faced the Same dilemma as you when the sheriff took Illegal action against our land there in 2014 to which we ultimately let them **ALL** "Back door out of" via the Dismissal of their charges in 2015 when he and the state were put on official notice as You are here right now today. He should and hopefully **Would** take the time to explain to you how it is that my words ring truth under the laws of All of our land as persons of this nation. I also encourage you to confirm with the **US Department of Justice** and to, the **Oregon Department of Justice** as well as you are indeed treading in legally dangerous grounds for you to be considering willfully jumping into, and too, which ultimately endangers the entire state of Oregon as well at el.

I sincerely Do encourage you all to each research Hard into the General Rule of **42 of the US Code** as a whole because predominantly this is where Mr. Walker began violating said laws at the Federal level, but also I encourage you to also look deeply into sections **(F)** which Should clarify to you as has been **already Explained** to Mr. Walker in 2015 short after the Victory of justice had in Judge Cramer's courtroom on legal record, how it is that this law Protects us from the "Effect" regarding "**Other**



Laws", and that you conjoin that factual information with section (4)'s subsections (1), (2), and (3) which together All Specify that "Other laws" in fact DO include both Mr. Walker as well as Each of you yourselves who join here acting as City Council representatives, and even goes so far to Include Oregon State "Laws" as well that we as a Church **ARE** to be guaranteed federal legal protection From.

As a result of Mr. Walker's persistence in this, you will find and confirm that in section (5) of this, our position rings clear in that WE are his Victim which in turn makes us official "Complainants", and so This is how we now stand before you in regards to this matter here – Complainants and too VICTIMS of Mr. Walker's Gross attempted Abuse of your cities standing within the "Laws" Ultimately realistically governing our land. I emphasize again that this will **NOT** be Tolerated any longer.

As Sheriff Glen Palmer and his sheriff's department can Easily confirm to you, we had our properties completely Restored as of 2002, and that is when we had to begin filing police reports against various members of Seneca for STEALING our structures piece by piece, Crazy as it may sound to most, it is the truth and the evidence remains openly seen on Many of your properties and as I say, Sheriff Palmer has many of such reports on file at his office which you're welcome to confirm for yourselves.

I understand that many of the culprits such as Gerald Elliott, Dee Dobson and Troy Daniels have since passed away, but it doesn't change nor erase the facts being that it was by out-right Theft on your towns-people's part in which has resulted in the concern for the structure.

As nothing other than confrontation pursued, it was emphasized to the city people that their actions were in fact criminal and that they were to stop. As they continued to disregard that fact, they were told that they were to at Least "Clean up their mess and ensure that they didn't leave the property in a Dangerous situation". As you can **Clearly** see, that too was disregarded as they continued to take all that they wanted, from roof to floor, plumbing to ceiling and all walls, windows, appliances, fixtures, knobs, cabinetry, and so forth continued to be taken and ultimately the property structures were left in the condition as you can now see pending before you.

The properties stood in this condition, worsening, since 2002 because of the theft and destruction caused by the townspeople and in combination with the weather. A "Learn to Burn" was planned with surrounding cities whom Have a fire department and whom were Willing to aid in the removal of what's left of the structures, but the city officials of Seneca at that time Refused to give authorization and support to them to complete the task and so it has yet to be accomplished. There is **official record** of that attempted effort and of This city stopping it!

In 2014 two of our church members volunteered to aid in the removal of the structures (at that time there were Two), but Mr. Walker did everything in his personal position of "Power" to prevent the work from being completed. Despite Mr. Walker's efforts, we were able to get one structure down as of 2016 (which was located at 104 B Ave. though thanks to Mr. Walker, a LIEN now is attached to another of our properties in Oregon for that effort.

If you look to ORS196.870, Oregon STATE law clearly addresses the result of Mr. Walker's interference regards to the condition of our structure, and that in ORS196.855 the state too addresses the procedures leading to "Non-Compliance". If there were any "**Lack of**" it has been clearly due to Seneca cities interference, which ultimately Is criminal on the cities part. In the Laws given you here now, you will come to understand that Oregon STATE Statute law, which supersedes Any and All "City Code" law by the way, in fact **Have** already long established "Procedure" within the law of the land of this state as to whom can initiate what if Any action into a situation such as this, but in your reviewing ALL the law codes I am providing you (which are not ALL but among the most Pertinent to YOU as Seneca City Counsel to be Aware of) it should ring **Clear** to your perceptual reality that Mr. Walker is and continues to strive toward Breaking and violating Multiple state and federal laws by attempting to proceed forward against we and our property in This situation now presented before you in which he wishes and intends on you being Willing to aid and abet him in so doing either hoping he will succeed, or ensuring he won't go down Alone once his scheme is exposed as I have now done before ALL of you here today hearing these words and testimony!

The true reality of fact here, is that Mr. Walker has expressed (including openly and publicly) that he has a Personal issue with the fact being that we have legally converted said property to the use and function of our Church. Mr. Walker feels that he as the "head of Seneca" should have had a right to prevent Oklevueha Native American Church for having a vested interest in our land in the city of Seneca, when the truth in Law assures that he does **Not**. Why suddenly this issue is being brought before city council is purely retaliatory on his part.. By his doing so, he has in fact **Violated Several laws**, not to mention compromised his personal Honor in so-doing and we rise up assuring that such behavior Will Not be legally tolerated by myself as owner Nor as being head of this church he is Victimized here Any Further forward!



As Mr. Walker was advised by both myself as well as Sheriff Palmer Personally, Mr. Walker Nor his "City codes" have ANY, meaning Absolutely ZERO Legal bearing nor merit in regards to said properties as we are in fact a validly operating Bona-fide Church. This is confirmed by Judge William Cramer as well and is IN official court record! For those of you unfamiliar, our nation has a deep and tall Division "Between Church and State". Mr. Walker did not appreciate his inability to dictate to us issues encompassing said land, nor when he was advised that he Legally has No Jurisdiction nor Authority over them... Including via the "City Code". Mr. Walker at the time of said notification was attempting to Prevent the removal of the structure at 104 B Ave. to which obviously he **Failed** in his efforts because as said, he nor the city have Any Jurisdiction or position of authoritative Dictation in regards to ANY of said lands. This likely helps to fuel his personal anger with us, but the bottom line is that it IS the fact of "Law" and as a city Employee and representative he is Legally obligated as well as expected to Respect the "Laws" governing we and our land.

Having said that, I now point you to review the "Law" encompassing our churches protections and rights as clearly you will conclude that Mr. Walker is in fact **NOT** concerned with "safety" in as much as he is attempting to Use his position as the city official to profile target our church, which as I say again is a violation of multiple state as well as federal "Laws" both personally as well as while being a representative of the city of Seneca. This action on his part opens Mr. Walker personally as well too, the city of Seneca to civil as well as criminal actions should he attempt to further over-step his legal authority and attempt to further target our land with illegal harassment, and Will INCLUDE Each of YOU if you choose to stand with him in this illegal action before you today.

Let it be known that we have Full Intention of getting said property cleaned up and the structure in question brought down. Had Mr. Walker Honored the "Law" opposed to his attempt to "Wheel Power", it would have likely already been done. One of our church members remains in Seneca as most of you well know and **Willing** to resume the work needed to get the property cleared and safely operational for it's intended purpose, however in order for him to accomplish this, Mr. Walker would have to Stand Down and give the Space needed to get the task completed Without his Harassing methods and behaviors so displayed thus far, which even the above State laws quoted will confirm to you as the state's perspective as "Fair reasonable and just" such as in ORS196.855 explains and defines.

Ultimately in your review of ALL quoted laws however, Mr. Walker maintains a position to which he has s Absolutely ZERO Authority to even **attempt** to be Initiating against we or the property which is the bottom line fact of standing WE maintain and emphasize to You as of this time in the Hopes that maybe YOU can correct or at Least prevent him from further violating the "Law" in the name of officially representing the city of Seneca so that the residents do not suffer for crimes He and whoever among you may stand with him may choose to proceed in committing against us.

Our goal is to get said property up to full operation by 2018 as a Safely Functioning Native American Church. Obviously this task will take some Time, time which should be unmolested by Mr. Walker. Given the time it took the residents to **Get** the structure into the condition that it is, and how any Other properties have structures **Near** as in such condition, I do not understand (Other than as an act of retaliation) that Mr. Walker feels so inclined to suddenly bring this up to your attention and seeking Your approval to authorize him costing us further hardship and duress and to present it as being an emergent situation – it does not seem **Unreasonable** for you as the city counsel to allot us more time so to get things done. Legally, you have no real Other choice But to give us that, contrary to what Mr. Walker would have you believe. He pushes for the buildings to come down, then tries preventing it as he pushes, and then whines once they come down! Hard young fella to try and please, but not Our place to coddle him through it.

I remind you of the "Law" of "Codes" in which Mr. Walker is likely so quick to quote and present to you, and remind you as an "Incorporated City" that there are plenty of "Laws" in which Mr. Walker can and **Should** be striving to legally "achieve" as realistically speaking it is the Entire "City" of Seneca who remains in legal Default when it comes to State Law "codes" codes which ultimately could result in the closure of the entire City and definitely in the Losing of your City Status.

Despite the out-right **HATE** experienced by the city of Seneca, including the Endless Theft as well as the out-right Murder of Several of our domestic pets within a **Very Short** period of time, and now of course too **THIS** situation, we have refused to **Give Up** on the idea of Seneca becoming a Beautiful place to live with an Honorable community.

Have we Not gone above and Beyond in our efforts of Improving Seneca for the greater benefits of ALL Seneca residents? Least we forget that it was we who forced the improvement to the city water system (though still Grossly Lacking Quality for your part Because of then "City Officials" hindrance and lack of cooperation when standing up for what's been right for the Whole of the community.) State records reflect Clearly then the Same angle of profile targeting that was happening Then Mr.

Walker is attempting to proceed forward in NOW, though in those records also have recorded a great many Illegal Threats, including the threat to Kill Children who resided on our property **While** we fought to improve the water!

Considering All we have gone through and Wrongfully endured in effort of just attaining the most Basic of "Tolerance" for lack of a better word as co-residents of your "City" called Seneca, all the threats of intimidation and harm, all the criminal actions against we and our property out there, and too, all the innocent bloodshed of our defenseless animals in attempt of scaring us off, **not ONLY** do we continue to remain, but too, we continue to strive toward better benefitting the PEOPLE of Seneca in our efforts and goal objectives.

Whatever Mr. Walker's Reasoning for attempting to continue animosities between we and the town, the Graves family have Full Intention of progressing FORWARD in our endeavors regarding Our Land, and our rights to Use the land **as WE** are legally allowed both as citizens of this land as Well as with being Oklevueha Native American Church, but please understand, our Tolerance and Patience is running **Very Very Thin** when Mr. Walker elects to **WASTE** time and effort intentionally abusing his vested authority as a city of Seneca representative.

Please understand, that in addition to this letter to you being our right to Respond, it is also a letter of legal notice to All of you acting as representatives of "Seneca City Counsel" here today... Notice that . Walker is in violation of Multiple state as well as Federal laws against we, our church and this land now being addressed before you. This letter is notice to YOU ladies and gentlemen, that Should you aid and abet Mr. Walkers continued profile targeting crimes against we, our church and or this land, you Too, individually as well as collectively Will be Subjected to both Criminal as well as Civil litigations being rendered against you as well, and will be subject to prosecution and punishment according to the "Law" as well.

Please know and understand that we have No Desire to rise against you in such ways, **but** that should you proceed forward in support of Mr. Walkers targeting and victimization of we and this land, YOU WILL LEAVE US NO CHOICE BUT TO TAKE LEGAL ACTION AGAINST EACH AND EVERY ONE OF YOU. Including the whole of the "Incorporated City of Seneca" as well, which will likely prove detrimental to us all who live and own land there. We ASK that you Please consider what we have said, and that you rule to do the Honorable Thing which is to give us TIME that is necessary to allow us to accomplish this "project" that your towns-people have created For us Without Mr. Walkers interference, intimidative or Other menacing, stalking and criminally illegal measures. Knowing our objective With this land, can Any of you Honestly Believe that said structure would serve as a beneficial structure for us to wish Maintained? Do you DENY progressive Efforts on our part toward the mess you've left us on the land?

You whom have lived here KNOW that effort Has been being made **UNTIL** interference such as by Mr. Walker as well as your county sheriff having over-stepped his legal boundary have and alone Continue to Hinder our efforts of properly resolving the situation, yet we remain Ready to proceed forward and get it taken care of... All what We ask for as well as **Expect**, is that Mr. Walker Back Off and let us get things done without Him unnecessarily costing us More than he and this town already has and to let us freely move forward toward bettering the Whole of our community.

I **EMPLORE** you to **NOT** aid and Abet Mr. Walker in his illegal attacks on we and our land, that you instead Research, review, confirm and then instead Correct Mr. Walker and instruct him to "Stand Down" From we and our land **NOW** before any Further Irreparable damages occur and we are left with NO CHOICE but to proceed with civil as well as criminal actions against you All and our "City" of Seneca is LOST beyond measure to ALL residents in irreparable manner.

Please know and be aware that the state of Oregon's Department of Justice as well as the state attorney general and too, our state Governor's office Will be being made Aware of this meeting and proposed illegal actions there-in today By Mr. Walker and that consequence's may already befall you, but know too, that ANY action other than to set Aside this proposed attempted illegal action and more severe of legal consequences will surely follow.

Should you have any questions, you are More than Welcomed to contact me direct through any of the following methods:

Phone: (503) 910-6612

Email: \_\_\_\_\_ and or: \_\_\_\_\_

Snail Mail: 1630 N. Curtin Road Cottage Grove, Oregon 97424

You may also contact our other Churches Legal Counsel Coordinator at (562) 374-2114 for confirmation and additional I

[Message clipped] [View entire message](#)



## RESOLUTION 07-17

### A RESOLUTION DECLARING CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND AUTHORIZING THE SALE OF SURPLUS ITEMS BY SEALED BID

**WHEREAS**, the City of Seneca has accumulated property items that have been determined to be obsolete or non-functioning; and,

**WHEREAS**, City Ordinance 89-Section 7(A) states the City Council shall have the authority to determine when personal property owned by the City is surplus; and,

**WHEREAS**, a detailed list of the property to be disposed of and an estimate of the value of each item has been compiled; and,

**WHEREAS**, the City Council is being asked to approve the disposition of such property on the list; and,

**WHEREAS**, the City Manager shall dispose of said property according to the guidelines set forth in the Municipal Code.

**WHEREAS**, a list of excess equipment has been assembled to include:

<u>ITEM</u>	<u>ESTIMATED VALUE</u>
1970 GMC Sewer Truck	\$800
1976 Ford Dump Truck	\$500-\$1000
1980 Western Star Dump Truck	\$5000
1970 Wisconsin Tilt-bed Trailer	\$3000
1976 Ford 5600 Tractor	\$5000-8000
Ford Tractor Front End Loader	\$200
Ford 9n Tractor	\$1200
1999 Ransoms (Jacobson) 305 Fairway Mower	\$1500
2000 John Deere F932 Front Mower	\$2500
100 Gallon Orchard Master Sprayer	\$400
John Deere 272 Grooming Mower	\$250
Old Dominion Brush Company RMB500	\$300
Street Sweeper	
200 Gallon Landmark 30' Sprayer	\$1500

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF SENECA, OREGON,** declares as surplus obsolete or  
nonfunctioning equipment and authorizes its sale, donation or disposal.

**INTRODUCED AND ADOPTED** this 26 day of June, 2017

**BY:**   
Mayor

**ATTEST:**

**BY:**   
City Recorder/Manager



## RESOLUTION 08-17

**A RESOLUTION AMENDING THE WATER RATES FOR  
METERED CONNECTIONS FOR WATER USERS UNDER CITY  
CODE 8-1-8 3C AND ALL AMENDMENTS THEREOF.**

**WHEREAS**, the City Council for the City of Seneca, has determined that it is in the City of Seneca's public health, safety and welfare that during the months of May-September water meters will be read to determine usage. Any usage over the base amount 10,000 gallons will be charged at the rate of \$1 per 1,000 gallons.


**WHEREAS**, the City Council for the City of Seneca has determined it is necessary to set the RESIDENTIAL, BUSINESS AND SCHOOL water rates as stated herein to aid in compensating the City for its expenses associated with supplying water service;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Seneca that the above noted findings are adopted and:

- OVERAGE water rates are now \$1.00 per 1,000 gallons over the 10,000-gallon base rate.

This Resolution shall become effective as of May 1st, 2017.

ADOPTED by the common council this 27 day in the month of June in the year 2017.

  
\_\_\_\_\_  
Andrea Combs, Mayor

Attest:

  
\_\_\_\_\_  
Josh Walker, City Recorder/Manager