

Tyonek council makes statement on eviction

By LINDA LORD-JENKINS

Tundra Times

A 1965 rule adopted to protect and to foster Native lifestyles in the village of Tyonek remains as important today as it did when adopted because of oil, gas, coal and timber development in the area, according to the Tyonek village council.

That is why, according to a statement released last week by the Tyonek council, the council decided to go to federal court to force the eviction of two white families from the village.

The Tyonek Village Council filed suit in U.S. District Court earlier this month seeking the eviction of Donald and Erna Puckett from a house owned by Esther Kaola and Alec and Olga Constantine who have rented a house to non-tribal members Fred and Virginia

Slawson. The suit named all four couples as defendant.

The suit cites the 1965 ordinance which was passed at the same time that the village council granted title to homes built with village money to individual tribal members who were heads of households.

That 1965 ordinance states that tribal members couldn't lease, sell or otherwise transfer ownership or residency of the houses to non-tribal members.

The money to build the homes came from the proceeds of oil lease sales in Cook Inlet according to village council president Donald Standifer.

The 1965 ordinance referred to a 1942 tribal ordinance which stated that, except for government personnel, non-tribal-members could not remain in the village longer than 24 hours without the approval of

the tribal council.

The council's statement says "With the onset of the Beluga coal development, the Chacka-chamna hydro-electric project, the ongoing timber project, and the recent state and federal oil and gas leases granted, the original purpose of the rules, to guard and foster Native life, arts and customs by regulating impact from outside sources, still remains vital."

The statement states, basically what the federal suit said. That is, the Pucketts wrote a letter asking for village council permission to move into village housing from housing at the Tyonek timber camp on Sept. 30, 1981. Their request was supported by a letter from William W. Hatch on behalf of the Kenai Peninsula Borough School District, asking that they be allowed to live

there until the end of the 1982 school year.

A copy of the Puckett's letter showed they only asked for permission through the end of the school year.

Their letter said, "We realize that it is a general policy to exclude Timber Camp families from the village, but we feel we have done many positive things to help the people of Tyonek during our four years (here). (The family lived in the nearby timber camp for four years before moving to Tyonek. They were forced to move when many of the timber camp operations closed down.)

"Our children are very active in school activities and we would like for them to finish this school year, as this is very important to them: We have made many friends in Tyonek and would hate to have to leave so abruptly. We have found housing and only hope

that you can find the kindness in your hearts to allow us to live here through the 1981-82 school year."

Hatch said that it would be difficult to replace Mrs. Puckett as school secretary at such short notice.

His letter also only asked for permission to stay for the 1981-82 school year which ended in May.

The village statement said that Fred Slawson, who was formerly married to a tribal member, had remarried and lived with his wife in the timber camp. He too lost his housing there because of a cutback in operations and asked permission to live in the village to be near his children.

That permission was denied but he rented a house from the Constantines anyway.

The council said it will defer any action on three other non-tribal-members until the annual tribal membership meeting is held in January.