

TE-MOAK TRIBE OF WESTERN SHOSHONE

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

RESOLUTION NO: 15-TM-09

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

WHEREAS, this organization is a recognized Indian organization as defined under the Indian Reorganization Act of 1934, as amended, and exercises rights of home rule and is responsible for the promotion of the economic, health and welfare of its members; and

WHEREAS, by the authority of the Constitution of The Te-Moak Tribe of Western Shoshone Indians of Nevada, **ARTICLE 4-EXECUTIVE AND LEGISLATIVE BRANCH OF GOVERNMENT, SEC. 3. Powers of the Tribal Council (e)** To charter and regulate independent organizations, subordinate organizations, committees, and boards of officials of the Tribe; and to delegate power as appropriate, retaining the right to supervise and to rescind delegated powers; and

WHEREAS, ARTICLE 4-EXECUTIVE AND LEGISLATIVE BRANCH OF GOVERNMENT, SEC. 3. Powers of the Tribal Council (k) To regulate all administrative and legislative bodies of the Tribe, Tribal agencies, officers and organizations; and

WHEREAS, the Te-Moak Tribe is the Parent Council for the four constituent bands; Elko Band, Battle Mountain Band, South Fork Indian Reservation and Wells Band; and

WHEREAS, A Recall Petition from Wells Band Community members was brought before the Te-Moak Tribal Council due to the fact the petitioners had presented the Recall Petition to Wells Band Vice-Chair Gracie Begay, and Ms. Begay refused to accept the Recall Petition, being presented to her in lieu of the Chairperson, to whom the Recall Petition pertained to; and

WHEREAS, The Wells Band Council according to **Te-Moak Tribal Election Ordinance 03-ORD-TM-01, CHAPTER 9. PETITIONS. SECTION 13-9-4. Action for Petition (b)** has failed to properly call a meeting and establish a recall election; and

WHEREAS, According to the **Te-Moak Tribal Election Ordinance 03-ORD-TM-01, CHAPTER 9. PETITIONS, SECTION 13-9-4** Action for Petition (e) the 19th would have been the tenth day of the initial presentation of the Recall Petition; and

WHEREAS, Wells Band Council failed to call a meeting to determine the validity of the Recall Petition, therefore the Petitioners presented the Recall Petition to the Te-Moak Tribal Council, Tribal Chairman Davis Gonzales on February 23, 2015.

NOW, THEREFORE BE IT RESOLVED, the Te-Moak Tribal Council determined the Recall Petition, submitted by Wells Band Petitioners, to be valid, and according to **Te-Moak Tribal Election Ordinance 03-ORD-TM-01 CHAPTER 9. PETITIONS. SECTION 13-9-5 Valid Petition (c)** Tribal Council shall establish an Election which shall be conducted by the Te-Moak Election Board no more than ten (10) days after this meeting.


BE IT FURTHER RESOLVED, the Te-Moak Tribal Council hereby directs the Te-Moak Tribal Election Board to conduct an Election on March 7, 2015 at the Wells Band Community.

FURTHER BE IT RESOLVED, According to the Te-Moak Tribal Constitution ARTICLE 4- EXECUTIVE AND LEGISLATIVE BRANCH OF GOVERNMENT, SEC. 17. Removal and Recall from Band Council SUBSECTION B Recall (2) *The office shall be considered vacant if a majority of those voting in the election favor such recall.*

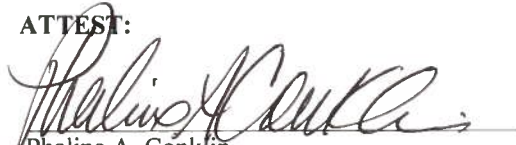
C-E-R-T-I-F-I-C-A-T-I-O-N

I, the undersigned, as Chairman of the Te-Moak Tribal Council, do hereby certify that the Tribal Council is composed of nine (9) members of whom 6 were present at the meeting which constituted a quorum, was adopted at such a duly held meeting on February 26, 2015, by a vote of 5 FOR, 0 AGAINST and 0 ABSTENTION pursuant to the authority of the Article 4, Section 3 (n) of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.




Davis Gonzales, Tribal Chairman
Te-Moak Tribe of Western Shoshone

ATTEST:


Phaline A. Conklin,
Recording Secretary