

TE-MOAK TRIBE OF WESTERN SHOSHONE

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

RESOLUTION NO: 16-TM-8

BE IT RESOLVED BY THE TE-MOAK 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 and social welfare and well being of its members; and

WHEREAS, the Te-Moak is composed of four (4) constituent Bands, Elko, Battle Mountain, South Fork and Wells and is the parent council of said bands and;

WHEREAS, as per the Te-Moak Constitution Article 9, Section 3(d) - To charter and regulate independent organizations, subordinate organizations, committees, and boards of officials of the Tribe; and to delegate powers as appropriate, retaining the right to supervise and to rescind delegated powers; and

WHEREAS, the Te-Moak Constitution Sec.19, Manner of Conducting Business (c) Quorum. No meeting shall commence until a quorum is present. A quorum shall consist of a majority of the membership of the Council including the presiding officer. Once a quorum has been established, the Council is authorized to conduct business until adjournment, regardless of whether some Council members leave the meeting. All decisions shall be made by a majority vote of Council members present, unless a **greater** number is otherwise provided for in this Constitution; and

WHEREAS, on March 10, 2016 a meeting was held with a quorum present that was adjourned; and

WHEREAS, on March 10, 2016, Florine Maine Battle Mountain representative and Lydia Johnson, Chairperson, continued transacting business as if there were a quorum present, with Florine Maine making the motion and Lydia Johnson, seconding the motion and abstaining which violates the Te-Moak Constitution; and

WHEREAS, two people cannot consider themselves a majority with a 1-0-0 vote; and

WHEREAS, the Te-Moak Constitution, Sec. 5 (a) (4) reads that the Tribal Chairperson Shall not vote except in case of a tie; and

NOW, THEREFORE BE IT RESOLVED, all actions that transpired on **March 10, 2016** by this resolution and majority vote of the Council members present today March 31, 2016 which include; Davis Gonzales, Vice-Chairperson, Steven Brady, Wells Band Representative, Aaron Sam, Elko Band Representative, David Decker, Elko Band Representative, Alice Tybo, South Fork Representative, Gilbert Temoke, South Fork Representative, Gerald Temoke, Elko Band Representative, rescind all actions taken on the **March 10, 2016** meeting.

AND FINALLY BE IT RESOLVED, that resolutions **16-TM-02, 16-TM-03, 16-TM-04, 16-TM-05** are by this resolution are to be voided.

AND BE IT FURTHER RESOLVED, that all other motions that were passed with a **1-0-0 vote on March 10, 2016** are **NULL AND VOID** and are not considered valid business transactions and or have the ability to be considered valid motions, as this is not a majority vote.

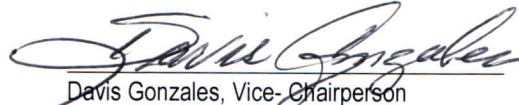
C-E-R-T-I-F-I-C-A-T-I-O-N

I, the undersigned, as Vice- Chairperson of the Te-Moak Tribal Council, do hereby certify that the Tribal Council is composed of nine (9) members of whom 7 were present at the meeting which constituted a quorum held **March 31, 2016**, and the foregoing resolution was adopted at such meeting by a vote of **6 FOR, 0 AGAINST, 0 ABSTENTION** pursuant to the authority of Article 4, Section 3 of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.

INVALID IF NO SEAL APPEARS BELOW:



ATTEST:


Davis Gonzales, Vice- Chairperson
Te-Moak Tribe of Western Shoshone


Phaline A. Conklin, Recording Secretary
Te-Moak Tribal Council