



TE-MOAK TRIBE OF WESTERN SHOSHONE
TE-MOAK TRIBAL COUNCIL

January 2, 2013

Regular Scheduled Meeting – 6:33 PM

Davis Gonzales, Chairman	Present	Alice Tybo, Vice-Chair	Present
Mark Oppenheim, Member	Absent	Gerald Temoke, Member	Present
Michelle Cure, Member	Present	Cheryl Mose-Temoke, Member	Present
Evelyn Temoke Roche, Member	Present	Lydia Johnson, Member	Present
Nick Knight, Member	Absent		

Visitors:

Paula Brady, Leta Jim, Myron Tybo, Andrea Allison, Raymond Gonzales, Aldun Tybo, Doyle Tybo, Betty Sam, Lois Whitney, Vernon Thompson

Employees:

Terri Jim, Phaline Conklin

ROLL CALL:

Chairman Gonzales called the meeting to order at 6:33 p.m. with seven (7) members present.

AGENDA AMENDMENT:

Gerald Temoke moved to amend the agenda to include the Battle Mountain James Darrough Agreement. Seconded by Alice Tybo, **VOTE: 5 FOR, 0 AGAINST 1 ABSTENSION** (for the record Lydia Sam abstained)

Question from Lydia about the WeSad request to be on the agenda, this was a personnel issue and would remain in the closed meeting.

APPROVAL OF MINUTES:

Gerald Temoke moved to approve the June 6, 2012 minutes, Seconded by Michelle Cure **VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS**

Alice Tybo moved to approve the September 10, 2012 minutes, Seconded by Michelle Cure **VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS**

A motion was made by Gerald Temoke to table the minutes from the December 5, 2012 until the next regular meeting for reading and approval. Second by Evelyn Temoke- Roche

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

REPORTS:

Chairman Report:

Chairman Davis Gonzales gave his report on his first month in office. He reports his accomplishments and plans for his term. The report included hiring of Tribal Manager, Phaline Conklin and his plans to achieve unity with each band. The meetings that were attended included, TDHE, Senator Mark Amodei, South Fork court cases, Public Safety, Barrick luncheon with Band representatives. He encouraged the council members to become familiar with Enrollment Policy and Procedures Manual and Committee By-Laws. Also visited the office to sign documents and spoke with members with concerns.

Tribal Manager Report:

Phaline Conklin report included her reviews of the programs and recommendations. Her report included all department reports and was included in the packet. Hire and assistant from the Enrollment as a recommendation discussion regarding the ITCN position, \$10,000 in the budget. Discussion regarding the Conex and inventory of equipment for selling of items. Advertising of South Fork Diabetes Assistant, Modification for the Judicial contract for Bailiff was also discussed and will be acted upon for the next meeting. Instruction was given from the Council to pursue the Enrollment Clerk position thru ITCN Work force. The South Fork position for the Diabetes Assistant is in need of advertising. Discussion regarding the Bailiff for Modification to the Judicial contract.

Finance Report: Terri Jim is here to make a report for the Finance Department. Discussion on Court Funds and the use of the funds. Terri will check with the CFR to see if this fund can be used to pay the Bailiff. Review with Carolyn Richards the Judicial contract. General Fund has the check for the attorney of the Settlement trust account \$37,950.20. Discussion on distribution will be done soon. We are still on continuing resolution and the BIA system is not going to be distributed until after training is completed. Battle Mountain has not completed the sign up to the ASAP program. The other bands are signed up for the ASAP program. Terri explained her reporting of monies only when they are in the bank. Judicial has carryover that will carry them forward. Question was received regarding the Judicial contract for money that was received from BIA. This will not be returned. Budget request for Court for Elko Band was discussed and the request to increase. Indirect expenses are high because we are picking up the ATTG budget, Chuck Zeh for lawyer fees. Indirect proposal has been submitted and we are waiting for the 33.73% and the new 20.50%. Indirect will be adjusted when the new proposal comes in. The adjustment will be made to the Indirect when the proposal is completed. John from Falmouth Institute does the proposal for Indirect Costs and has been used for about three years. Audit findings will be ready soon. Diabetes budget was discussed with necessities being paid only, the fiscal year is different from the BIA. Lois Whitney asked the question, "What is the worth of the tribe?" "Assets and buildings". The General Fund was discussed and what is the true earning of the tribe. Court funds are specifically used court issues. Lois also asked a question was also brought to the council regarding a TERO project to generate job protection and employment.

OLD BUSINESS:

Discussion of the Old Business was discussed and the possibility to remove the items after a specific time.

Claims update a letter will be sent to Leah Brady for an update on the Educational portion of the Claims. Gerald made a motion to drop the Claims update portion of the agenda Second by Alice

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

Gaming Compact was discussed with no new information and will be given in Manager or Chairman report when needed. South Fork case regarding Chuck Zeh was discussed.

Gerald moved to remove Gaming Compact and South Fork Case Second by Evelyn,

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

Election Ordinance will be left up to the individuals to be discussed so this will be removed. Lois discussed a need to have updates to the Election ordinances are needed and reviewed. Gerald suggest that any new complaints be brought to the attention to the Bands and then dealt with appropriately

through the channel of the Bands as the Election Board Chairman is a part of the Elko Band selection. Alice and Lois discuss the interpretation of the Ordinances and Constitution and they must coincide and be on the same page without manipulation.

Vernon Thompson spoke saying that there was not meetings held for the Election Board Chairman to have discussion. Evelyn calls a halt to the discussion without Art Thompson present. Michelle makes a motion drop the Election ordinance review update until it gets brought up through the Band level. Second by Gerald

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

South Fork Grazing Ordinance. Cheryl makes a motion to pass the Ordinance. Discussion regarding the passage of this ordinance proceeds. Motion dies. Cheryl makes a motion to table this until the next meeting with updates and pertinent documents. Gerald brings an updated Ordinance. Second by Alice

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

Liquor Ordinance Update. Chairman Gonzales gives an explanation of the Liquor License history. This was brought up because of the Liquor license fee. The new amendment was discussed. This law is being interpreted differently. It was suggested that we get more information regarding this ordinance.

Gerald moved that we table the Liquor Ordinance update. Second by Evelyn

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

MOU update for Te-Moak Attorney. Gerald moved that we table for more information. Second by Evelyn

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

Chairman Tosawihi Quarry Update/ Rock Creek

Discussion regarding setting up a committee to monitor these areas.

Gerald moved to table until more information is received Seconded by Evelyn

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

EBC- Courthouse/Diabetes Center.

This has been in discussion with Washington and the Judicial Contract. This issue is still pending and will be addressed as soon as an answer is received.

Gerald moved to table until next meeting Alice Seconded.

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

James Darrough Survey results were discussed. Lydia asked to have this item tabled so that more information from Battle Mountain could be received. Seconded by Gerald

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS

NEW BUSINESS:

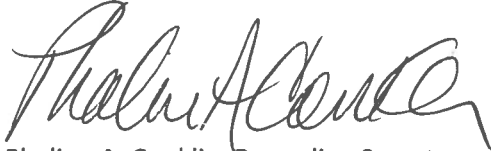
The ITC-N letter and BIA appellate court letters were received with the approval from BIA. This letter must be located.

Pete Mendoza land lease was approved. A motion was made by Gerald to adopt Resolution 13-TM-01. Seconded by Alice

VOTE: 6 FOR, 0 AGAINST, 0 ABSTENSIONS
The meeting then went into a Closed session.

Alice Tybo made a motion to adjourn the meeting at 6:29 pm, 2nd by Evelyn Temoke-Roche. **VOTE: 6 FOR
0 AGAINST 0 ABSTENTION**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Phaline A. Conklin". The signature is fluid and cursive, with a large initial "P" and "A".

Phaline A. Conklin, Recording Secretary