



TE-MOAK TRIBE OF WESTERN SHOSHONE

TE-MOAK TRIBAL COUNCIL Regular Meeting –April 6, 2011 Open Session - 6:00 P.M.

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

VISITORS:

Alice Tybo, Dallas Smales, Brandon Reynolds, Chad Harper, Raymond Gonzales, Edith Smart, Andrea Allison, Charles Malotte, Barbara Malotte, Darlene Cassadore, Myron Tybo, Vince Garcia, Karen McDade, Lewis Knight, Evelyn Knight, Leta Jim, Juanita Joe, Darby Adams, Phyllis Evening, Dana Wasson, Lillian Adams, Jody Reynolds, Arthur Thompson, Twyla Thompson, Leah Brady, Lois Whitney, Doyle Tybo, Harley Reynolds and Casey Yowell.

ROLL CALL:

Meeting called to order by Chairman Cassadore at 6:12 P.M., with six (6) members present.

RESOLUTION RECOGNIZING RONNIE WOODS - S.F. REPRESENTATIVE:

Pat presented a draft resolution with the documents from the South Fork Band Council approving Ronnie Woods as their representative for the Te-Moak Council and Te-Moak Housing Board. Lindsey Oppenheim made a motion to adopt Resolution #11-TM-04, second by Paula Brady. Davis Gonzales wanted clarification on the process of swearing in council members to the Te-Moak Tribe. After a brief discussion, the process is to have the individual sworn in at the meeting of the Te-Moak Tribe and for the public to be in attendance. **VOTE: 4 FOR 0 AGAINST 1 ABSTENTION (For the record Ronnie Woods abstained)**

MINUTES FOR APPROVAL:

Chairman Cassadore asked the Council if they reviewed the November 12, 2010 – Special Meeting Minutes and asked for a motion to accept. After a brief discussion, Davis Gonzales made a motion to accept the November 12, 2010 Minutes, second by Lindsey Oppenheim. **VOTE: 4 FOR 1 AGAINST 1 ABSTENTION (For the record Gilbert Temoke voted against and Ronnie Woods abstained)**

Chairman Cassadore asked the Council if they reviewed the February 2, 2011 – Regular Meeting Minutes and asked for a motion to accept. Paula Brady made a motion to table since Davis Gonzales was not prepared to present his questions, second by Davis Gonzales. **VOTE: 5 FOR 0 AGAINST 1 ABSTENTION (For the record Ronnie Woods abstained)**

Chairman Cassadore asked the Council if they reviewed the March 10, 2011 – Special Meeting Minutes and asked for a motion to accept. Paula Brady made a motion to accept minutes, second by Lindsey Oppenheim. **VOTE: 5 FOR 0 AGAINST 1 ABSTENTION (For the record Ronnie Woods voted to abstain)**

REPORTS:

CHAIRMAN REPORT:

Chairman Cassadore was invited along with other tribal leaders and bands throughout Nevada to meet with the State of Nevada Governor Brian Sandoval. This meeting allowed tribal leaders to speak on behalf of their tribes issues with the State of Nevada. Some of the topics of concern are Tribal Social Services and DCFS and the lack of communications and confusion regarding who holds jurisdiction of Non-Indians on tribal lands. Chairman Cassadore also discussed security ad Law Enforcement, hunting laws and regulations and Education. Chairman Cassadore met with Larry Echohawk, Assistant Secretary of the Interior in Reno along with other tribal leaders throughout the State of Nevada. Chairman advised Mr. Echohawk about the CFR Judge and issues we have been enduring for the past year and a half. He attended the 4th Annual American Alaskan Native Education Summit at the University of Nevada Reno Campus with other tribal leaders on the status of current education within their communities. He attended the BIA Roads Meeting at the Te-Moak Diabetes Center along with other tribal leaders.

TRIBAL MANAGER REPORT/FINANCE:

For the month of March, I was contacted by Carolyn Richards, Awarding Official, Western Regional Office in reference to the 5th and 6th continuing resolution breakdowns. I did receive the information and I am in the process of breaking down the figures for the areas.

In reference to the DOE Grant the Battle Mountain Band, South Fork Band and Wells Band has completed their portion of the grant. As of this date, Elko Band has not submitted anything pertaining to their project and this grant needs to be completed. Two areas were sent a questionnaire and we still have not received a response from South Fork and Elko.

The Tribe has not heard anything on the three cases pending against Te-Moak Tribe vs. Felix Ike, Te-Moak Housing Authority vs. Deborah Mendez and Elko Band Council vs. Rena Premo, Davis Gonzales, Gonzalo Mendez and Nancy Hodge. Two Appellate Judges presided over the hearing Judge Stan Read and Allen Toledo from Albuquerque, NM. There has been no decision as of this date.

I contacted Chuck Zeh in reference to the gaming compact and advised him to process the changes he has been requesting from the Tribe. Letters were sent to the areas on the Gaming Compact and as of this meeting I have received answers on the questions from Elko Band and no response from the areas.

On the Banishment Ordinance from the Elko Band Council's Attorney I have not received any comments or recommendations as of this date. I did recommend to the bands to review the questions and make recommendations because there are numerous questions that need to be answered.

I worked on the proposed Election Ordinance and incorporated the recommendations submitted by Elko Band for the Council's review. The draft information with the changes included should be sent out for the bands review and input. As of this meeting, the Elko Band is the only area that has submitted their comments. I do have recommendations from the South Fork Band, which was given to me during last month meeting but I have not incorporated them into the draft ordinance and once all the recommendations have been submitted I will incorporate the information and submit to the Council.

Ms. Lisa Otipoby has been detailed for the court and has held Court on the cases that have been pending for a long time frame. As of this date, she will be holding Court 6 days per month for March and April and after that I do not know what the BIA is planning or they may extend I am waiting for this

information. The position for the Judge as of this date still has not been advertised but in talking with Joe McDade the detailed Judge will be extended to ensure there is not an interruption of the court system. Davis Gonzales made a motion to send a very strong letter to Larry Echohawk and the senators advising them of the status of the CFR Judge Position not being advertised, second by Lindsey Oppenheim. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

I contacted Lynette Piffero, Executive Director, Te-Moak Housing Authority if they have had a chance to review the Dog Ordinance and requested their input.

The FY'10 Audit and FY'11 Indirect Proposal have been submitted to NBC and we have not been notified of the status.

Receiving and returning phone calls and assisting and meeting with the public and working with other bands when contacted.

DON MCKENZIE – ACTING CEO:

Due to family emergency Mr. McKenzie was unable to attend the meeting.

OLD BUSINESS:

CLAIMS UPDATE:

Pat reported the update on the claims partial payment distribution scheduled for February 2011 was the last information on the website. Davis Gonzales informed the Council there was some people left out in the partial distribution, they wanted to ensure that all the seniors were taken care of and those people who submitted their applications on or before 2007 October. There are approximately 300 checks that will be mailed out and 110 direct deposits. The BIA is proposing to make final distribution at the end of this fiscal year. All appeals are being forwarded to Washington DC for processing and all decisions.

The Education Funding was discussed and this funding will not be processed until the claims distribution is completed. Pat informed the Council the Tribe had requested a list of the individuals selected from the areas to sit on the committee and did not receive any response. At that time, the position still vacant was the at large representative the BIA will select. The committee has been given funds, which has been set aside to begin the process for establishing policy and procedures for the education funds.

PROPOSED BANISHMENT DRAFT ORDINANCE UPDATE:

Pat gave an update and as of this date is still being reviewed by the areas.

GAMING COMPACT UPDATE:

Pat gave an update on her report and as of this date, the Elko Band was the only area that responded to the questions submitted by the attorney. After a brief discussion, Lindsey Oppenheim made a motion to submit the answers provided by Elko Band, second by Paula Brady. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

ELECTION ORDINANCE REVIEW – EXTENDED:

Pat informed the Council this is still being reviewed by the areas. Paula Brady recommended that it either be approved or disapproved at the next regular meeting.

ETHICS ORDINANCE REVIEW – EXTENDED:

Pat informed the Council that Dana Cassadore is handling this proposed ordinance and he is not in attendance for this meeting. Lindsey made a motion this be handled along with the Election Ordinance at the next meeting, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 0 ABSTENTION

TE-MOAK DOG ORDINANCE:

Pat has received some questions that need to be reviewed by the Council to clarify sections contained in this ordinance. Pat is in the process of putting the questions together and will send out to the council. After a brief discussion, Lindsey Oppenheim made a motion to table, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 0 ABSTENTION

UPDATE OF CFR JUDGE POSITION:

Pat presented this information in her report.

S.F. RECALL ELECTION:

Chairman Cassadore informed the Council that the Recall Election the Council directed Art Thompson to conduct on March 20, 2011 was not done. Lindsey Oppenheim recommended that the Council amend the previous resolution and set a new date. After a brief discussion, Lindsey Oppenheim made a motion to amend Resolution #11-TM-03 to change the Recall Election Date to April 16, 2011. Davis Gonzales asked if he could amend Lindsey Oppenheims' motion to have the Te-Moak Election Board conduct this election, second by Davis Gonzales. Edith Smart asked this to be put on record and asked Art Thompson which Registers Voters List he is going to use. The Te-Moak Council did inform the audience that the 2009 registered voters list that was utilized with the petition accepted by the Tribe is the one for the Recall Election. After a lengthy discussion, Chairman Cassadore asked for a vote: VOTE: 6 FOR 0 AGAINST 0 ABSTENTION .

NEW BUSINESS:

LEAH BRADY - SHOSHONEAN REUNION:

Leah Beady presented the information pertaining to the Shoshonean Reunion scheduled for July 12-14, 201, which is going to be held in Elko. She did inform the council they are presenting the activities to all the Tribes and hopefully get their cooperation and participation. Ms. Brady is asking if the programs could make copies of the packet with all the information for people to have access to the forms for registration. The registration form is the main form required to estimate the number of people anticipating in attending the reunion. She asked if the tribe could purchase name pouches and these will have the Te-Moak Tribe's name put on them. After a brief discussion, Lindsey Oppenheim made a motion to donate \$1,000.00 for purchase of name pouches out of the General Fund, second by Davis Gonzales. VOTE: 6 FOR 0 AGAINST 0 ABSTENTION

S.F. DRAFT GRAZING ORDINANCE:

Davis Gonzales questioned the Grazing Ordinance that was submitted by the South Fork Band Council mainly the format. Pat did inform the Council she did not have time to review the proposed ordinance and there is no one present to discuss the contents and answer questions. Vince Garcia did advise the Council that the tribe did approve a Grazing Ordinance in 1995 and submitted it to the BIA and it was

sent back with recommendations for changes. As of that time frame, there was no action taken and the ordinance was at a standstill. Pat did inform the Council that she did send out this information to Cindy Pierce, SF Administrator and advised her to give copies to the Council for them to review. Davis Gonzales recommended this ordinance needs to be amended with the recommendations from the BIA and then submitted to the tribe for review and sent out to the other areas. After further discussion the Council will review and make their recommendations.

BRYAN CASSADORE – DRAFT SEX OFFENDER ORDINANCE:

Chairman Cassadore informed the Council he is working on this and working with LES on establishing this ordinance. He is developing this code due to the tribe not having one in place and he will be presenting this at the next meeting on May 4, 2011.

EBC – REQUEST FOR LIQUOR LICENSE FOR GLADIATOR CHALLENGE:

Lindsey Oppenheim made a motion to adopt Resolution #11-TM-05 to approve a liquor license for Jeff Watson/Gladiator Challenge 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 Davis Gonzales. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

EBC – REQUEST FOR LIQUOR LICENSE FOR NV EAST ROLLER GIRLS EVENT:

Davis Gonzales made a motion to adopt Resolution #11-TM-06 to approve a liquor license for Sarah M. Catt for NV East Roller Girls Event 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 Lindsey Oppenheim. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

DOYLE TYBO – LETTER OF REQUEST ON TRIBAL PROSECUTOR:

Doyle Tybo was concerned on the way the Te-Moak Prosecutor was given the job. Mr. Tybo was informed that Dana Cassadore was appointed by the Tribal Manager, which was authorized by the Te-Moak Council. Mr. Tybo did question his qualifications and was advised he is was also involved with the court system

MEETING ADJOURNMENT:

Davis Gonzales made a motion to adjourn meeting at 8:10 P.M., second by Ronnie Woods. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

Respectfully submitted,



Patricia G. Stevens, Recording Secretary