



TE-MOAK TRIBE OF WESTERN SHOSHONE

TE-MOAK TRIBAL COUNCIL

Special Meeting –May 10, 2011

Open Session - 6:00 P.M.

Bryan Cassadore, Chairman	Present	Paula Brady, Vice Chairperson	Present
Lindsey Oppenheim, Member	Absent	Davis Gonzales, Member	Present
Ronnie Woods, Member	Absent	Richard Smith, Member	Present
Paula Salazar, Member	Present		

VISITORS:

Leta Jim, Darlene Cassadore, Mike Kolsch, Joe Gardner, Edith Smart, Myron Tybo, Andrea Allison, Betty Tybo, Lydia Sam, LaVona Johnson, Doyle Tybo, Joanne Reynolds, Lita Piffero, JR Stone, Edith Tybo, Juanita Joe, Brandon Reynolds, Turk Knight, Vince Garcia, Phyllis Evening, Lillian Thomas, Gerald Temoke, Joleen Begay, Raymond Gonzales, Fermina Stevens, Michael Price

ROLL CALL:

Meeting called to order by Chairman Cassadore at 6:00 P.M., with five (5) members present.

NEW BUSINESS:

RESOLUTION – REMOVAL OF GILBERT TEMOKE/CRAIG ROA FROM TE-MOAK COUNCIL AND HOUSING BOARD:

Pat presented a draft resolution for removal Davis Gonzales stated that a resolution from the bands for removal as their representative. He did mention there is an election scheduled and asked why this removal is being done and to hold off until the election is completed and asked about Battle Mountain Representative Craig Roa... Richard Smith did inform Davis Gonzales that a recall was validated and six (6) members were removed as Council Members and they do not have a council. Brandon Reynolds informed the Council of the letter from Bryan Bower, Regional Director recognizing the South Fork Band Council Chairman Cassadore did inform the Council the Tribe did receive a letter from Bryan Bowker, Regional Director retracting his previous letter and did apologize for his error. Davis Gonzales did recommend to rescind the previous resolutions on both Gilbert Temoke and Craig Roa. Paula Brady made a motion to adopt Resolution #11-TM-10 to include in the resolution to rescind to remove Gilbert Temoke and Craig Roa from Te-Moak Council and Te-Moak Housing Board, second by Paula Salazar. **VOTE: 2 FOR 2 AGAINST 0 ABSTENTION (For the record Davis Gonzales and Richard Smith voted against) Constitutional decision Chairman Cassadore broke the tie and voted in favor for a vote of 3 FOR 2 AGAINST 0 ABSTENTION motion carried.**

ALVIN MARQUES – PRESENT NORTHEASTERN NEVADA TRIBAL TANF CONSORTIUM:

Alvin Marques, Chairman of the Ely Shoshone Tribe is present with his staff in reference to the TANF Consortium and is requesting support from the Tribes and to encourage them to join. He did inform the Council they have not met with Battle Mountain and are scheduled to meet with them on April 26, 2011 and will give an update on May 4 2011. Trisha Hansen from Spokane, Washington will present the TANF information and has worked with the Ely Tribe for approximately five years. They plan to

negotiate with the States of Nevada, Utah and Idaho which include ten county regions within those three states. They have received supporting resolutions from the Tribes they have made presentations to with the exception of Battle Mountain and the Te-Moak Tribe. The Tribes that are involved in the consortium will be presenting their needs for their areas because everyone has different needs. Michel Price did inform the Council that Battle Mountain was not in favor of this program but will put this item on their next regular meeting. Pat Stevens did request a copy of the resolutions from the other tribes that are going to participate in this program. Davis Gonzales made a motion this program be put on the agenda for the next regular meeting, second by Paula Brady. **VOTE: 4 FOR 0 AGAINST 0 ABSTENTION**

LETTER FROM EBC ON DIABETES BUILDING SPACE COST:

Pat informed the Council that the Elko Band Council is anticipating an increase for rental cost on the Diabetes Building. The Elko Band sent a letter on April 15, 2011 informing the Te-Moak Tribe they will continue providing janitorial services and Te-Moak did specify that janitorial are part of rent costs paid by the Tribe. Pat also informed the Council Elko Band rent is increasing to \$1.05 per square foot, which would increase our rent from \$3,208.75 to \$3,963.75 per month with an annual cost of \$47,565.00 from \$38,505.00 a difference of \$9,060.00 additional cost annually. Pat did inform the Council at no time has Elko Band negotiated with the Tribe and all the decisions were made at meetings, in which, the Te-Moak Tribe has never been notified to attend other than letters sent by the Administrator. Pat and Fermina provided a letter for the Council showing the services provided by the Diabetes Program and the cost breakdown due to this grant being under the tribe.

After a lengthy discussion, Davis Gonzales informed the Council the Elko Band is having a meeting tomorrow and recommended Fermina to attend and present this information to the band. Gerald Temoke did inform the Council that they were unaware of the services provided by the Diabetes Program and after this is provided to Elko hopefully they will reconsider and leave the amount of rent the same.

MIKE KOLSCH – LES DRAFT SORNA ORDINANCE:

Mike Kolsch informed that in 2006 federal government imposed the Adam Walsh Act which is the SORNA Act and in 2010 the federal government imposed on native lands to come into compliance with the Adam Walsh Act. The federal government says the native lands have basically two options they can elect to do SORNA or elect not to do SORNA. By not electing to do SORNA you are waiving your sovereign rights and allowing the state to come in to do the SORNA. The Te-Moak Tribe has elected to handle the SORNA and to establish this goal a ordinance needs to be approved by the Tribe and that is the reason Chief Kolsch is in attendance for this meeting.

After a lengthy discussion, Davis Gonzales asked if a draft ordinance was prepared for the meeting, Pat did inform the Council a draft was presented on April 6, 2011 Regular Meeting as confirmed by Richard Smith. Chief Kolsch had a concern pertaining to the South Fork LES who is not in compliance with the SORNA and did advise the Council he had discussed this with the officers and did not receive any type of response. The other areas are in compliance and did inform the Council he deadline date is July 27, 2011. Davis Gonzales made a motion to put this on the June 1, 2011 Regular Meeting. Pat did inform Davis Gonzales this will be on the old business anyway and he did state that is his motion. Richard Smith did state this was already presented and a motion is not needed. There was no second and the motion died.

Paula Brady again informed the Council the draft ordinance was given out on April 6, 2011 for review and as of this meeting the 10-45 day review should be initiated. Davis Gonzales did state that the document that was given out was not a draft ordinance and Richard Smith did advise it was listed on the agenda as a draft. Davis Gonzales also stated the document should be presented in an ordinance format and Paula Brady read from the Constitution the section on ordinance reviews and there is no specified

format for submitting an ordinance. Paula Brady made a motion to start the 45 day review as of this meeting May 10, 2011 for review, second by Richard Smith. **VOTE: 3 FOR 1 AGAINST 0 ABSTENTION (For the record Davis Gonzales voted against)**

RESOLUTION – CLARICE CHARLEY ITCN DOMESTIC VIOLENCE POGRAM:

Clarice Charley, Domestic Violence Coordinator for ITCN and is here to request a resolution supporting their program. Davis Gonzales made a motion to adopt Resolution #11-TM-11, second by Paula Brady. **VOTE: 4 FOR 0 AGAINST 0 ABSTENTION**

Pat requested a statistical report of what accomplishments were done for the Tribe and informed Clarice Charley this was requested last year and no report was submitted. Pat also requested the correspondence changing the time frame from a yearly resolution to a three year. Ms. Charley will send this information to the Tribe.

LETTER FROM BRYAN BOWKER ON S.F. RECALL:

Chairman Cassadore was asked what the Tribe is going to do about the activity that the recalled council members are doing after they were informed of the recall results. Richard Smith did inform the Council that letters was sent to Cindy Pierce, Administrator, Officer Hett and Margaret Yowell, Chairperson, South Fork Election Committee. Chairman Cassadore will be going to South Fork and again advise the employees of the decision by the Te-Moak Council. Davis Gonzales informed the Council Pat should have sent all the information out and Pat did ask Davis Gonzales if he read her report about Cindy Pierce not cooperating and she did advise the Council she had called three times to the office and left messages to have Cindy Pierce call the office, this was done the following day, April 22, 2011.. Pat also reported that the office was closed down on Friday, April 22, 2011 for half a day and Monday, April 25, 2011 all day on administrative leave but has no idea who authorized the closure of the office.

Pat informed the Council that information was provided by South Fork Members on some of the activities occurring after April 22, 2011 by the recalled council. Richard Smith did ask Turk Knight if they had a meeting and he confirmed they did and Richard Smith asked if he was paid for that meeting and he said yes. A question concerning the registration voters list dated March 20, 2011 but it was not certified and signed by the committee, Davis Gonzales did inform the committee that the list needs to be certified. Te-Moak Tribe made a constitutional decision and if there is activities going on this could be a criminal issue and Chairman Cassadore is hoping this is not true, Davis Gonzales said when you go out there you will find out.,

RESOLUTION – EBC LIQUOR LICENSE FOR ROLLER DERBY GIRLS:

Pat presented a draft resolution for EBC for a liquor license but this is not approved by Elko Band because their meeting is the following day. According to the information from Suzanna Sandoval, Administrator she was to get a telephone poll and Pat asked the representatives if they got a phone call from Elko Band, they all responded no.

After a brief discussion, Davis Gonzales recommended that this resolution will be in effect as of May 12, 2011 and made a motion to adopt Resolution #11-TM-12 to approve a liquor license for Sarah M. Catt for NV East Roller Girls Event scheduled May 21, 2011 with a administrative fee charge of \$250.00 to be made payable to the Te-Moak Tribe for processing as per Te-Moak Resolution #10-TM-19 adopted July 7, 2010, second by Paula Brady. **VOTE: 4 FOR 0 AGAINST 0 ABSTENTION**

RESOLUTION OF SUPPORT – BM SOLAR FEASIBILITY GRANT APPLICATION:

Michael Price, Chairman of Battle Mountain Band and Scott Gerz, Director of Business Development and Tammy Sample, Administrator for Battle Mountain Band. Scott Gerz informed the Council he is working with Battle Mountain Band to install a solar energy park. He informed they did apply for a first step grant with DOE and was informed are under the Te-Moak Tribe and that a support resolution is needed to proceed with their application. DOE did not recognize Battle Mountain as a separate tribal entity but was recognized under the Te-Moak Tribe. DOE is also requesting the usage of the Te-Moak Duns number to be utilized for the grant application since they will not recognize Battle Mountain on their own. Richard Smith questioned the acreage amount and did inform the Council this was not discussed at the Battle Mountain Meeting and recommended this be taken back to the Council. Pat did inform the Council that she did discuss the contents of the resolution with Michael Price and advised him of what they were asking for the resolution was very vague. Pat also informed the Council there is no land description in the resolution of where the feasibility is going to be done and in which area and recommended Battle Mountain to amend their resolution to insert the land description.

Richard Smith advised the Council that at no time during their meeting was 283 acres discussed but the council did discuss 10 acres. Mr. Gerz did inform the Council that this needs to be submitted the following day and did apologize for the late notice. Richard Smith made a motion to send it back to the band because they were not advised of the whole project is there a second to his motion. After a lengthy discussion, Paula Salazar recommended that a telephone poll be done to each of the council members and if they are in agreement to call Pat so she can process the resolution if it is approved by the Council. Davis Gonzales made a motion to adopt Resolution #11-TM-13 only if the Battle Mountain Council Members approve this by telephone poll, second by Paula Brady. **VOTE: 4 FOR 0 AGAINST 0 ABSTENTION**

MEETING ADJOURNMENT:

Davis Gonzales made a motion to adjourn meeting at 8:30 P.M., second by Paula Brady. **VOTE: 4 FOR 0 AGAINST 0 ABSTENTION**

Respectfully submitted,

Handwritten signature of Patricia G. Stevens in cursive, followed by the word "for" written in a smaller, simpler script.

Patricia G. Stevens, Recording Secretary