



# NEWSLETTER

Volume 12, Number 2

October 2000

## PRESIDENT'S MESSAGE

*William S. Dancey*

Since the spring members meeting, your President and members of the Board have been busy with Council business. Probably the most important event of the summer was the completion of Bob Genheimer's book containing the proceedings of our 1994 conference on the Late Prehistoric. Entitled *Cultures Before Contact: The Late Prehistory of Ohio and Surrounding Regions*, it contains 13 chapters including regional overviews, reports on site investigations, and a commentary on the state of the art in the study of the archaeology of this period. Much of the data in this book has not been published previously. Thus, as with the first two volumes in this publication series, we have accomplished our goal of making archaeological knowledge of Ohio prehistory more widely available. Additionally, it is an attractive, durable book that will hold its form even with repeated use. Thanks to Bob for sticking with this project and making it a first rate product. (see order form on page 15.)

Equally important is the successful completion of the first Ohio Archaeology Week. This was the product of cooperation between the Council and Sunwatch Indian Village. Among the organizations who participated were The Cleveland Museum of Natural History, the Marietta Natural History Society, Fort Ancient State Memorial, Hopewell Culture National Historical Park, Sunwatch Indian Village/Archaeological Park, Boonshoft Museum of Discovery, Heidelberg College, and the University of Toledo Laboratory of Archaeology. Plans are under way to repeat this event next year and to increase participation and support. Thanks to Sandy Yee for spearheading the project and to Dave Bush for serving as the Council liaison.

On another front, Al Tonetti and I attended a series of meetings beginning in mid-August concerning the Moundbuilders Country Club's proposal to demolish its existing clubhouse and build a new facility. In addition to writing the Director of the Ohio Historical Society to express our concerns about the potential destruction of archaeological remains as a result of the rebuilding, a nomination of the Octagon State Memorial to the National Trust for Historic Preservation's list of the "Eleven Most Endangered Historic Places" in the United States was submitted on behalf of the Council. Initiated by a group of concerned educators in the Newark area, the weekly meetings came to include American Indians, members of the

Licking County Archaeological and Landmarks Society, and local citizens, along with representatives of the Club, the National Park Service, the Ohio Historical Society, and the State Historical Preservation Office. Amos Loveday, the State Preservation Officer, assigned several members of his staff to facilitate the drafting of a Memorandum of Understanding in an attempt to reach a consensus regarding the conduct of an archaeological survey on the targeted property, formulation of a policy on public access, and long-term plans for preservation. The process is ongoing. Thanks to Al for agreeing to get involved and lend his considerable knowledge of public archaeology to the issue.

Other accomplishments include the formulation of an amendment to the by-laws to streamline membership nomination approval, a hard look at the reality of constructing a high quality web site, monitoring of hearings on proposed industrial minerals legislation, and input into the planning process for Voyageur Media Group's Ohio Archaeology Video Series. I should not forget to include President-Elect Brian Redmond's suggestion to invite members to prepare short presentations on recent fieldwork at the fall meeting. This suggestion was unanimously embraced by the Board as a way for members to become more aware of what's going on around the state.

Members have been notified of the membership amendment and will be asked to discuss and vote on it at the fall meeting. The Board and I believe it is a positive step toward increasing membership and urge serious consideration of its provisions. In order not to over-extend my contribution to this issue of the Newsletter, I will end on this note. I hope I have said enough to make everyone want to attend the fall meeting to hear more about the above matters, as well as become better informed about recent archaeological activities around the state.

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## AD HOC LEGISLATIVE ISSUES COMMITTEE REPORT

Al Tonetti  
Committee Chair

### Federal Legislative Issues

You can access legislative information or contact any member of Congress at <http://thomas.loc.gov>. You can also reach any member of Congress by calling the Capitol at (202) 224-3121 or 1-800-962-3524; by writing your Representative at the U.S. House of Representatives, Washington DC 20515, or your Senators at the U.S. Senate, Washington DC 20510; or electronically through either <http://www.house.gov> or <http://www.senate.gov>.

### Section 106 Regulations

In response to the federal lawsuit by the National Mining Association challenging the Advisory Council on Historic Preservation's (ACHP) current Section 106 regulations [see March 2000 OAC Newsletter Vol. 12(1)], on July 11 the ACHP published its current Section 106 regulations in the *Federal Register* as proposed regulations open to public comment. The current Section 106 regulations went into effect on June 19, 1999 and remain in effect. It is anticipated that the new final regulations will be submitted to the ACHP for a vote on adoption on November 17, 2000. Comments on the current Section 106 regulations were to be submitted on or before August 10, 2000, addressed to the Executive Director, ACHP, 1100 Pennsylvania Ave., NW, Suite 809, Washington D.C. 20004, or by fax to (202) 606-8672, or by email to [regs@achp.gov](mailto:regs@achp.gov). The public comment notice and the current Section 106 regulations can be found in the *Federal Register* at [www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html).

### HR 701, The Conservation and Reinvestment Act of 2000

HR 701 amends the Land and Water Conservation Fund Act. It will permanently fund many natural and a few cultural resource programs, the Historic Preservation Fund (HPF) in particular. The funds come from Outer Continental Shelf oil and gas leases, estimated at \$4-5 billion annually. The HPF funds much of the operations of State Historic Preservation Offices, particularly in Ohio. Much of the money will make its way to states for natural and cultural resource programs, including programs that benefit archaeology. Ohio is scheduled to receive one of the largest sums, about \$54 million a year. That amounts to over \$800 million over the 15 years the law will be in effect. Over 4,000 organizations and all 54 governors support the bill.

The U. S. House of Representatives passed HR 701 on May 11, 2000. The vote was 315 to 102, with 118 Republicans, 196 Democrats, and 1 Independent voting for the bill,

showing strong bipartisan support for the measure. Ninety-three Republicans, 8 Democrats, and 1 Independent voted against the bill. All of Ohio's Democratic Representatives and 6 of 11 Republican Representatives voted for the bill. The Senate Energy and Natural Resources Committee voted 13 to 7 in favor of the bill, but its chance for passage by the full Senate is less certain. There is strong opposition from a number of Senators from western states, and the end of the 106<sup>th</sup> Congress is fast approaching. Ohio Senator DeWine supports the bill while Senator Voinovich does not. If Ohio's \$400 million Conservation and Revitalization Fund is approved by Ohioans on November 7, 2000 (see State Issue 1 below), Ohio will be well positioned to take advantage of the federal funds from the Conservation and Reinvestment Act, assuming it is approved by the Senate, a House-Senate Conference Committee, and signed by the President. Please contact Ohio Senators Voinovich and DeWine, or your state Senators, as soon as you can about the bill.

### HR 834, National Historic Preservation Act Amendments of 2000

Among other things, HR 834 extends the authorization of the HPF and the ACHP through fiscal year 2005 (September 30, 2006), and reinstates the annual transfer of \$150 million into the HPF. President Clinton signed the bill into law on May 26, 2000.

### HR 2643, Amendments to the Native American Graves Protection and Repatriation Act (NAGPRA)

HR 2643 would provide for the appropriate study and repatriation of human remains for which a cultural affiliation is not readily ascertainable by repealing the ownership provisions of NAGPRA based on aboriginal land claims. Until several issues concerning the Kennewick Man litigation are settled, this bill is unlikely to move. The bill's sponsor is Rep. Hastings (R-WA). Upon introduction it was referred to the House Committee on Resources. Please contact you Representative about this bill.

### S. 2478, The Peopling of America Theme Study Act

On April 27, Senator Daniel Akaka (D-HI), for himself and Senator Bob Graham (D-FL), introduced legislation authorizing the National Park Service (NPS) to conduct a theme study to identify, interpret, and preserve sites relating to the migration, immigration, and settling of America. S. 2478, The Peopling of America Theme Study Act, builds upon the latest official thematic framework authorized in 1996 (PL 101-628, Sec. 1209), and seeks to encourage the nomination of properties for listing in the National Register of Historic Places, the identification of potential new National Historic Landmarks, and the recommendation to Congress of sites for potential inclusion in the National Park System.

In introducing this legislation Senator Akaka noted: "All Americans were originally travelers from other lands. Whether we came to this country as native peoples, English colonists or African slaves, or as Mexican ranchers, or Chinese merchants, the process by which our nation was peopled transformed us from strangers from different shores into neighbors unified in our inimitable diversity -- Americans all."

Senator Akaka stressed that it is essential for all Americans to understand this process. The legislation recognizes that only one NPS unit focuses on the peopling of America, Ellis Island, a part of the Statue of Liberty National Monument. Senator Akaka hopes that the study will serve as a springboard for the preservation and interpretation of several significant properties.

The legislation calls on the NPS to establish linkages with "organizations, societies and cultures" and to enter into a cooperative agreement with educational institutions, professional or local historical organizations, or other entities to prepare the theme study in accordance with generally accepted scholarly standards. Please contact Senators DeWine and Voinovich, or your state's Senators, about S. 2478.

#### State Legislative Issues

You can view and print copies of Ohio laws, bills, bill summaries, and status reports of bills at <<http://www.legislature.state.oh.us>>. You can reach your Representative or Senator by calling the Legislative Information Office at 1-800-282-0253; by writing your Representative at the Ohio House of Representatives, 77 South High St., Columbus, OH 43266-0603, or your Senator at the Ohio Senate, Senate Building, Columbus, OH 43215. Some members of the General Assembly have email address that are linked through the website.

***[The end of the 123<sup>rd</sup> Ohio General Assembly, 1999-2000, is fast approaching. Bills that have not had hearings are unlikely to be enacted this session and will have to be reintroduced into the 124<sup>th</sup> Ohio General Assembly, 2001-2002]***

#### State Issue 1, the Ohio Conservation and Revitalization Fund

On November 7, Ohio voters will decide whether or not to approve a \$400 million environmental protection bond issue (see H. J. R. 15, May 19 Legislative Issues Committee Report). The fund was proposed by Gov. Taft and nearly unanimously approved by the Ohio General Assembly earlier this year.

The fund will initially provide \$400 million over the next four years, with continuing investments as older bonds are retired or as community loans are repaid. From the initial investment, \$200 million would be used to clean up

brownfields (land that cannot be developed because it is contaminated with industrial wastes, but the site is not a federal Superfund site) and other, as yet unspecified, urban revitalization efforts. \$200 million would also be used to preserve green space, farmland, streams, and expand recreational trails.

If Ohio voters pass the issue on November 7, the Ohio General Assembly will need to pass legislation detailing how the funds will be allocated, who would be eligible for funding, etc. Gov. Taft has indicated that local communities should decide on how and where the funds are to be used, based on local needs and priorities. The Governor has stated that city, township, and county governments, conservation districts, park boards, and some private sector entities should be able to apply for funds administered as grants and low-interest loans. The grants are to be matched by local dollars. The amount to be matched will be determined by the Ohio General Assembly. Funds from the program and matching funds can be used to leverage other dollars for environmental programs, particularly at the federal level.

The proposed fund is similar to the NatureWorks bond issue passed by Ohio voters in 1993, a program that continues to provide funds for repairing and enhancing primarily State-owned parks, forests and nature preserves. A relatively small portion of NatureWorks funds goes to local communities. The Conservation and Revitalization Fund is directed at local projects for environmental protection.

The fund does not increase taxes. Funds would come from the sale of bonds, which would be repaid over time with existing State revenues through a mix of general revenues and liquor-profit tax revenues. By law, funds cannot be granted or loaned to parties responsible for the contamination of a site determined to be a brownfield.

Whether or not Conservation and Revitalization Fund projects will be required to take into consideration their impacts on archaeological resources remains to be decided by the Ohio General Assembly and the state agencies that will implement the program, the Ohio Department of Natural Resources (ODNR), Ohio Environmental Protection Agency, Ohio Department of Agriculture, and the Ohio Department of Development, the latter of which recently funded an archaeology review position at the Ohio Historic Preservation Office (OHPO). Presently, NatureWorks projects are reviewed by the OHPO. OHPO indicates that since review of NatureWorks projects began in 1994, 3-4% of OHPO's total workload consists of NatureWorks project reviews. This figure represents about 200-250 projects/year (ca. 1,200-1,500 projects). Archaeological investigations were recommended on 150 of the projects (ca. 10-13%), and OHPO reviewed 62 archaeological reports (40% of the 150 projects for which archaeological investigations were recommended). The number of archaeological sites found as a result of recommended surveys was low, less than 50, and only one archaeological site was determined to meet the

National Register Criteria for Evaluation (Dave Snyder, personal communication 2000).

Although the number of significant archaeological sites found as a result of OHPO's review of NatureWorks grants is apparently low, OHPO indicates that the effort has been worthwhile, particularly in raising the awareness of ODNR and NatureWorks applicants that archaeological resources exist and should be considered in project planning. The Ohio Archaeological Council will work to see that a similar review is undertaken for projects under the new program, if passed by Ohio voters on November 7.

House Bill 232/Senate Bill 51, increases the penalty for the offense of desecration

This bill increases the penalty for desecrating a place of worship or any other object of reverence or sacred devotion from a misdemeanor to a felony. The bill also increases from \$5,000 to \$15,000 the amount of damages a person may recover from the parent of a minor child as a result of a child's vandalism or desecration. The intent of the bill is to protect churches and cemeteries, but could be interpreted by the courts to include traditional cultural properties and sacred places such as prehistoric mounds, earthworks, and cemeteries. The Senate version of the bill was passed the General Assembly and Gov. Taft signed the bill on June 17, 1999. The bill became effective September 20, 1999.

House Bill 279, creates the Ohio Network-to-Freedom Commission as a permanent agency to preserve and promote the history of and to educate the public about the Underground Railroad

The bill creates the Commission, whose tasks include developing a public-private partnership to research, document, mark, and preserve Ohio sites associated with the Underground Railroad. The bill was introduced March 24, 1999 and assigned to the Education Committee. No action has been taken on the bill.

House Bill 393/S. B. 193, replaces the call-before-you-dig law with a single statewide one-call notification system

This bill requires that excavators, including archaeologists, notify the one-call system of the location of an excavation site and the intent to excavate at least 48 hours but not more than 10 days before commencing an excavation. Any excavator who knowingly fails to notify the one-call system is subject to a civil penalty of up to \$10,000 for each violation, and fines up to three times the amount of reasonable costs of repairs to damaged underground utilities (see May 19 Legislative Issues Committee Report). The House bill was introduced June 17, 1999 and assigned to the Local Government Committee. The Senate bill was introduced on October 12, 1999 and assigned to the Ways

and Means Committee. No action has been taken on either of the bills.

House Bill 463, allows corporations and individuals to receive nonrefundable tax credits of up to \$50,000 for rehabilitating a historic property

The bill allows taxpayers to claim corporation franchise and personal income tax credits for 25%, not to exceed \$50,000, of the qualifying expenditure incurred to rehabilitate a historic property. The bill was introduced September 30, 1999 and assigned to the Ways and Means Committee. No action has been taken on the bill.

House Bill 550, revises the offense of vandalism to prohibit a person, without privilege to do so, from knowingly causing physical harm to private property and serious physical harm to government property

*The bill was introduced on January 18, 2000 on behalf of the Archaeological Society of Ohio (ASO). It was assigned to the Criminal Justice Committee [see March 2000 OAC Newsletter Vol. 12(1)]. Proponent (ASO) testimony was heard on May 16 (see May 19 Legislative Issues Committee Report). No further action has been taken.*

House Bill 601, creates the Ohio Department of Natural Resources (ODNR) Mineral Resource Management Division

This bill merges ODNR's Division of Oil and Gas with the Division of Mines and Reclamation forming the Division of Mineral Resources Management. This is now the division that regulates mining's impact on cultural resources. The bill passed the General Assembly and was signed into law by Gov. Taft on June 14.

House Bill 679, requires that when the theory of evolution is taught in public school the scientific evidence for and against the theory be taught

The bill was introduced on May 2, 2000 and assigned to the Education Committee. No action has been taken.

House Bill 702/Senate Bill 276, revises the application requirements for a non-coal surface mining permit

The bill revises and adds requirements to the permit application process for aggregate (non-coal) industrial minerals mining. The application requirements do not address archaeological resources (see May 19 Legislative Issues Committee Report). The bill was introduced in the House on May 11, 2000 and assigned to the Agriculture and Natural Resources Committee. No action has been taken. The bill was introduced in the Senate on March 28, 2000 and assigned to the Energy and Natural Resources Committee. No action has been taken.

## REPORT ON OHIO'S FIRST ARCHAEOLOGY WEEK

*Sandra Lee Yee*

Site Anthropologist/Site Manager  
SunWatch Indian Village/Archaeological Park

At the OAC Annual Meeting in November 1999, Dr. William S. Dancy, as the newly elected president of the OAC, announced as one of his hopes for the coming year that the Education Committee of the OAC would look into establishing a state archaeology week for Ohio. Dr. David Bush was chair of this committee, and Sandy Yee had just been one of the new committee members elected. Therefore this challenge was passed to them.

In January 2000, Mark Meister, newly hired Director of the Dayton Society of Natural History, and as such, supervisor to Sandy Yee, Site Anthropologist for SunWatch Indian Village/Archaeological Park, tasked Sandy to look into establishing a state archaeology week for Ohio, based on examples from SAA and elsewhere. Finally, William Patterson, Sr. of Patterson Graphics and William Pflaum of Mazer Corp., both of Dayton, in discussion with Mark Meister, offered their companies' talents to design and print posters for an archaeology week, if so desired.

Therefore, the stage was set, and Sandy began dialog with Dr. Dancy, requesting information and direction on how the OAC wished to proceed, as well as submitting request for grant from OAC Grants committee to help with funding of such a task. OAC Board voted to make a direct contribution of \$1000 to the Dayton Society of Natural History for Sandy and SunWatch to cover some of the costs of preparing the first ever "Ohio Archaeology Week."

The Society and OAC partnered in this endeavor, with Sandy Yee and Dr. Bush as the coordinators. They designed the letters and applications that were mailed to all of OAC members, as well as oversaw the design and production of the posters and flyers distributed statewide advertising the events. The week of June that included the Summer Solstice (in 2000 this fell on June 19-25) was chosen for Ohio's archaeology week. It was thought that the Summer Solstice will provide a memorable link for state archaeologists and historians in all upcoming years (as the Summer Solstice was recognized historically as well as prehistorically). Additionally, this week is very favorable to families on vacation, for schools are out by then. Furthermore, various sites have opened their summer field work/schools and can incorporate tours or workshops at the sites as one of their Ohio Archaeology Week educational activities for the public.

Although letters requesting collaboration, support, partnering, etc. were sent to OHPO, OHS, and Governor Taft in February 2000, due to the short time frame the named organizations could not join the effort. However, it approached much earlier (very early fall 2000) for the Ohio

Archaeology Week of 2001, they may be able to partner, thus lending more resources to the effort.

Posters and brochures listing statewide activities were ready (albeit later than desired) and shipped in early June to all participants who had contributed activities, as well as to all Contact People, and requesting organizations or individuals. The poster was a beautiful depiction of the state of Ohio as an excavated feature/square with inset photos and text highlighting the sites and events offered during week.

Sandy sent request to presenters and Contact People for all and any Evaluations they received or prepared, so that evaluation and improvement of the program could begin for next year.

### Archaeology Week-2000

**Coordinators:** Dr. David Bush, Chairman of Education Committee, Ohio Archaeological Council, Center for Historic and Military Archaeology, Heidelberg College

Sandra Lee Yee, member of Education Committee, Ohio Archaeological Council, SunWatch Indian Village/Archaeological Park, Dayton, Ohio

**Contributing Organizations:** Ohio Archaeological Council, Dayton Society of Natural History (through SunWatch), Patterson Graphics, Mazer Corp., and C&O Printing.



## INPUT NEEDED FOR ARCHAEOLOGY WEEK 2001

The Education Committee of the OAC is beginning to plan for Archaeology Week 2001. The major question at hand is when to hold next year's activities? For some institutions, the scheduling of the event in summer conflicted with field commitments; for other groups, the use of the Summer Solstice week was a decided advantage. Many neighboring states hold their Archaeology Week events in the fall to take advantage of school groups and teacher education programs. Should the event be held again in June or should the schedule be shifted to October or perhaps April? The Education Committee would like the OAC membership to voice their preference.

Please respond by e-mail as soon as possible to Sandy Yee at <MalamaSLY@aol.com> so planning can go forward!

## REMEMBERING ALVA McGRAW (March 1909- April 2000)

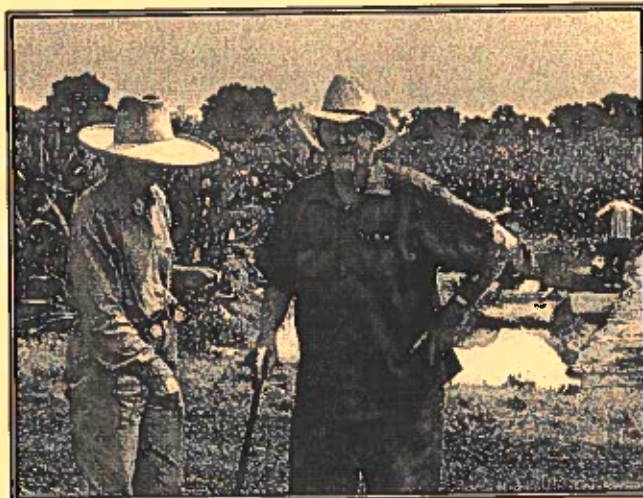
*N'omi Greber*

The Cleveland Museum of Natural History

Alva McGraw shared his deep interest in the archaeology of Ross County with generations of avocational and professional archaeologists, all of whom benefited from his knowledge, enthusiasm, and practical advice. He was instrumental in excavations of sites that spanned thousands of years of human history, from Station Prairie, the first historic settlement; back nearly two thousands years to a Hopewell site on his farm, now named for him in the archaeological literature; and back farther yet to eras known as Adena, Archaic, and Paleoindian.

He was a member and supporter of the avocational Archaeological Society of Ohio and the professional Ohio Archaeological Council. He identified artifacts for new and more experienced surface collectors, and encouraged searching for "answers" that would enlighten us all. He encouraged and worked with new field techniques such as the Ken Goodman resistivity instruments that located features below the ground without digging. For more than forty years he knew and assisted crews from all the institutions that sponsored archaeological work and site preservation in Ross County including Case Institute of Technology (now Case Western Reserve University), Mound City National Monument (now part of Hopewell Culture National Historical Park), the Ohio Historical Society, Kent State University, Cleveland State University, Ohio State University, the Cleveland Museum of Natural History, the Ohio Department of Transportation, and the Archaeological Conservancy.

Many share with me memories of a warm, personal friend who was always ready to fix broken equipment, discuss the mysterious ways water can travel in Paint Creek, give guided tours of sites even outside Ross County, and spend hours talking with the many visitors who sat around his kitchen table. His visitors were not only archaeologists, but people he dealt with in his long time public service for Ross County and his many personal friends. He is greatly missed by us all.



Alva McGraw with N'omi Greber at Highbank excavations June 1997.

## 2000 OAC FALL MEMBERSHIP MEETING

The 2000 Fall Membership meeting of the OAC will be held on November 17<sup>th</sup> at the Ohio Historical Center in Columbus. Coffee and donuts will be available outside Classrooms 1 and 2 beginning at 9:30 a.m. The Business Meeting will begin at 11:00 a.m. This year's meeting will feature presentations on current research in Ohio archaeology. OAC members are encouraged to give a 10 to 15 minute presentation on their current projects in Ohio archaeology. These presentations are meant to be informal, concise, and informative updates of ongoing archaeological projects. The use of audiovisual aids such as slides or overheads is encouraged but not required. This program is intended to foster productive interaction and information-sharing among all active archaeologists (professional and nonprofessional) within our state.

Abstracts of presentations will be published in the March 2001 issue of the OAC Newsletter.

Any member interested in making a presentation should provide a title and a short (100 words at most) abstract of their presentation to Brian Redmond by November 3, 2000. Presentations will be scheduled on a first-come, first-serve basis, so don't delay. Please send or e-mail abstracts to:

Dr. Brian G. Redmond, Dept. of Archaeology  
The Cleveland Museum of Natural History  
1 Wade Oval Dr., University Circle  
Cleveland, Ohio 44106-1767  
E-mail: <bredmond@cmnh.org>

## OHIO ARCHAEOLOGY: A PUBLIC TELEVISION DOCUMENTARY SERIES

Thomas M. Law  
Voyageur Media Group, Inc.

Ohio is one of the most important places for archaeology in North America. Ohio is often called the "birthplace" of American archaeology. Ohio's ancient mounds and earthworks are known throughout the world. Ohio's universities have some of the finest anthropology departments in America. And, over 1.5 million people visit Ohio's cultural sites and archaeological museums each year. Yet, despite this incredible wealth of archaeological sites, history, institutions and scholars, a comprehensive documentary has never been made about the magnificent American Indian cultures that flourished here for over 10,000 years. That's about to change.

Voyageur Media Group, Inc. is pleased to announce the development of *Ohio Archaeology*, the first comprehensive documentary series about Ohio's ancient cultural heritage. Voyageur Media Group is a nonprofit organization dedicated to the production of documentaries about science, history and culture. Past works include *Searching for the Great Hopewell Road* and the *Kentucky Archaeology* series. Thanks to a planning grant from the George Gund Foundation, Voyageur has spent the past year conducting meetings and telephone interviews with dozens of archaeologists, scholars, educators and American Indian leaders. Tom Law, Project Director, Voyageur Media Group, says, "We gathered a wide range of ideas, comments and research in order to set project goals, draft script treatments and establish the structures needed to organize this incredibly complex, multi-disciplinary and multi-cultural subject." Here is a project summary.

*Ohio Archaeology* combines interviews with archival images, landscapes, artist's renderings, and computer animation for a compelling look at how archaeologists interpret the past. The documentary series will be presented in (6) ten to thirty-minute episodes from "The Paleoindian Period" to the "Late Prehistoric Period." More episodes may be added about Ohio's archaeological history, contemporary issues and historic archaeology. *Ohio Archaeology* is targeted for distribution to public television stations, schools, museums and libraries during Ohio's Bicentennial in 2003. The project also features a companion website with research papers, resource lists, images, maps and interactive curriculum materials for science, social studies and Ohio history (grades 4-12). These materials may also be turned into a Digital VideoDisk or CD-ROM.

The advisory panel includes: Dr. William Dancey, President, Ohio Archaeological Council; Dr. Bradley Lepper, Curator of Archaeology, Ohio Historical Society; Dr. Linda Wilson-Mirarchi, Director of Education and Technical Services, Ohio Educational Telecommunications; and Dr. David Snyder, Archaeology Reviews Manager, State Historic Preservation Office. Voyageur will also seek reviews from Ohio archaeologists and representatives from federally recognized American Indian tribes with historic ties to Ohio. Tom Law, Project Director, says, "*Ohio Archaeology* demands close collaboration to reach four primary goals: 1) to generate a greater appreciation for Ohio's ancient American Indian heritage, 2) to build a better understanding of diverse peoples and cultures, 3) to encourage visits to museums and cultural sites, and 4) to enhance cognitive thinking skills by presenting the multi-disciplinary nature of archaeological investigations."

Voyageur thanks everyone who participated in the project's planning phase. The script development phase begins in 2001. If you would like to participate or receive a project newsletter, please contact Tom Law, Voyageur Media Group, Inc., 3317 Lambert Place, Cincinnati, Ohio 45208. (513) 871-0590 or [pangea@fuse.net](mailto:pangea@fuse.net).



"Ohio Pottery Sherd" (draft logo)

## ***A PARADOXICAL CIRCUMSTANCE: RECENT HAPPENINGS AND ARCHAEOLOGICAL INVESTIGATIONS AT THE FAMED MADISONVILLE SITE***

*Matthew P. Purtil*  
Gray & Pape, Inc.

### **Introduction**

The Madisonville Village and Cemetery Site (33Ha36) located in southwestern Ohio has long been recognized as one of the premier prehistoric/protohistoric archaeological locales in the state and beyond. A large agricultural village occupied primarily during the late Fort Ancient period (ca. AD 1400 - 1643), the site has yielded some 1,450 burials, nearly 1,300 features, and tens of thousands of artifacts including 460 European trade items (Drooker 1997). Recently, several village-wide renovation and commemorative projects were initiated by the Village of Mariemont (Mariemont), which owns part of the site property, and the Madisonville Preservation Foundation (MPF). Chief among these was a proposed commemorative pavilion to be built on location at the Madisonville Site. Unfortunately, no formal archaeological assessment/work was undertaken prior to the initiation of construction. Construction entailed mechanical excavation of a foundation block resulting in unplanned exposure of archaeological deposits. At that time, construction efforts were halted and Gray & Pape was hired to provide a damage assessment and recommendations. The results of this construction project raised concerns throughout the archaeological community. The focus of this paper is to provide a detailed account of the events that led up to this unfortunate occurrence, present the results of the archaeological assessment and recommendations regarding the pavilion area, and to update interested parties about the current status of the project(s).

### **Project Planning and Implementation**

In 1999, as part of the *75th Anniversary Commemorative and Renewal Project*, Mariemont and the MPF began a cooperative effort to undertake several renovation and construction projects throughout the village (Lemon 2000). Foremost among the proposals was the construction of the John P. Nolen Pavilion to be located in Dogwood Park, which is situated in the southwestern portion of the Madisonville Site (Figure 1). The purpose of the pavilion was to commemorate the significance of the archaeological site. Funding for the project was provided through

grants, private donations (no less than 38 companies/groups) and a large matching grant provided by The Thomas J. Emery Memorial (Mariemont Preservation Foundation 2000). A landscape architect firm and a construction company were hired to design and execute the project. Because of private funding, archaeological assessment under Section 106 of the NHPA was not required and no formal survey was pursued prior to construction.

A location near the bluffs edge overlooking the scenic Little Miami River Valley was chosen to construct the pavilion. Tree clearing, seeding of a lawn, and tree planting (on Arbor Day after all!) was undertaken as early as 1998 (Allen 1999). In early 2000, a 10.5 x 7.5 meter pavilion foundation block was excavated to approximately 60 centimeters exposing numerous prehistoric artifacts. Upon this "discovery," the project was halted by Mayor C. Michael Lemon of Mariemont who feared further damage to the site. After construction was suspended, word of the project spread and local artifact collectors became problematic as several instances of backdirt collecting are rumored. At one point, one or more individuals, seeing bone protruding from the pavilion floor, hand dug the area revealing what was reported later as a "headless infant burial." In order to better control the situation, Mayor Lemon made the site off limits and had police patrol the area regularly, confiscating artifacts from collectors (including one civil servant).

In hopes of seeking guidance, Mariemont voluntarily contracted with Gray & Pape, a CRM firm in Cincinnati, on March 1, 2000 to preform an archaeological assessment of the pavilion block. This work was to identify if any intact archaeological deposits were present within the floor of the pavilion and recommend if additional archaeological work should be undertaken. No formal excavations were planned for this stage. Fieldwork was accomplished between March 2 and 5, 2000 under the direction of Matthew Purtil with the assistance of Patrick Bennett (Gray & Pape). During these investigations several individuals volunteered their time including Ted Sunderhaus, Frank Cowan, Carly Meyer, and Don Frodge.

### **Results of Archaeological Investigations**

At the time of Gray & Pape's involvement, a rectangular (10.5 x 7.5 meters) foundation trench had already been excavated (60 cm bgs). The floor was shovel/trowel scraped revealing an extensive remnant sheet midden, 25 storage/trash pits (F-00-1-4, 6-7, 9(9A)-11,13-27), nine possible post molds (PPM-00-1 - 9), evidence of historic disturbances (looting), and one dog burial (F-00-12) originally thought to be the headless infant (Figure 2). Two soil stains originally assigned feature numbers (F-00-5 and F-00-8) were



later determined to be remnant sheet midden. An Oakfield soil probe was used to investigate dark stains to distinguish between true pit features (resulting in deep probes) and remnant sheet midden (resulting in shallow probes). Although artifacts were abundant throughout the foundation trench and the spoils pile, the nature of our investigations did not call for wholesale collection or interpretation. Accordingly, this article focuses primarily on feature discussion.

The most sensitive issue regarding these investigations was the determination of the existence of the reported headless infant burial. Christina Beatty of MPF directed us to the location of the remains which had been reburied. It was decided to minimally expose the remains to verify them as human or animal. Excavation revealed a highly disturbed domesticated (?) dog burial situated within a feature (F-00-12). The remains are oriented due south with the dorsal side up and with front/hind legs flexed underneath its body. The cranium was absent but several associated fragments, with fresh breaks, indicate that the head was recently crushed probably during hand digging. The location of the fractured cranium is unknown and appears to have been removed off-site. Interestingly, at this time it is not entirely clear if the burial represents a prehistoric or historic dog. The remains were entirely defleshed yet still greasy. Moreover, local informants indicated that this portion of the park was a favorite "pet cemetery" for neighbors for many years and that Mariemont disposed of road-kill animals nearby.

With only limited testing, scant information is available for the storage/trash pits. In general, soil probing identified pit features as being *at least* three feet in depth below the excavated foundation floor. Previous excavations have demonstrated that such features often reach a depth of over six feet (Hooten 1920). A number of these pit features (F-00-4, 12, 19, 20, 21, 23, 24, 25, and 27) appear to have been historically disturbed or looted in the recent past as evidenced by extremely loose matrix. In addition, two suspected looters trenches were identified. One trench (containing F-00-23) yielded a pop/beer twist-off cap illustrating downtown Cincinnati *with* old Riverfront Stadium suggesting a post 1969 excavation date. Features F-00-1 and F-00-2 were mottled with subsoil and contained irregular outlines also indicating historical disturbance, however, compact feature matrix suggests antiquated activities. Although speculative, F-00-1 and F-00-2 (potentially others) may represent the excavations of Charles Metz during his 1879-1880 investigations (Drooker 1997; see also Figure 1). Two features (F-00-9/9A and 10) appear to be intact based on soil probing and the occurrence of well-defined, regular borders. Soil probing of F-00-10 suggests a stratified feature similar to several "cache pits" excavated previously (Hooten 1920:31, Figure 1). Finally, a number of possible post molds (PPM-00-1-9) were identified

haphazardly across the pavilion floor. These features do not form any recognizable patterns, although limited exposure (including abundant remnant midden) hampered any definitive determinations.

#### Where do we go from here?

Based on a March 3 field meeting, Mr. Purtil was informed that the majority of the pavilion foundation block was already excavated to the desired depth. Only portions of the foundation would have to be excavated deeper during the construction of eight piers (2 feet in diameter and 15 feet in depth) and associated grade beams (2 x 2 feet). From this, a letter report with recommendations was submitted to Mariemont on March 10 (Purtill 2000). The focus of these recommendations were on archaeological excavation of features located in areas to be additionally impacted. This included removal of the dog burial (in case it was prehistoric in origin) because it was believed that its shallow depth and fragile condition would cause the remains to be "crushed" during concrete pouring.

On March 18, a City Council meeting was held to discuss the Gray & Pape report and recommendations, ask questions, and to determine future actions. Mariemont City Council, W. Kevin Pape and Mr. Purtil of Gray & Pape, the architect and contractors, and several members of the MPF including project director Christina Beatty were in attendance. At this meeting, Dennis Malone of Malone & Wilcox (project contractor), presented an alternative pavilion construction plan that would eliminate the need for additional pier and grade beam excavation/construction. The new plan proposed a floating mat foundation using the already excavated foundation without additional excavations. The mat foundation plan proposed laying a 26-inch thick poured-concrete foundation to which the pavilion structure would be attached. Malone reported that this foundation would equally distribute weight across the entire floor at an estimated 380 pounds per square inch.

It was Gray & Pape's position that the use of the mat foundation would effectively eliminate additional damage to archaeological deposits in the foundation block. In addition, the concrete foundation was thought to be an effective preservation technique by sealing the now mapped deposits from unwanted disturbances. The only original recommendation still forwarded by Gray & Pape was the removal of the dog burial (F-00-12) for fear that its shallow depth (1 inch below pavilion floor) would cause the remains to be crushed under the concrete weight.

Upon hearing arguments from all parties, City Council voted for continuation of the pavilion project (with new mat foundation construction) by a count of four in favor, one against, and one abstaining. City Council

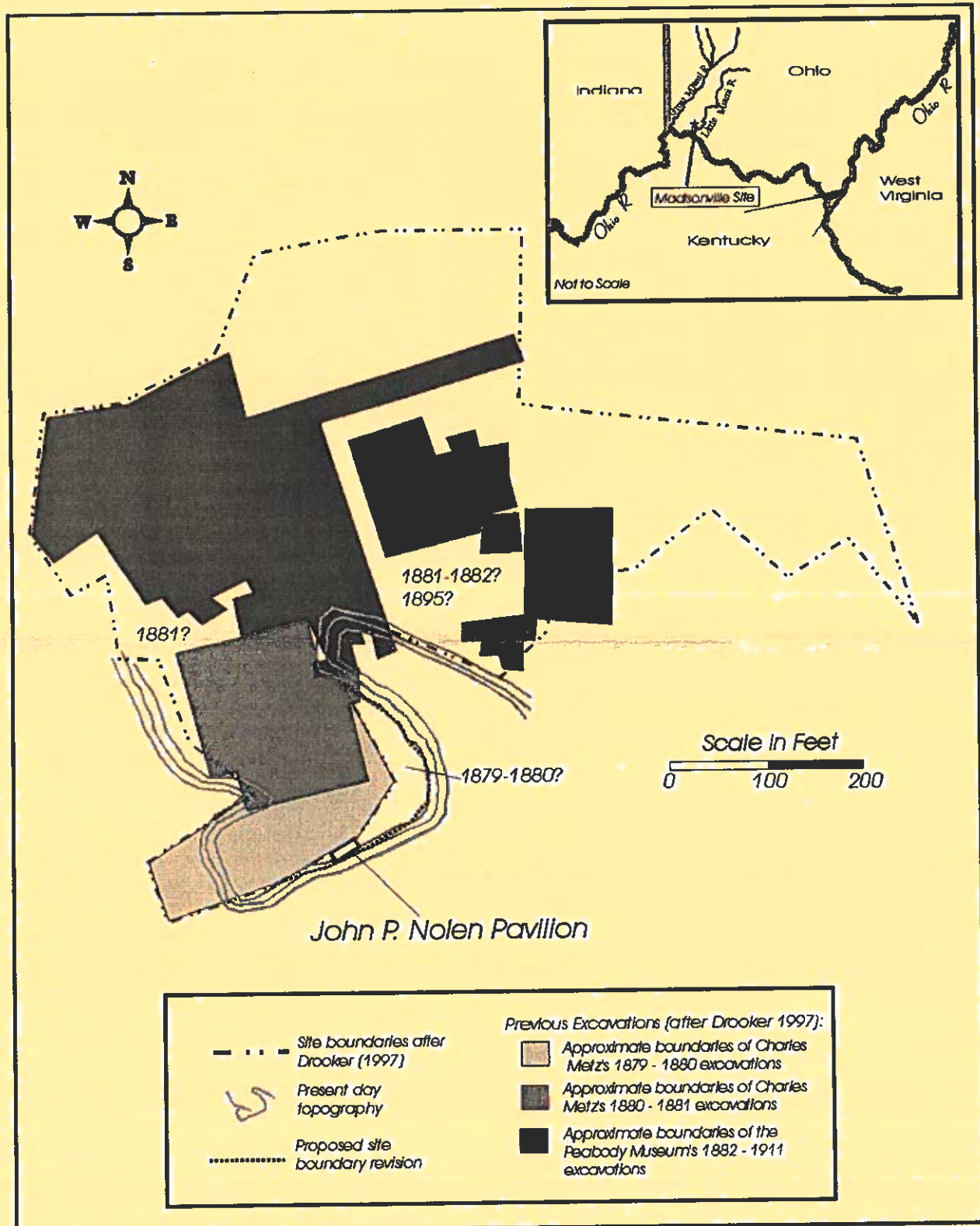


Figure 1: Map illustrating pavilion location relative to previous investigations.

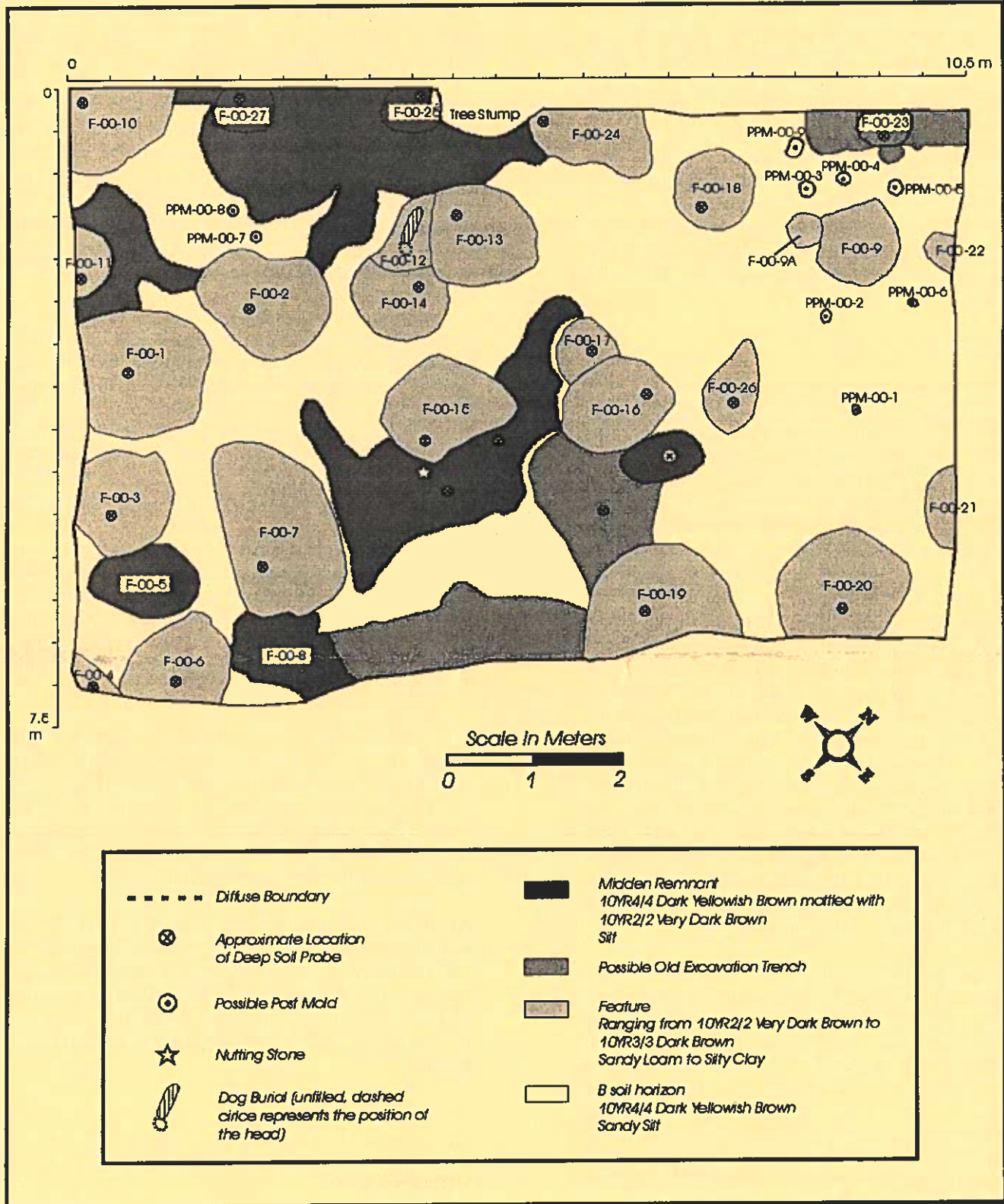


Figure 2: Plan view of excavated pavilion foundation floor.

and the MPF rejected recommendations for the removal of the dog burial, instead deciding to pursue *in situ* preservation. A plan was developed to place a thick foam board over the reburied dog location. It was the belief of Dennis Malone that this procedure would effectively redistribute the weight of concrete foundation away from the dog remains. He stated that such design techniques are commonly (and effectively) used in similar situations (e.g., protection of buried pipes). Construction of the pavilion proceeded soon after this hearing. Concrete was poured in early spring and the pavilion was completed soon after Memorial Day 2000.

### Conclusions

The planning and implementation of the John P. Nolen Pavilion at the Madisonville Site unfortunately has to be viewed as a paradoxical set of circumstances. The vision of the pavilion was as a commemorative symbol of the significance of the Madisonville Site and our prehistoric past. The principals of the project, however, did a poor job at considering the potential impacts on the very resource they sought to memorialize. Although the lack of early planning (and its results) should concern all archaeologists/preservationists, I believe that several favorable results eventually transpired that will better guide future projects. Perhaps most importantly is the fact that although Mariemont and the MPF failed to realize the detrimental impact of their campaign at the projects start, they now have a better understanding of the site and how to manage it as a cultural resource. Of note is the fact that Mariemont's Mayor Lemon took it upon himself to stop additional excavations (adjusting construction schedules), quarantine the site from collectors (complete with regular police checks), hire a consulting firm to provide recommendations (when not required to do so), and bring recommendations before City Council to make an informed decision.

From an archaeological perspective, the limited assessment also provided some valuable information regarding the poorly documented southwestern site area. This area was among the earliest to be excavated by Charles Metz between 1879 and 1880 (Hooten 1920; Drooker 1997; see Figure 1). Unfortunately, only limited notes were maintained by Metz's crew, most of them appearing to have been created out of the field (Drooker 1997). The highly inaccurate site map (Hooten 1920), created some 30 years after Metz's excavations, contains limited spatial information for these initial excavations simply stating that this area yielded "328 burials and 160 cache pits" (Hooten 1920). The scaled map generated during these investigations provides some of the most detailed spatial information currently available for this area of the site. It also suggests some revisions to Drooker's

(1997) map showing site boundaries and the location of previous excavations. Taken collectively, the following conclusions are forwarded:

1) The fact that the pavilion block contains numerous pit features, possible post molds, artifact midden, a possible prehistoric dog burial, and artifacts indicates that this area is not outside of the site boundary as suggested by Drooker's (1997) site map. Instead, it is likely that the entire ridge top contains archaeological deposits and should be considered part of the site. Proposed revisions to the site boundaries are illustrated in Figure 1;

2) Several features (most notably F-00-1 and 00-2) appear to have been excavated in the distant past, perhaps representing Metz's 1879-1880 excavations. Although this point is speculative at this time, it may be that Metz excavated along the entire ridge top instead of being restricted to the central and western sections as suggested by Drooker (1997; Figure 1). If true, then Drooker's boundaries of Metz's 1879-1880 excavations need revision;

3) Signs of recent (20-60 years?) looting of the area was evident as 45% of the features identified contained loose matrix (appearing excavated) and two possible looters trenches were identified. At least one artifact (beer/pop cap) indicates disturbance dating to post 1969; and,

4) It appears that at least some of the features (most notably F-00-9/9a and 11) are undisturbed (never excavated). This fact is important because it indicates that even in areas dominated by previously disturbed features (either through earlier excavations or looting), there still remains a potential for intact features which could provide invaluable information.

As of this writing, Mariemont and MPF have several additional renovation/construction projects planned for the Madisonville Site. Importantly, Mariemont has included Gray & Pape in the planning (and re-planning) of these activities to minimize potential impacts. I hope to keep all informed of these activities with future updates.

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## CALENDAR OF EVENTS

2000

November 2-5 The 67<sup>th</sup> Annual Meeting of the Eastern States Archeological Federation, Holiday Inn Select, Solomons, Maryland. Contact: Dennis Curry, Program Chair, Maryland Historical Trust, 100 Community Place, Crownsville, MD 21032; Phone: (410) 514-7664; E-mail: <[curry@dhcd.state.md.us](mailto:curry@dhcd.state.md.us)>.

November 8-11 The 57<sup>th</sup> Annual Meeting of the Southeastern Archaeological Conference, Crowne Plaza Hotel, Macon, Georgia. Contact: Adam King, Program Chair, E-mail: <[aking@sc.edu](mailto:aking@sc.edu)>.

November 9-12 The Joint Midwest Archaeological and Plains Anthropological Conference will be held in the Radisson Hotel, St. Paul Minnesota. See website: <[www.admin.state.mn.us/osa/mw\\_arch\\_conf00.html](http://www.admin.state.mn.us/osa/mw_arch_conf00.html)>.

November 15-19 The 99<sup>th</sup> Annual Meeting of the American Anthropological Association will be held at the San Francisco Hilton and Towers, San Francisco, California. Contact: AAA Meetings, 4350 N. Fairfax DR., Suite 640 Arlington, VA 22203-1620; phone: (703) 528-1902, ext. 2; e-mail: <[jmeir@aaanet.org](mailto:jmeir@aaanet.org)>.

## 2001

January 10-13 The 34<sup>th</sup> Annual Society for Historical Archaeology Conference on Historical and Underwater Archaeology will be held at the Queen Mary Hotel, Long Beach, California. Contact: Sheli O. Smith, Conference Chair, 2001 SHA Conference, P.O. Box 2667, Long Beach, CA 90801; Phone: (562) 424-0201; E-mail: <[sosmith@95net.com](mailto:sosmith@95net.com)>.

March 28-31 The 2001 American Association of Physical Anthropologists (AAPA) meeting will be held at the Westin at Crown Center, in Kansas City, Missouri. Contact: Phillip Walker, Dept. of Anthropology, University of California, Santa Barbara, California 93106; phone: (805) 685-8424; e-mail: <[walker@sscf.ucsb.edu](mailto:walker@sscf.ucsb.edu)>. See website: <[physanth.org](http://physanth.org)>.

April 18-22 The 66<sup>th</sup> Annual Meeting of the Society for American Archaeology will be held at the New Orleans Marriott and Le Meridien New Orleans. Contact: SAA Headquarters, 900 Second St. N.E. #12, Washington, DC 20002; phone (202) 789-8200. See website: <[www.saa.org](http://www.saa.org)>.



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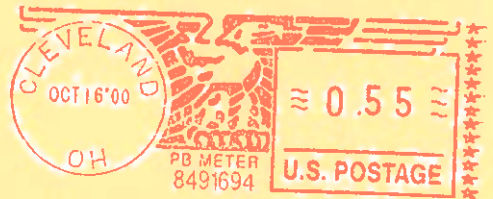
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