



## TE-MOAK TRIBE OF WESTERN SHOSHONE

### TE-MOAK TRIBAL COUNCIL Special Meeting –April 21, 2011 Open Session - 4:00 P.M.

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

#### VISITORS:

Harley Reynolds, Raymond Gonzales, Tonya Reynolds, Diane Mendoza, Buffy George, Lewis Knight, Evelyn Knight, Cecilia Bill, Larson Bill, Dana Wasson, Charles Malotte, Barbara Malotte, LaVone Tom, Leta Jim, Chester Knight, Karen McDade, Edith Smart, Sophie Knight, Ted Mendoza, Turk Knight, Myron Tybo, Andrea Allison, Vince Garcia, Leonard Jackson, Mary Jackson, Penny Stevens, Twila Thompson, Art Thompson and Amber Holley.

#### ROLL CALL:

Meeting called to order by Chairman Cassadore at 4:00 P.M., with six (6) members present.

#### NEW BUSINESS:

#### RESOLUTION OF SUPPORT FOR LES APPLICATION FOR GRANT:

Leta Jim presented a draft resolution of support for a LES Grant Application. After a brief discussion, Lindsey Oppenheim made a motion to adopt Resolution #11-TM-07 in support of the grant application, second by Paula Brady. **VOTE: 6 FOR 0 AGAINST 0 ABSTENTION**

#### S.F. RECALL:

Chairman Cassadore asked for the record to introduce the board, Choc Harper, Secretary, Arthur Thompson, Chairman and Amber Holley, Member. Chairman Thompson informed the Council that the results of the recall is that the South Fork Council has been recalled with the exception of Ronnie Woods. Alice Tybo informed the Council that protests were submitted because the 2009 Registration List was utilized instead of the 2011, which is in violation of the Constitution. After a brief discussion, Chairman Cassadore informed the audience this has previously been discussed and determined by the petition validation and the reason for the recall. Ms. Tybo was informed this is not an election but a recall as voted on by the tribal members. Paula Brady asked Ms. Tybo where did the petition carriers get the registration voters list, it was from the South Fork Band Council. That registration voters list was the list utilized to get the signatures for the petitions and then all of a sudden a new list is produced by the election committee. Now, do you think that is fair to the petition carriers that a new list was produced with additional names added it seems like your trying to trump the petition that was validated.

After a lengthy discussion, Lindsey Oppenheim asked Arthur Thompson if they received protests and what was the decision of the board. Choc Harper did inform the Council that they were initially going to

invalidate the recall. Due to the court document which delayed the recall, Arthur Thompson did inform the Council that after reviewing the minutes the decision of the Council was to utilize the 2009 Registration List for this recall, which was utilized for the petitions. Even though the three months elapsed time the petitions were validated with the 2009 list and should still be used for the recall and the Constitution does state within 10 days.

Lindsey Oppenheim did ask Arthur Thompson back in November when this was first accepted, which list would you have used for this recall, he responded the 2009. The board did validate the recall and it is before the Council for an election date. Davis Gonzales informed the Council did adopt Resolution #11-TM-03 setting a recall date for March 20, 2011 and did state that the #03 resolution is no longer in effect and read a statement he prepared for the Council (copies provided to the members).

Lindsey Oppenheim again asked the Election Board is the recall valid or invalid. Arthur Thompson responded it is validated and certified. Davis Gonzales again stated that the #03 resolution was only for the March 20, 2011 recall and Leta Jim informed Davis Gonzales that at the last meeting Lindsey Oppenheim amended the #03 resolution to schedule the April 16, 2011 recall date.

Lindsey Oppenheim again asked Arthur Thompson if the recall was valid or invalid and Arthur Thompson did state it was valid and asked if the Council would like to hear the results.

Sim Malotte	33 Yes	21 No	Turk Knight	30 Yes	24 No
Cheryl Mose-Temoke	29 Yes	25 No	Gilbert Temoke	30 Yes	24 No
Brandon Reynolds	30 Yes	23 No	Edna Tybo	30 Yes	24 No

Arthur Thompson did inform the Council the results were signed by the poll takers. Chairman Cassadore asked to confirm that the yes vote is to recall and the no vote is not to recall and Arthur Thompson did agree.

After another lengthy discussion Lindsey Oppenheim made a motion to adopt Resolution #11-TM-08 to set a Special Election for May 21, 2011 and to be conducted by the South Fork Election Committee and an updated voters list is to be utilized, second by Richard Smith. **VOTE: 3 FOR 2 AGAINST 0 ABSTENTION (For the record Davis Gonzales and Ronnie Woods voted against) Davis Gonzales stated for the record the reason he is voting against is the Tribal Election Board originally made a decision to invalidate the recall until Bryan Cassadore. Chairman of the Tribe walked in and changed their decision. For the record Chairman Cassadore stated that allegation is subject to liability.**

The South Fork Election Committee will conduct the recall and were also advised if any of their family members is a candidate they need to step down. If this occurs the Te-Moak Election Board Members will assist the South Fork Election Committee. After further discussion, Lindsey Oppenheim made a motion to adopt Resolution #11-TM-09 recognizing Bryan Cassadore and Paula Brady as check signers until the Special Election is completed and the new council is sworn into office, second by Richard Smith. **VOTE: 4 FOR 0 AGAINST 1 ABSTENTION (For the record Paula Brady abstained)**

Lindsey Oppenheim made a motion to adjourn the meeting at 5:15 P.M., second by Richard Smith. **VOTE: 5 FOR 0 AGAINST 0 ABSTENTION**

Respectfully submitted,

  
Patricia G. Stevens, Recording Secretary