



TE-MOAK TRIBE OF WESTERN SHOSHONE

TE-MOAK TRIBE OF WESTERN SHOSHONE Regular Meeting –November 3, 2010 Open Session – 6:00 P.M.

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

ROLL/CALL – Meeting called to order by Chairman Bryan Cassadore @ 6:00 P.M., with (7) members present.

Chairman Cassadore asked the Council to amend the agenda to allow Pacheco Gibson to present his request for a letter of support from the Council. This is in reference of submitting a letter of pardon to the Governor for his crimes in 1985. After a brief discussion, Davis Gonzales made a motion to amend the agenda, second by Lindsey Oppenheim. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

RESOLUTION – RECOGNIZING BRANDON REYNOLDS FOR THE TE-MOAK COUNCIL:

Pat presented a draft resolution to recognize Brandon Reynolds as the representative for the South Fork Band Council due to the resignation of Larson Bill. After a brief discussion, Davis Gonzales made a motion to adopt Resolution #10-TM-24 recognizing Brandon Reynolds as South Fork Representative for the Te-Moak Council and Te-Moak Housing Board, second by Lindsey Oppenheim. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

REGULAR MINUTES FOR APPROVAL:

Chairman Cassadore asked the Council if they reviewed the August 4, 2010 Regular Meeting Minutes and asked for a motion to accept minutes. Paula Brady made a motion to accept the August 4, 2010, second by Craig Roa. **VOTE: 7 FOR 0 AGAINST 0 ABSTENTION**

Chairman Cassadore asked the Council if they reviewed the September 27, 2010 Special Meeting Minutes and asked for a motion to accept minutes. Paula Brady made a motion to accept the September 27, 2010 with corrections, second by Lindsey Oppenheim. **VOTE: 6 FOR 1 AGAINST 0 ABSTENTION (For the record Gilbert Temoke voted against)**

CHAIRMAN'S REPORT:

Chairman Cassadore reported on November 4, 2010, he traveled to Spokane, WA for the 2010 Tribal Consultation with the US Department of Justice Program "Working together to end the Violence." He attended the Elko Pow-Wow and was impressed with all the people in attendance. Chairman Cassadore advised the Council he traveled to Federal Court in Reno to attend the court scheduled for Terrey Jones Jr., but the Judge did not accept the plea agreement. Chairman Cassadore traveled to Reno to attend the ITCN Meeting and was re-elected as the Secretary of the ITCN Board of Directors.

TRIBAL MANAGER REPORT/FINANCE:

Pat informed the Council she contacted Carolyn Richards, Awarding Official in reference to our Judicial Contract and a letter received from Joseph Little, Associate Director, Office of Justice Services. The Tribe was notified by letter of an additional \$24,900.00 and a modification will be issued for these funds. I was contacted by Carolyn Richards that a continuing resolution was issued for 17.53% and requested funding be distributed for the Tribe. The modifications were received and draw-downs were requested for signature. I contacted Chuck Zeh in reference to the Gaming Compact and the status of the changes and draft copies of those changes. Due to the pending cases Mr. Zeh has been spending most of his time preparing for the hearing for the appellate court. On the Banishment Ordinance I have not received any additional information as of this date. I did incorporate the recommendations submitted by Elko Band for the Council's review. As of this meeting, Elko Band is the only area that has submitted their comments. We have started our FY'10 audit and this should be completed within a two week timeframe. Receiving and returning phone calls, assisting and meeting with the public and working with other bands when contacted.

DON MCKENZIE, ACTING CEO – IHS:

Don McKenzie, CEO is not in attendance for this meeting.

OLD BUSINESS:

CLAIMS :

Pat gave a brief report on the Claims and reported that there was a total of 4,281, total eligible 2,728 and total ineligible 1,553 and total appeals 135 as of September 30, 2010. Partial payment is still scheduled for February 2011 but there is not a specific date.

PROPOSED BANISHMENT DRAFT ORDINANCE UPDATE :

Pat reported this information in her report.

GAMING COMPACT UPDATE:

Pat reported this information in her report.

FINALIZE LIQUOR ORDINANCE AMENDMENT:

Pat informed the Council she had received a call from both Western Regional and Central Office on this ordinance and advised by Western Regional that Central Office is requesting a resolution. WRO informed them the Tribe's do not adopt resolutions for ordinances. WRO is still working with Central Office to get this clarified.

ELECTION ORDINANCE REVIEW – 45 DAYS ENDING AUGUST 6, 2010:

Pat informed the Council the packets provided shows the inserts that was recommended by Elko Band and she did request the bands to review and provide their recommendations. I understand Elko Band is having meetings to review the ordinances.

ETHICS ORDINANCE REVIEW – 45 DAYS ENDING AUGUST 25, 2010:

Dana Cassadore informed the Council he did insert the recommendations provided by Elko Band and needs to be sent out for review. Lindsey Oppenheim made a motion to send it back to the bands with the changes, second by Davis Gonzales. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

NEW BUSINESS:

ECHOHAWK LAW OFFICES – INTRODUCTION TO THE COUNCIL:

Pat informed the Council they were unable to attend.

EBC RESOLUTIONS – LAND LEASE FOR (8) EIGHT MODULAR HOMES:

Chairman Cassadore informed the Council that EBC has eight (8) resolutions for Land Leases for modular homes on the Elko Colony. After a brief discussion, Lindsey Oppenheim made a motion to adopt Resolution #10-TM-26 for Land Lease for Lot A, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-27 for Land Lease for Lot B, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-28 for Land Lease for Lot C, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Paula Brady made a motion to adopt Resolution #10-TM-29 for Land Lease for Lot D, second by Craig Roa. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-30 for Land Lease for Lot E, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-31 for Land Lease for Lot F, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-32 for Land Lease for Lot G, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

Lindsey Oppenheim made a motion to adopt Resolution #10-TM-33 for Land Lease for Lot H, second by Paula Brady. VOTE: 6 FOR 0 AGAINST 1 ABSTENTION (For the record Brandon Reynolds abstained).

LORRIE CARPENTER APPEAL – DISCUSSION:

Lorrie Carpenter and Bernice Lalo are in attendance for this meeting. Bernice Lalo requested the removal of the Battle Mountain Council and Representatives and she was informed this is an open meeting. Paula Brady asked Bernice Lalo if they went through the process of an appeal with the Battle Mountain Band Council and she said they did. Richard Smith informed the Council that Lorrie Carpenter and Bernice Lalo attended the appeal hearing and after 10-15 minutes walked out of the meeting. Paula Brady did inform these two individuals that both parties need to be present so the Te-Moak Council can hear both sides. Chairman Cassadore informed the Council that her request

was on email for an appeal hearing and no other documentation. After a lengthy discussion, Paula Brady made a motion to table and set a date for the Council to review and submit all documentation to administration to prepare packets for the Council on or before November 18, 2010 from both parties, second by Lindsey Oppenheim. VOTE: 5 FOR 2 AGAINST 0 ABSTENTION (Davis Gonzales and Gilbert Temoke voted against) For the record Lorrie Carpenter took all her documents back.

RESOLUTION – SUPPORTING A NEVADA AREA OFFICE – IHS – BRYAN CASSADORE:

Pat presented a draft resolution in supporting establishing a Nevada Area Office to served the health care need of Nevada's Indian Tribe in a manner required by S. 1790, "The Indian Health Care Improvement Reauthorization and Extension Act of 2009" and signed into law by President Obama on March 23, 2010. After a lengthy discussion, Lindsey Oppenheim made a motion to adopt Resolution #10-TM-34 supporting a Nevada Area Office, second by Davis Gonzales. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

RESOLUTION – LIQUOR LICENSE FOR GLADIATOR CHALLENGER:

Davis Gonzales made a motion to adopt Resolution #10-TM-35 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 Lindsey Oppenheim. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

TE-MOAK DOG ORDINANCE FOR REVIEW:

The Elko Band Council submitted a Te-Moak Ordinance for the bands to review and recommend their input to this ordinance. After a brief discussion, Lindsey Oppenheim made a motion to table and to allow the bands to review for thirty (30) days for the next regular meeting, second by Paula Brady. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

VINCE GARCIA – SOUTH FOR RECALL PETITION:

Vince Garcia presented the South Fork Band Council Recall Petition that the people of South Fork had signed. Mr. Garcia did inform the Council that the recall petitions involve the whole South Fork Band Council and since the Council is being recalled they cannot validate their own petitions. Also, since the Chairman and Vice Chairman are also being recalled the petition is being presented to the appropriate council, which is the Te-Moak Council. After a lengthy discussion, Lindsey Oppenheim made a motion to review the recall petition from South Fork within ten calendar days to validate the validity of the petitions and to schedule a meeting to review the petitions for November 12, 2010 @ 5:00 P.M., second by Paula Brady. VOTE: 5 FOR 2 AGAINST 0 ABSTENTION (For the record Gilbert Temoke and Brandon Reynolds voted against)

RUBY PIPELINE DISCUSSION – BRYAN CASSADORE:

Chairman Cassadore is concerned the Ruby Pipeline destruction of land and cultural issues. Chairman Cassadore received a letter requesting a meeting with the Te-Moak Council with FERC – Federal Energy Regulatory Commission on this project. After a lengthy discussion, Chairman Cassadore would like all this information taken back to their respective councils and areas.

RICHARD SMITH – LETTER OF REQUEST:

Richard Smith removed his letter for discussion.

REAFFIRM – TE-MOAK TRIBE AS A SOVEREIGN NATION – BRYAN CASSADORE:

Chairman Cassadore presented a copy of the resolution approved by the Elko Band Council on sovereign immunity for Tribes. After a brief discussion, Lindsey Oppenheim made a motion to adopt Resolution #10-TM-36 upholding and recognizing that the Te-Moak Tribe is a sovereign nation, second by Paula Brady. VOTE: 6 FOR 1 AGAINST 0 ABSTENTION (For the record Gilbert Temoke voted against)

ADVERTISE BM DIABETES ASSISTANT POSITION PART-TIME:

Davis Gonzales made a motion to advertise the Diabetes Assistant Part-time Position for the Battle Mountain area, second by Craig Roa. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

PACHECO GIBSON – LETTER OF SUPPORT:

Pacheco Gibson is requesting a letter of support from the Te-Moak Council in supporting him in restoring his gun rights and applying for a pardon before the Governor. Mr. Gibson informed the Council of his crimes and explained the situation of his actions. After a brief discussion, there is a concern if the Tribe is going to open it up for other felons to come before the Tribe and ask for the same courtesy. Davis Gonzales made a motion to allow the Chairman to sign the letter of support, second by Lindsey Oppenheim. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

MEETING ADJOURNMENT:

Davis Gonzales made a motion to adjourn the meeting at 9:35 p.m., second by Lindsey Oppenheim. VOTE: 7 FOR 0 AGAINST 0 ABSTENTION

Respectfully submitted,



Patricia G. Stevens, Recording Secretary