



## TE-MOAK TRIBE OF WESTERN SHOSHONE

### RESOLUTION OF THE GOVERNING BODY OF THE TE-MOAK TRIBE OF THE WESTERN SHOSHONE INDIANS OF NEVADA

RESOLUTION NO: 15-TM-19

#### BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE TE-MOAK TRIBE OF THE WESTERN SHOSHONE INDIANS OF NEVADA THAT

- WHEREAS,** this organization is a recognized Indian organization as defined under the Indian Reorganization Act of June 18, 1934, as amended, to exercise right of home rule and to be responsible for the promotion and social welfare of its tribal members; and
- WHEREAS,** the Te-Moak Tribe is the parent council for the communities of the Battle Mountain Band, Elko Band, South Fork Band and Wells Band, and
- WHEREAS,** the BIA-Western Regional Office (WRO), Division of Transportation (DOT) is required, by 25 CFR 170.421, to submit a four-year Transportation Improvement Program (TIP), for each Indian Tribe under their jurisdiction, to support the expenditure of Tribal Transportation Program (TTP) funds for transportation facility improvements on Indian trust land; and
- WHEREAS,** the BIA-WRO DOT has provided the Te-Moak Tribal Council with a Tribal Shares Report identifying its portion of 2014 Indian Reservation Roads Program (IRRP) carryover funds, 2014 Tribal Transportation Program (TTP) carryover funds, 2015 TTP Funds and their estimated share of TTP Funds for FY 2016 through FY 2018; and
- WHEREAS,** the Battle Mountain Band, Elko Band, South Fork Band, Wells Band and the Te-Moak Tribal Council have identified projects they would like to have funded in FY 2015 through FY 2018, with the Tribe's share of remaining IRRP funds and TTP funds; and
- WHEREAS,** the Te-Moak Tribal Council in consultation the Battle Mountain, Elko, South Fork and Wells Bands and the BIA - WRO Division of Transportation have developed the attached 2015 - 2018 Tribal Transportation Improvement Program (TTIP) that identifies transportation planning and improvement projects to be funded with the Tribe's share of FY 2014 IRRP & TTP carryover funds, 2015 TTP Funds and estimated FY 2016 – FY 2018 TTP funds.

**NOW THEREFORE BE IT RESOLVED,** the Te-Moak Tribal Council hereby approves the attached 2015-2018 Tribal Transportation Improvement Program (TTIP), and requests that the Tribe's share of FY 2014 IRRP & TTP carryover funds and FY 2015 – FY 2018 TTP funds be programmed for the projects identified in this TIP.

**BE IT FURTHER RESOLVED**, that the Te-Moak Tribal Council hereby requests that their remaining balance of 2014 IRR and TTP carryover funds and 2015 TTP funds be obligated as outlined below.

1. **EKIC 1 (1) Silver Eagle Dr.** (Elko Band): Add FY 2015 TTP funds in the amount of **\$38,997.00** to Contract No. (A12AV01352) for construction and Tribal Project Management and Construction Monitoring.
2. **BMIC Consolidated No. 1** (Battle Mountain Band): Provide FY 2014 TTP Construction carryover Funds, in the amount of **\$79,792.00** and **\$5,208.00** of 2015 TTP construction funds, for a total of **\$85,000.00**, in a New P.L. 93-638 contract, with the Battle Mountain Band, to perform preconstruction activities for this project.
3. **WIC 1004 (1) Sagebrush Circle** (Wells Band): Provide FY 2015 TTP Construction, in the amount of **\$30,000.00** in a New P.L. 93-638 contract, with the Wells Band, to perform preconstruction activities for this project.
4. **EKIC 102 (4) Indian View Heights (Phase 1)** (Elko Band): Amend Contract A09AV00194 to include **\$29,232.47** of 2014 IRR Construction carry over funds, **\$22,619.87** of 2014 TTP Construction Carryover funds and **\$6,669.41** of 2015 TTP Construction fund, for a total of **\$58,518.75**, to reconstruction of 0.3 miles of Indian View Heights Road from the East Colony Boundary to Sagebrush Drive.
5. **Te-Moak NDOT Safety No. 1** (Te-Moak Tribe): Provide FY 2015 TTP Construction, in the amount of **\$30,000.00** in a New P.L. 93-638 contract, as a Tribal match for an NDOT Safety Project to implement various low cost road safety improvements in the Battle Mountain Colony, Elko Colony, South Fork Indian Reservation and Wells Colony, identified in the July 2014 NDOT Road Safety Audit (RSA) Report for the Te-Moak Tribe of Western Shoshone.
6. **SFIR Road Maintenance** (South Fork): Amend Contract A09AV00194 to include **\$30,000.00** of 2014 TTP Construction Carryover funds and **\$61,000.00** of 2015 TTP Construction fund, for a total of **\$91,000.00**, to repair 3 cattle guards perform various road maintenance activities on "old" paved roads and approximately 5 miles of gravel road.
7. **SFIR Trans P1ng 2 – TIGER Grant Application** (South Fork Band): Amend Contract A14AV00133) include **\$1,821.98** of 2014 IRR Trans. Planning Carryover funds, **\$6,240.98** of 2014 TTP Trans Planning carryover funds and **\$3,197.04** of 2015 TTP Construction fund, for a total of **\$11,260.00**, to revise and resubmit a proposal to FHWA for Transportation Investment Generating Economic Recovery (TIGER) for \$4,500,000.00 to complete SFIR Route 1 SFIR (Lee Road) project.
8. **ELIC Tribal Trans P1ng 2** (Elko Band): Amend Contract A12AV1284 to include **\$709.20** of 2014 IRR Trans. Planning Carryover funds provide funding to update & complete the Elko Indian Colony's Long Range Transportation Plan (LRTP).
9. **SFIR 3 (1) Bridge H313 (Design)** (South Fork Band): 2015 Tribal Transportation Bridge Program (TTBP) funds, in the amount of **\$135,000.00**, received for this project are to be combined with TTBP funds (\$185,000.00) received for this project in FY 2014, for a total of \$320,000.00, and obligated by the BIA-WRO DOT into a new A&E contract for the design of a new bridge to replace the one washed out in March 1995.

**BE IT ALSO RESOLVED** that the Te-Moak Tribal Council hereby supports the issuance of new P.L. 93-638 Contracts to the Battle Mountain Band, for the *BMIC Consolidated No. 1* project and to the Wells Band for the *WIC 1004 (1)* project.

**BE IT FINALLY RESOLVED** that the Te-Moak Tribal Council hereby approves the Tribe's submission of a P.L. 93-638 contract proposal, scope of work and budget for the *Te-Moak NDOT Safety No. 1* project and authorizes the Chairman of the Te-Moak Tribal Council, or his designee, to sign any and all documents required to carry out the purpose and intent of this resolution.

**C-E-R-T-I-F-I-C-A-T-I-O-N**

I, the undersigned, as Chairman of the Te-Moak Tribal Council, do hereby certify that the Tribal Council is composed of eight (8) members of whom 5 were present at the meeting which constituted a quorum held January 12, 2015, and the foregoing resolution was adopted at such meeting by a vote of 4 FOR 0 AGAINST, 0 ABSTENTION pursuant to the authority of the Article 4, Section 3(n) of the Constitution of the Te-Moak Tribe of the Western Shoshone Indians of Nevada.



Davis Gonzales, Chairman  
Te-Moak Tribe of Western Shoshone

**ATTEST:**

Phaline Conklin, Recording Secretary  
Te-Moak Tribal Council