



ASSOCIATION OF PROFESSIONAL ARCHAEOLOGISTS

Working to Promote Professionalism in Ontario Archaeology

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Newsletter Editor: J. Dillane

Contents:

| | |
|---|------------------------------------|
| President's Message | pg.1 |
| Executive Director and Committee Reports | pg. 2 |
| Treasurer's Report by Cathy Crinnion | pg. 2 |
| Members Survey by Margie Kenedy | pg. 3 |
| Investigations by Lawrence Jackson | pg. 3 |
| Northern Archaeology by Dave Norris | pg. 4 |
| First Nations Liaison by Bill Fox | pg. 4 |
| Education Committee by David Gadzala | pg. 5 |
| Grievance Procedures by Jeff Dillane | pg. 6 |
| A Reconsideration of the Cache of Chert Preforms from the Saugeen Culture Donaldson Site, Bruce County, Ontario By William D. Finlayson | pg. 14 |
| News and Updates | pg. 21 |
| Radiocarbon Date Awards | pg. 21 |
| 2017 Winter Workshop | pg. 21 |
| APA Membership Growth From 2009 to 2016 by Lawrence Jackson | pg. 21 |
| Board of Directors | pg. 22 |

President's Message, December, 2016

Dear Members,

2016 was a year that brought considerable change and turmoil to the world, and it was just as exciting for the APA Executive. We have constituted a new Executive, and changed the makeup of that Executive as circumstances changed some Director's ability to continue in official APA duties. The new Executive was initially led by Margie Kenedy as President - who has done a fantastic job of restoring the files and functions of the APA after the elections. Margie chose to step down as President, but we were very fortunate that she stayed on as Past-President (sadly, bumping Sue Bazely from the post). With Margie's move a general shuffle ensued, with myself moving from VP into the role of President, and Laurie Jackson moving to VP. This shuffle created an opening in the Executive that has been filled by Jeff Dillane. Jeff, a PhD candidate at McMaster, has agreed to oversee grievances and the newsletter. It would be remiss of me not to also mention the valuable contribution of Carla Parslow, who withdrew from the Executive recently. Carla had been membership director, and was an important participant in our AGM. Margie Kenedy is currently filling in as interim membership director. The rest of the Executive remain in place: Dave Norris continues to represent northern Ontario, Bill Fox is our First Nations liaison, Cathy Crinnion ably manages the money and inner workings of the organization, and Shane McCartney represents Field Directors. Let's not forget the last Executive and the great work they did for the organization. We haven't had as much interaction with some of the past Exec as we might have wanted, but I hope that this meant that they were enjoying a prosperous and rewarding year.

Notwithstanding all of the shuffling, APA has been active in a number of areas. We have been continuing to advance members interests with MTCS, and have resumed our regular quarterly meetings. The initial meeting was a very useful and cordial affair in which we worked out the ground rules for the discussion and charted a way forward. I feel that it is important to develop a strong positive relationship with the people at the ministry so that we can work together on issues of common interest. Having a strong positive communication also supports the relationship when more contentious issues arise. Among the issues that we will be pursuing on behalf of members are the questions still surrounding "conditional licences" and the distribution of roles and responsibilities in Aboriginal engagement, ministry inspections and the review process, and the review of the S&Gs. As an individual archaeologist working in Ontario I have opinions on all of these matters – but it is more important to me as President to know what **your** opinions are. Please feel free to participate in the discussion boards on the website, or email any (or all) member(s) of the Executive at any time on these or other issues.

As a final note, I feel that it is important to reflect upon the 'new' relationship that is emerging among Canadians based on the Treaties and the results and recommendations of the Truth and Reconciliation commission. Whether you are 'settler-colonial' or Indigenous, working as an archaeologist can draw you into challenging situations. How do you engage when your client insists that you do not? Should you engage at Stage 1 when the subject lands are in an urban area or contested space? How do you square the circle between S&Gs driven 'engagement' and a community's insistence on 'consultation'? How do we address questions of intangible heritage, tradition, land use and sacred sites – and are we even the most qualified group to be tackling these concerns? I don't have the answers to these questions, certainly, but I am quite clear that they are part of a discussion that we as professional archaeologists in Ontario need to be having.

Wishing you all the best for the coming year.

Andrew Hinshelwood

Director and Committee Reports

Treasurer's Report by Cathy Crinnion

As the fiscal year for APA ended on October 31st, the books were balanced with revenues ever so slightly exceeding expenditures. APA has a moderate sum that has matured from a GIC that will be reinvested early in 2017. As always, APA functions solely with volunteer Executive members on a Board of Directors and general members working on various committees and, as such, there are no salary expenditures for an administrative position at this time. Since they are geographically dispersed, the Board typically "meets" (with no expense) via on-line chat and virtual discussions, and utilize a virtual office for central mail receipt.

APA is very grateful for a generous donation received during this fiscal year, from founding member Lawrence Jackson of Northeastern Archaeological Associates Ltd, for the establishment of the 'Disabled Members Accommodation Fund.' Funds will continue to be contributed by APA to this important initiative, and donations from members have already been allotted to the fund. No members should be excluded from participating meaningfully in APA events and business, and these funds will be available for members who can benefit from alternate access to APA.

Members' Surveys, aka Reaching Out by Margie Kenedy

Two surveys were circulated to all members this year seeking their opinions and information. We thank those members who took the time to respond, however, response rates were disappointing. First, a fact-finding survey regarding one-year restricted licenses was initiated in January of 2016, and a second survey was circulated in October with the theme of future directions for APA.

Detailed results of the Future Directions survey can be read by members in the Members Lounge section of the APA website under Members Forum. Each survey question has been converted into a discussion topic and may continue to generate comments and discussion, such as: APA's Purpose and Objectives -- are they being fulfilled?; APA Governance and Capacity; Licencing and Self-Regulation; and, Training and Education Opportunities. APA's Board will take all of the opinions and information for further discussion and planning purposes, and truly appreciates all points of view.

Investigations Conducted on Behalf of Members by Lawrence Jackson

A major investigation was launched in 2015 that concluded in 2016. It was formally requested in writing by a member and concerned a review of the manner in which reports and reviews had been processed by MTCS, as well as the operations of MTCS in regard to the Cemeteries Act. A detailed report of just under 70 pages covering the major issues was completed and included a specialist study to augment the findings. As the Chair of this committee, I would like to extend my appreciation to members Norbert Stanchly and Margie Kenedy for their participation.

A section of this particular investigation report has been released with permission of the APA member who requested it, and is now available on the APA website in Members Resources -- Products: "Recommendations for Streamlining of Provincial Government Handling of Burials Situations."

Another investigation, requested by another APA member, was instigated in early December but has since been closed. As always, members are encouraged to contact APA's Board with their professional concerns. Investigation reports of APA become the property of the member requesting the investigation to ensure full confidentiality and also to allow the member to determine who needs to see the results. APA Investigators clearly identify shortcomings on both sides of the process. Since legal suits may arise, or have already arisen, from the situation it is incumbent on APA Investigators to be diligent in showing impartiality and make a concerted effort to be thorough in analysis and recommendations.

Northern Archaeology by Dave Norris

Northern Ontario continues to grow with regards to development. Larger projects associated with Hydro, road infrastructure and overall general municipal developments continue to fuel both the northern economy as well as consulting archaeology. Frustrations from members who work in the north are exacerbated by the lack of standards and guidelines that adequately measure the quality of work with such development. There is also a general consensus that they are inadequate for dealing with the unique material culture, site taphonomy and settlement system characteristic of subarctic Ontario. It is hoped that with the proposed review of the S&Gs those archaeologists who work in the north will require more appropriate measures in order to achieve compliance.

Processes for working with First Nations are considerably different than in southern Ontario and it is hoped that the Ministry identifies these differences and updates current regulations to reflect the present reality. Members in the north are continually frustrated with the current regulations and hope to begin to voice their opinions as the review process inserts itself within the community. These frustrations continue despite meeting with the Ministry in April. It is hoped that more meetings between the Ministry and the northern community will build upon current relationships to develop meaningful regulations and processes that will ensure quality archaeology despite the disparity between environments.

First Nations Liaison by Bill Fox

The first outreach activity consisted of a request for consultation and accommodation standards addressed to communities such as Six Nations, New Credit, Walpole Island and Stoney and Kettle Point, which resulted in a request from Walpole Island to include a link to their standards on our WEB site, along with a request for the APA to post the Curve Lake FN standards. A second wider fan out of information was accomplished concerning the TRCA First Nations youth scholarships in archaeology (The Sebastien Scholarship for the Boyd Archaeological Field School), and included distribution directly to the Chiefs of Saugeen and Pikwagnagan First Nations. Early in the year, participation on the Sustainable Archaeology Advisory Committee provided an opportunity for continuing dialogue with a variety of First Nations representatives.

Spring time activities included participation in the Six Nations Archaeological Monitor training program, discussions with Ed Panamick of the Rocky Bay Reserve concerning the political complexity of effective First Nations liaison in Northern Ontario with so many different reserves and perspectives, a McMaster radio program panel with

Indigenous participants discussing varying perspectives concerning archaeological artifacts (check out the blog “Artifacts on Air” at the McMaster Sustainable Archaeology Web site <http://sustarc.mcmaster.ca/>) , and an invitation to visit the Ojibway Cultural Foundation on Manitoulin Island to discuss future management of the Provincial collection which had been deposited with them. The latter meeting considered positive Indigenous partnerships throughout North America (ie. National Museum of History RBC Aboriginal Training Program in Museum Practices and Smithsonian National Museum of the American Indian internship program), which provide the training necessary to ensure constructive curation of Indigenous community held collections into the future; as well as, the requirement for adequate Provincial funding for infrastructure and ongoing maintenance and operations.

During the summer, meetings were held with Williams Treaty communities concerning collections management and Trent University’s Jacobs Island excavations. Curve Lake FN identified two representatives to join the two week OAS volunteer dig later in June; Lois Taylor of Curve Lake and Jack Hoggarth of the Kawartha Nishinabe. The latter individual is working on his M.A. in Archaeology from the University of Northern BC and is a traditionalist (see *Strata, Newsletter of the Peterborough Chapter of the OAS*, Summer/Fall 2016 edition). Jack is presently a Visiting Scholar in the Indigenous Studies Program at Trent University, and plans to pursue a doctoral degree at Western University.

I had anticipated moving forward on the Indigenous archaeological collection repatriation and curation issue through the roundtable deliberations at our AGM and, potentially, APA participation in the *Indigenous Collections Symposium*, co-sponsored by the Woodland Cultural Centre and Ontario Museum Association next March. Given the collection management challenges faced by many APA members, dialogue and cooperation with First Nations is clearly needed to move the Province forward on this increasingly contentious issue.

Training and Education Committee: *Call for Teammates!* by David Gadzala

Our mandate: *To provide practical and work related continuing education opportunities to the membership; and to develop a protocol for the application of an education credit system requiring members to stay active in career development.*

In order to prepare for future APA workshops, I engaged members of the archaeological community, especially northern archaeologists, to gather a list of topics archaeologists in the province find interesting, important, or would like to learn more about. Cutting-edge technologies and their application in Ontario's heritage industry is one area of on-

going interest. This year's AGM Workshop on November 4th therefore featured Norman Hawirko (from Heritage Technics) who delivered a presentation on UAVs (Unmanned Aerial Vehicles, aka drones), photogrammetry, etc. Norm is thoughtfully preparing a web-friendly version of his presentation for sharing with members via the APA website. Any members with requests for training topics can add their interests to the Members Forum topic on-line.

I have also contacted universities for permission to address archaeology/anthropology classes re: the value of APA membership and have updated the APA powerpoint presentation for this purpose. It would be greatly appreciated if any members in academia might assist with garnering opportunities to speak with university students.

Reassessment of the APA Grievance Procedures by the Grievance Committee by Jeff Dillane

In 1991 the APA sought to establish a process through which members could bring forward perceived violations of the APA Code of Ethics. It was deemed necessary to have fair and balanced process in place through which such allegations could be assessed carefully and objectively by a committee of peers within the organization. Disciplinary action that could be taken by the Executive if violations are identified were also established, and an appeals procedure clearly outlined for the accused party. These procedures were drafted by the APA Grievance committee (Lawrence Jackson, Susan Wurtzburg and Rita Michaels) at the time and presented to the membership in a newsletter published that year. Since then no amendments have been made to the procedures.

Since being appointed to the board as Director of Investigations I have undertaken a preliminary review of the Grievance Procedure. Generally speaking the procedures are thorough and I believe fair to all parties involved. There are a number of technical changes that were necessary including modification of some of the terminology, most notably changing the means for contacting involved parties from registered mail to email. Additionally, the term used in the Grievance Procedures for the individual instigating the claim has been changed to complainant. The procedures outlined below represent a modified version of the original draft document. Further amendments are currently being considered and will be brought to the attention of the membership prior to being formally adopted into the procedures.

General Rules Governing APA Investigations:

1. The Grievance Committee shall consist of the Chairperson, who is an appointed Executive member of the Association, and two members of the Association. The Committee shall be convened when the Executive determines, on the recommendation of the Chair of the Grievance Committee that an alleged violation of the Code of Ethics requires investigation.
2. An allegation shall consist of a signed written statement concerning the activities of an association member where these are thought to violate the Association's Code of Ethics.
3. The Chair of the Grievance Committee will direct Committee Members to investigate an allegation of misconduct within 30 days of receiving authorization from the Executive. The Chair will endeavour to keep an accurate written record of the process of investigation and all facts pertinent to the case. Legal counsel and investigation expenses will be provided by the Association.
4. At the Annual Business Meeting of the Association, the Chair of the Grievance Committee will report on the number of, and nature of, allegations received by the Executive, their disposition – if investigated or currently under investigation. Disciplinary results of any completed cases will be reported.
5. The Grievance Committee and Hearing Board will, at all times, adhere to the Association's Code of Ethics, respecting confidentiality and the rights of members against whom allegations have been filed.
6. Records of investigation shall be open to Association members only on completion of a case and shall not be photocopied or otherwise disseminated. Records may be copied

for use by a Hearing board but all copies must be returned to the files of the Association and accounted for by the Secretary. Copies of records kept by the Chair of the Grievance Committee shall be filed with the Secretary and provided to his or her successor on leaving the office of Chair.

7. When an allegation is referred by the Executive to the Grievance Committee, every effort will be made to resolve the case, according to established procedures, within a six month period. In cases of unusual complexity, the Chair may request additional time or support.
8. In any instance of declared personal conflict or inability of a Grievance Committee member to act, the chair shall ask another member of the Association to serve on the Committee with Executive approval.
9. The Grievance Committee will follow an established investigation procedure under the direction and co-ordination of the Chair of the Grievance Committee. Investigation will proceed only with unanimous consent of the committee members.
10. In case of disagreement on the need to proceed with the investigation, the Chair may dissolve the Committee and establish a new Committee with the consent of the Executive.

APA Grievance Procedures

1. Initiation of Proceedings:
 - a. A complaint must relate directly to the Code of Ethics of the Association of Professional Archaeologists and may be made only with reference to an Association member.
 - b. A complaint must be filed in writing with reference to the

- appropriate section of the Code of Ethics and must be signed.
- c. A complaint may be made in writing to any member of the Executive of the Association who is then responsible for bringing it forward at the next Executive meeting.
 - d. The name of the complaint writer (the complainant) and the individual against whom the complaint is filed (the respondent) will, at all times, be kept confidential by members of the Executive. Failure to maintain confidentiality shall be grounds for admonishment by the association.
2. Referral of Complaint
- a. The Chair of the Grievance Committee, appointed by the Executive of the Association, shall draw a committee of two from the regular membership. These members will be asked to accept the position without identifying either the complainant or the respondent. Their appointment shall be subject to Executive approval.
 - b. Each investigation will require a new Committee, except for the Chair who will be responsible for continuity and proper briefing of the new members of each Committee.
 - c. Any member of a newly formed Grievance Committee who feels that he or she has a conflict of interest shall declare such conflict and withdraw from the Committee. Said member shall not name either complainant or respondent or otherwise discuss the case after withdrawing from the Committee.
 - d. No member of the Committee shall name either complainant or respondent except to other members of the Grievance Committee or as necessary with reference to the investigation procedures.
3. Investigation Procedures:
- a. The Chair shall acknowledge receipt by the Association of a signed written complaint and will, at the same time, notify the respondent in writing of receipt of the complaint. The Chair will direct the Secretary to send a copy of the investigation and hearing procedures of the Association to both complainant and respondent.
 - b. Upon receiving a signed written allegation of misconduct and receiving instruction from the Executive to proceed, the Chair shall make preliminary inquiries to determine if there is reasonable cause to believe there may have been a violation of the Code of Ethics.
 - c. If there is reasonable ground to believe that a violation has occurred, the Chair will draw two Committee members from the membership and, following their approval by the Executive, brief them on the nature of the problem and their responsibilities with respect to the investigation.
 - d. A complaint will only be investigated with reference to an activity taking place after the member or members concerned have been approved for membership in the Association.
 - e. Once the Chair has been given Executive responsibility for carrying out an investigation, has

made a preliminary investigation to determine if the charge may be warranted, formed a Grievance Committee and briefed it on its responsibilities, both complainant and respondent will be notified in writing that a formal investigation is ongoing.

- f. The members of the Grievance Committee will conduct an investigation, as directed and coordinated by the Chair, and prepare a report to the Executive which will be a finding of fact as well as a recommendation to the Chair.
- g. Upon a recommendation of the Committee and the Chair's referral of that recommendation to the Executive, the Chair will inform the complainant and respondent in writing of the outcome of the investigation. If the respondent is determined to be guilty of a violation of the Code of Ethics as specified in the charges, he or she will be asked to accept punishment as prescribed by the Executive.
- h. If the respondent is not willing to accept punishment and wishes to contest the findings of the Grievance Committee or the decision of the Executive, a formal hearing will be convened consisting of a Board of three members, including the President and Vice-President of the Association and a member-at-large, or their representatives, at least one member of the Grievance Committee, and the Chair of the Grievance Committee.
- i. Only the Hearing Board of three members shall have voting privileges at the hearing. The

function of the Chair and Grievance Committee members is to provide evidence arising from the investigation and make recommendations on the request of the board. Both complainant and respondent have the right to be present at the hearing or to send a representative in their place. Such representative must, however, be a member of the Association. The Hearing may proceed in the absence of either complainant or respondent.

4. Disciplinary Action

- a. Disciplinary action may be imposed on an Association member providing that the allegation of a violation of the Code of Ethics has been considered proved by the Executive and is not contested by the respondent, or is proved by a Hearing. In choosing disciplinary action, the Executive may take into consideration voluntary acceptance by the respondent.
 - i. Admonishment: shall consist of a statement entered into the permanent records of the Grievance Committee and filed with the Secretary of the Association calling the attention of the respondent to a violation of the Code of Ethics.
 - ii. Censure: shall consist of a formal statement, entered into the permanent record of the Grievance Committee and noted in the Association Newsletter, that the respondent is subject to censure for a violation of the Code of Ethics. This statement shall also be filed

with the Secretary of the Association.

- iii. Suspension: shall consist of temporary suspension of the respondent from membership in the Association for a period of one year. Notice of suspension shall be entered into the permanent records of the Grievance Committee, filed with the Secretary of the Association and noted in the Newsletter of the Association. Upon completion of the period of suspension, the respondent may be reinstated as a member of the Association and this shall likewise be noted in the permanent records of the Grievance Committee, filed with the Secretary, and noted in the Newsletter.
- iv. Expulsion: shall consist of expulsion from membership in the Association for a period of not less than three years, following which the respondent may reapply for membership. Expulsion shall be entered into the permanent records of the Grievance Committee, filed with the Secretary of the Association, and noted in the Association Newsletter.

5. Appeal Procedure

- a. The respondent has the right of appeal of the results of a disciplinary hearing providing that sufficient evidence is presented to the Executive of the Association to convince them that a second hearing is required.
- b. Appeal shall be in the form of a signed written letter to the Chair

of the Grievance Committee and to the Executive advising them of specific new evidence bearing on the case. Enclosure of any new documentary evidence or signed statements by witnesses would be advisable.

- c. If, in the judgment of the Chair and the Executive, this new evidence introduces substantial uncertainty as to the decision of the Hearing Board, a new hearing shall be convened with a date set by the Executive in consultation with the Chair of the Grievance Committee. Any decisions reached at a second hearing are not subject to appeal.

6. Legal Counsel

- a. The Association shall provide free legal counsel to the Grievance Committee and its Chair regarding the wording of any public notice of disciplinary action. Such counsel will be responsible for ensuring that libel, slander, or other allegations of professional damage do not have grounds in the wording of said notices.
- b. In the event that any respondent seeks legal damage against the Association or any individual member of the Grievance Committee or Hearing Board arising out of an investigation, the association will provide legal representation and bear the costs of any subsequent action.

Hearing Procedure APA Grievances

- 1. A formal hearing shall be convened on the recommendation of the Chair of the Grievance Committee following presentation of the results of an investigation at a closed meeting of the full Executive. The Chair will make a

full presentation of the facts of the case, noting the positions of complainant and respondent, the conditions requiring a hearing, and the suggested course of the hearing.

2. A date for the formal hearing shall be set by the full Executive in consultation with the Chair of the Grievance Committee. The Secretary of the Association will provide written notice to all participants in the Hearing of the time, date, and place, as well as copies of the Grievance Procedures, Hearing Procedures, and Rules of Evidence.
3. The respondent and the complainant and/or their respective representatives shall have the right to be present throughout the hearing, including opening statements, presentation and disputation of evidence, and closing statements. The deliberations of the hearing board shall be in closed session and shall not extend beyond the date on which the hearing has been opened.
4. The agenda for the hearing shall be essentially as follows:
 - i. Statement by the presiding officer specifying the nature of the board's deliberation, the manner and order in which evidence will be presented, rules on opening and closing statements, and the rules governing the voting of the board's members on the individual charge(s). The right of appeal for a second hearing shall also be stated, with its requirement of additional evidence which the APA Executive considers sufficiently compelling to reopen the case.
 - ii. The Chair of the Grievance Committee will then make a

statement of the charge brought against the respondent citing the appropriate section of the Code of Ethics and identify the complainant.

- iii. The respondent shall then have opportunity to state for the record whether he or she disputes the charge in full or in part and whether or not he or she is prepared to accept the findings of the board.
- iv. The Chair of the Grievance Committee shall state the manner in which the charge was initially investigated to determine the need for a full investigation.
- v. A member of the Grievance Committee, or the Chair of the Grievance Committee in the absence of the above, shall then present a detailed summation of the results of investigation of the claim, providing such documentary evidence or signed statements as are available.
- vi. The respondent or his or her representative shall then have opportunity for rebuttal bringing specific evidence to bear on the alleged violation(s). Documentary evidence and any signed statements shall be presented.
- vii. The presiding officer of the hearing shall then ask for any witnesses to be presented, first by the complainant, and second by the respondent. The Chair of the Grievance Committee may also be asked to bring forward witnesses as revealed by the

- investigation procedures, either for or against the respondent, to present evidence to the board.
- viii. The hearing board shall then recess to consider the evidence presented and develop questions to be asked in the final phase of the hearing.
 - ix. The presiding officer of the hearing shall direct the questions of the board and the final presentation of evidence. Questions may be directed not only to the respondent and the complainant, but also to the Grievance Committee.
 - x. Concluding statements shall then be heard from the respondent and the complainant, or their respective representatives, and from the Chair of the Grievance Committee regarding either the charge or the evidence.
 - xi. The board shall recess to consider its verdict and shall deliver the verdict at a reconvening of the hearing on the same date as it began.
 - xii. The hearing board shall, in so far as possible, adhere to formal rules of evidence, and bear responsibility for determining relevance and acceptability. In the event that the respondent does not present or submit a defense, the board may proceed with the hearing and communicate its findings to the respondent in the prescribed manner.
1. The Secretary of the Association shall bear responsibility for informing all members of the hearing board, the Grievance Committee, the complainant and the respondent of the convening of a hearing and, in the absence of either complainant or respondent at the hearing, will communicate the result of that hearing to those individuals.
 2. The Secretary of the Association will proceed only at the direction of the Executive of the Association after being briefed by the Chair of the Grievance Committee. Notification of a hearing will be sent by email no less than 30 days prior to the date of the hearing. Communication of the results of the hearing shall be sent to the respondent and complainant by e-mail as soon as possible after the hearing is concluded.
 3. A secretary will be provided by the Association to record the proceedings of the hearing which will remain confidential unless a second hearing is granted. The board convened for a second hearing shall have full and confidential access to the proceedings of a first hearing or any previous hearing bearing on the case at hand.
 4. The Chair of the Grievance Committee shall be responsible for ensuring that one or both members of his or her committee are available for the hearing. In their absence, the Chair may respond with specific evidence gathered as a result of their investigations at the required points in the hearing.
 5. The Chair of the Grievance Committee shall draft the letters of appointment of members of the Grievance Committee, as well as letters specifying charges to the respondent, acknowledging receipt of an allegation and notifying respondent and complainant of the convening of a hearing. These letters

will be provided to the Secretary of the Association in sufficient time to allow due notification of the concerned persons.

6. The Executive of the Association shall direct the President and Vice-President of the Association to declare their availability to serve on the hearing board and the absence of any reasonable conflict with the case in question. The President and Vice-President may delegate their position on the hearing board to another director of the Association. A third hearing board member shall be solicited by the Chair of the Grievance Committee in consultation with the President and Vice-President of the Association and shall be subject to the same process of Executive review.
7. All records of the hearing and the records of the Chair of the Grievance Committee and the Grievance Committee members shall be filed with the Secretary of the Association within one month of a decision by the hearing board.

Rulings of the Hearing Board

1. The hearing board for APA Grievances, specifically violations or alleged violations of the Code of Ethics by members of the Association, shall have a series of decisions possible at the conclusion of a hearing.

Ruling #1: Case proved;
sufficient evidence is believed

to have been presented to warrant punishment of the respondent.

Ruling #2: Case proved; case referred; sufficient evidence is present to warrant referral of the evidence to a legal authority within Canada for prosecution of an indictable offense.

Ruling #3: Case not proved; insufficient evidence is believed to have been presented to warrant punishment of the respondent.

Ruling #4: Case dismissed; the evidence presented to the hearing board is judged to be of spurious intent on the part of the complainant and a warning is issued.

1. The rulings of the hearing board are binding upon Association members. If a second hearing reverses or alters the decision of a previous hearing, at that time proper notice shall be provided of a new decision. Either exoneration or a second finding of violation of the Code of Ethics by the respondent shall be duly noted in the Association Newsletter and entered into the permanent files of the Secretary and the Chair of the Grievance Committee. The findings of a second hearing may not be contested.

A Reconsideration of the Cache of Chert Preforms from the Saugeen Culture Donaldson Site, Bruce County, Ontario

By William D. Finlayson

In 1971, I conducted salvage excavations at the Donaldson site, a Saugeen Culture site located on the Saugeen River at the first major rapids upriver from its embouchure to Lake Huron (Figure 1). This site had previously been investigated by Dr. James V. Wright of the National Museum of Canada in 1960 (Wright and Anderson 1963). Wright's excavations had discovered two house structures. I returned to the site, in part, to attempt to gather more information about Saugeen Culture house structures.

My investigation of the site involved the excavation of five block units on the second and third terraces above the Saugeen River to locate additional house structures and the excavation of three test trenches to delimit the extent of the site.



Figure 1: Location of the Donaldson Site
(Source: Ministry of Natural Resources, 2006
Ontario Base Mapping, Peterborough)

The excavations explored 1,925 square meters of the site. This revealed “29 pits, 9 hearth floors, 56 refuse features, a midden, 926 post moulds, 3 grave pits, a pile of cobbles and a cache of preforms” (Finlayson 1977: 246). Artifacts recovered included 524 rimsherds, 5,316 non-rimsherds, 204 chipped stone artifacts, 79 cores, 130 utilized flakes, 1,623 pieces of chipping detritus, 134 ground, rough and miscellaneous stone artifacts, 60 bone, antler and shell artifacts, 9 copper artifacts, and 3 trade silver bangles (Finlayson 1977). A recent re-examination of the data from the site reaffirms the presence of a Saugeen house structure just east of the two structures investigated by Wright. This structure had been rebuilt over a prolonged period preventing an accurate delimitation of its size. The re-examination of the artifact collection confirms the presence of a historic Odawa occupation of the site represented by eight historic artifacts including three trade silver bangles and a probable house structure.

While excavating the second test trench (H in Figure 2), the equipment operator stopped his machine, called me over and pointed to a piece of chert lying undisturbed on the just exposed topsoil. An initial examination revealed a chert preform and

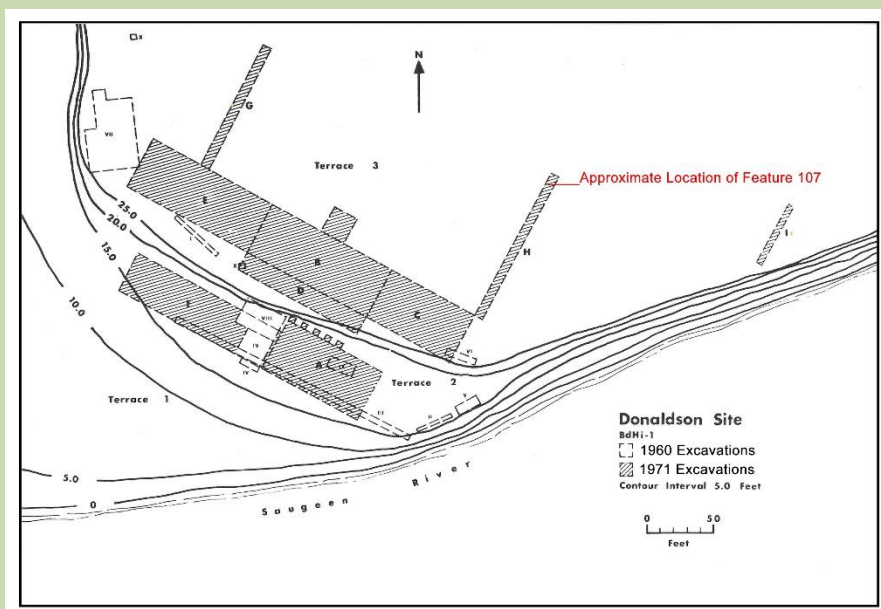


Figure 2: Location of Map of Excavations at the Donaldson Site. Modified from Finlayson 1977: 236)

indicated that there were other preforms under the piece initially found. A careful excavation of this feature resulted in the discovery of a cache of 112 preforms and two fragments of a biface.

The placement of this cache, only about 30 meters outside the main area of occupation of the Donaldson site, suggests that it was buried with the intention of retrieving it at some time after its burial. This contrasts caches from unnamed Early Woodland sites discussed by Williamson where chert caches were buried at the bottom of swamps or bogs with the apparent intent that they were never meant to be recovered (2014:52).

To identify the chert from the Donaldson site (as well as from Thede and Inverhuron-Lucas sites), I selected 30 different samples representing the variation in chert types at these sites. These were identified as to the chert types and their sources by William A. Fox in the spring of 1973. His identifications (Finlayson 1977: 155-158) were used to identify the chert sources for the chipped lithic assemblages from all three sites.

The 112 preforms were subdivided into three groups based on chert source. The first group consisted of nine preforms made from purplish and dark bluish-gray Port Franks (Kettle Point) chert (Finlayson 1977:393) while the second group comprised 14 preforms made from a variant of Ports Franks (Kettle Point) dark gray chert “which contains a few small patches of light gray mottling and areas of which are light brown in colour and have thin streaks of dark gray through them” (Finlayson 1977:393). The



Plate 1: Cache of Chert Preforms, Feature 107, Donaldson Site, 1971 Excavations.
Photo by William D. Finlayson

third group consisted of 89 preforms made from “light brownish gray mottled Delaware chert from Lake Erie” (Finlayson 1977:393). Lennox (1977: 235) notes that Delaware chert is also known as Onondaga chert. The two fragments of the biface, which fit together, were made from Group 1 chert. These appeared to be from a fragmented biface or projectile point which was included as source material which could be reworked into smaller tools.

The shapes of the sides of these preforms included biconvex, bi-plano, plano-convex, biconvex, and concavo-convex. Shapes of the bases were either convex or plano. Details on the shape in relation to the kind of chert are presented in my Ph.D. dissertation (Finlayson 1977: 394).

As I noted in my Ph.D. dissertation for preforms of Group 1 chert, “One specimen exhibits overall bifacial flaking, six overall flaking on one surface and minimal retouch around the edges of the other, while two show minimal retouch on both surfaces” (Finlayson 1977:393). For Group 2 chert “Nine preforms exhibit overall bifacial chipping, four overall chipping on one surface with minimal retouch on the other and two exhibit minimal retouch on both surfaces” (Finlayson 1977:393). For Group 3 preforms “eighty-one exhibit overall bifacial flaking, five overall flaking on one surface with minimal retouch on the other, and three show minimal retouch on both surfaces (Finlayson 1977:393, 395).

Clearly preforms of different chert types were subject to different stages in the reduction process in chert tool manufacture with bifacial flaking predominant on Group 3 chert

| | Length (mm) | | Width (mm) | | Thickness (mm) | | Weight (gm) | |
|-------|----------------|------|---------------|------|-------------------|------|----------------|------|
| Group | Range | Mean | Range | Mean | Range | Mean | Range | Mean |
| 1 | 43-65 | 51.9 | 28-34 | 31.6 | 7-11 | 9.1 | 9.8- 23.7 | 15.5 |
| 2 | 53-80 | 64.0 | 31-45 | 39.0 | 8-13 | 10.1 | 21.1- 58.2 | 27.8 |
| 3 | 40-78 | 56.6 | 24-57 | 42.2 | 7-18 | 11.7 | 13.9- 56.2 | 28.7 |

Table 1: Size and Weight of Preforms (from Finlayson 1977: 394)

type preforms and least common on Group 1 chert type preforms. It would be interesting to see if similar differences are present in chert types in other preform caches.

Data on the size and weights of the preforms in each Group are presented in Table 1. The preforms in each Group exhibit some differences in size. One wonders whether this is a function of the thickness of the Onondaga and Kettle Point chert beds being used in the Middle Woodland Period. Ellis and Dellar note in their report on the Paleo-Indian Parkhill Site:

However, having had the opportunity to examine a large series of Collingwood chert quarry blocks from outcrops, it is quite clear that the longest dimensions of these blocks with an easy to use striking platform is most often the dimension from top to bottom of the original bed section. Hence, if one wants to maximize point size, and particularly length, this is the way to detach the longest flakes and they would have right angled banding in comparison to the flake longitudinal axis (Ellis and Dellar 2000:84).

The presence of 112 preforms in a cache with 89 of Onondaga chert (79.5 %) and 23 of Kettle Point chert (20.5 %) raises questions about how this cache of preforms got to the Donaldson site.

There is abundant evidence that beginning in the Paleo-Indian Period, chert was obtained from sources some distance from seasonally occupied camps. Jackson, in his study of the Gainey phase occupation of the Rice Lake area, stresses that Collingwood chert was imported from its source approximately 170 km to the west (1998: 138). By the Early Woodland Period, a limited number of specialized chert knappers were producing huge numbers of Meadowood Cache Blades which were traded over a large area of Northeastern North America (Wright 1999: 620). While the production of these Meadowood Cache Blades does not continue into later Middle Woodland Period, preforms such as those found at Donaldson have been found at a few sites such as

Ivory Hill and Robson with the preforms having generally similar sizes (Fox 2012: 25-37).

Given the presence of preforms of both Onondaga and Kettle Point chert in the Donaldson site cache, the question can be raised about whether the preforms were created at the quarries on Lake Erie and Lake Huron and then traded to a third location where a packet comprised of mainly Onondaga chert and some Kettle Point chert was assembled and then traded to a person who lived at the Donaldson site.

Alternatively, were blocks of chert collected at each of the quarries, packaged up and transferred to a third location where they were used, perhaps by specialized chert knappers, to make preforms from two different cherts? These preforms were then packaged up for trading to Middle Woodland people such as those who occupied the Donaldson site.

Or were blocks of chert from two different quarries packaged up and traded to someone at the Donaldson site who then created the preforms? The analysis of chipping detritus from the site presented in my Ph.D. dissertation did not address this issue. However, the sources of the chert in the package of preforms are also quite different than those from the Donaldson site. By weight, 82.9% of the chert cache of preforms was Delaware (Onondaga) chert and 17.1% Port Franks (Kettle Point) chert. By way of contrast, of the remainder of the chert recovered from the 1971 excavations at the Donaldson site, only 3.9 % was Port Franks chert, 39.9% was Delaware chert and 56.1 % were other cherts such as local nodular chert, Collingwood chert and other minority cherts. This suggests that the preforms were made at a location other than the Donaldson Site.

We may never know how this package of chert preforms got to the Donaldson site or know the circumstances of its burial. However, its discovery in 1971 provides new insights into chert acquisition by the occupants of the site and its caching for some future use.

During the summer of 2015, I visited the Canadian Museum of History and photographed both sides of each preform. These individual pictures were then assembled into Plate 2 which fully portrays the nature and extent of the preforms in this unusual cache.

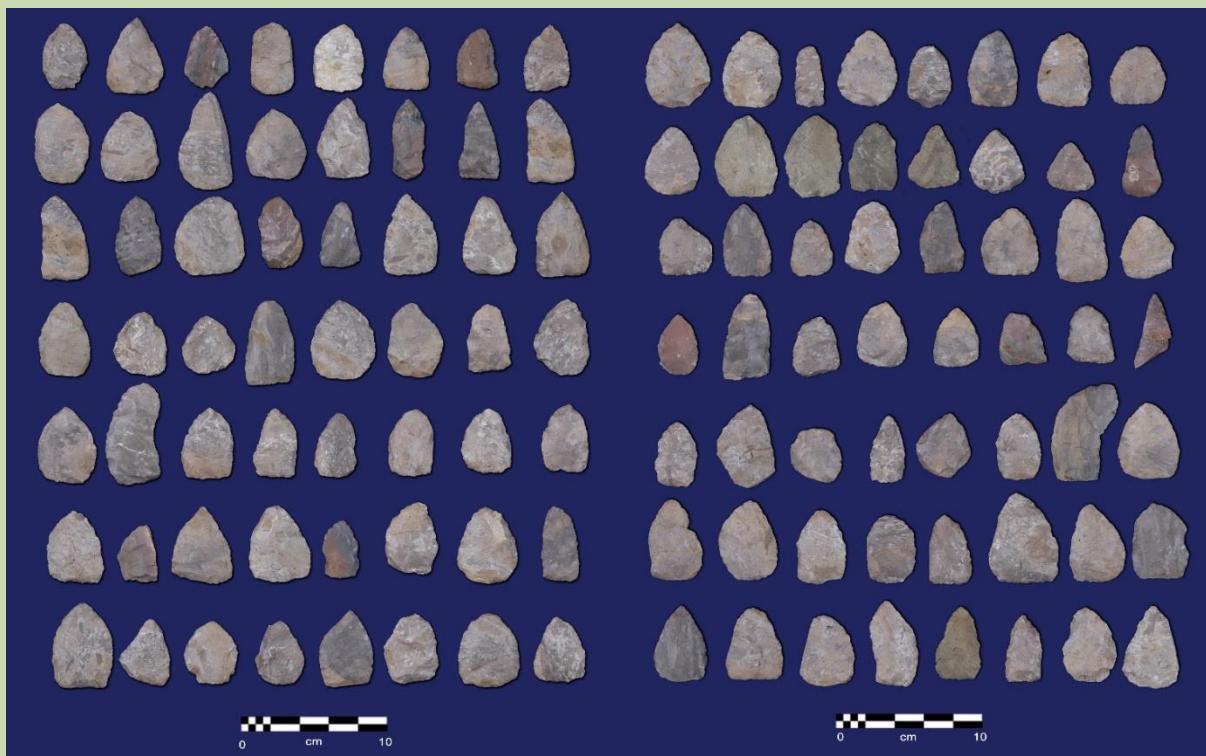


Plate 2: Chert Preforms from Feature 107 at the Donaldson Site. Copyright Canadian Museum of History and William D. Finlayson

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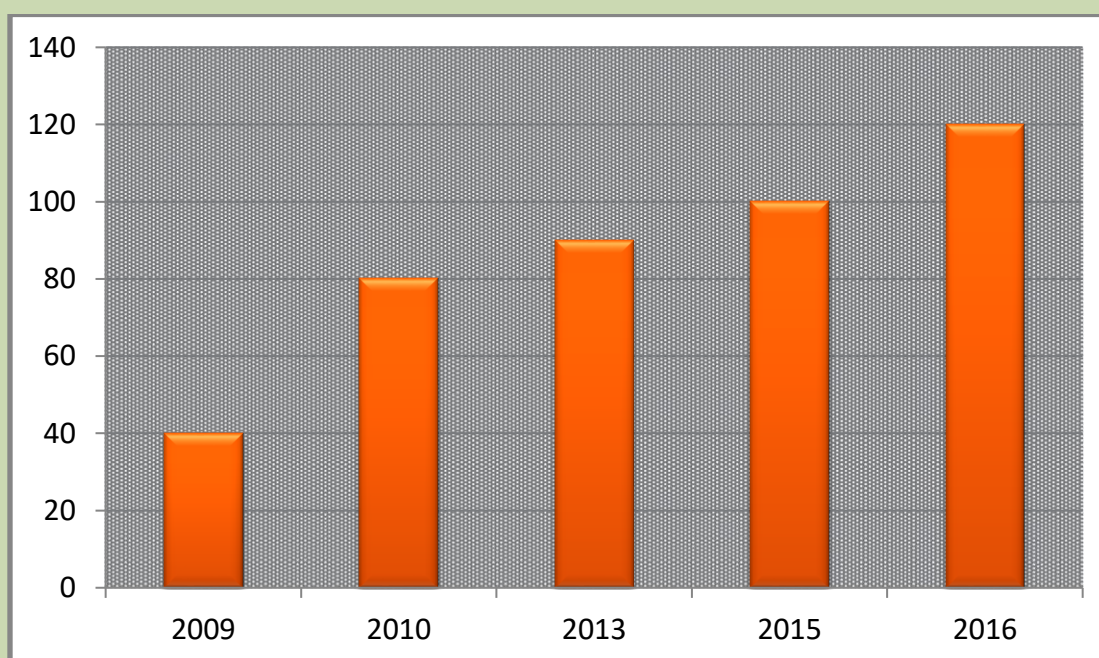
News and Updates:

Radiocarbon Dating Award: In November, 2016, the APA Executive voted in favour of re-establishing its Radiocarbon Dating Award for members. The value of the award will be the cost of a standard radiocarbon date with Beta Analytic of Florida, our advertising partner. Two awards will be made to members in each calendar year. The dates should be for an archaeological site in Ontario that was excavated under a commercial contract (i.e. as consulting work). The results of the dating and a brief summary of the project, site and sample will be published in the newsletter or on the website (or both).

The Criteria for submission, review, and acceptance of the successful applicants will be devised and working group established to select the recipients, at the first Executive meeting of 2017. It is hoped that these awards will assist members with the cost burden of retrieving dates for the archaeological record and further enrich our understanding of Ontario's archaeological record. We anticipate one of the 2017 awards to be provided early in 2017 and the second to be awarded next October.

2017 Winter Workshop: The APA Executive is planning on holding a workshop early in 2017. If anyone has suggestions or requests for the workshop subject please contact the executive at info@apaontario.ca.

APA Membership Growth From 2009 to 2016 by Lawrence Jackson



APA Membership growth between 2009 and 2016: X axis = total number of members in organization (Numbers from APA Newsletters, Annual Meeting Notes and Current Membership Directory)

Since 2009, APA membership has shown 200% growth. *There have been no declines.* Numbers today are three times what they were in 2009. There was a sharp increase in 2009 to 2010 and steady growth over the period 2011 to 2015 with another strong increase from 2015 to 2016. This trend continues. Current membership is 120, membership in 2009 was 40.

List of Current Executive Officers, December 2016

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