



TE-MOAK TRIBE OF WESTERN SHOSHONE

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Regular Meeting – December 5, 2012
Open Session – 6:00 p.m.

Davis Gonzales, Chairman
Alice Tybo, Vice-Chairman
Michelle Cure, Member
Nick Knight, Member
Lydia Johnson, Member

Present
Present
Present
Present
Present

Cheryl Mose-Temoke, Member
Gerald Temoke, Member
Evelyn Temoke-Roche, Member

Present
Present
Present

VISITORS:

Lydell Oppenheim, Andrea Allison, Carline Burton, Rhonda Hicks, Myron Tybo, Aldun Tybo, Vince Garcia, Chester Knight, Sophie Knight, Elizabeth Yowell, Juanita Joe, Art Thompson, Twila Thompson, Corinna Gonzales, Charles Stone Jr., Lita Piffero, Raymond Gonzales, Louis Knight, Evelyn Knight, Virgil Townsend, Cathy Welchert – IHS CEO, Doyle Tybo, Kristie Begay, Lois Whitney, Phyllis Evening, Edith Smartt, Joseph Moon, Dale Malotte, Karla Dick, and Bernice Lalo

ROLL CALL:

Chairman Davis Gonzales called the meeting to order at 6:08 P.M., with seven (7) members present.

Chairman Gonzales announced that he expects the audience to be at their best behavior during our meeting. The audience needs to be advised that we need to be civil and that any disruptive behavior will not be tolerated during our meeting. If someone is unable to control themselves, they need to step outside the room and compose themselves before returning. If you are not able to do that, then you are not allowed to come back to the meeting. We don't want to bring law enforcement in here to enforce some of the disruptive things that are going on in the meeting. So if we be respectful to one another and that the Council is here to take care of the agenda items. A lot of the agenda items are for them to take some action on or for information, if we don't have the information, more research will be done and get the documents to back it up and provide it to everyone.

The Tribal Council introduced themselves to the audience before continuing.

AGENDA:

Chairman Gonzales recommends tabling the following: Minutes, Reports – Chairman and Tribal Manager, Old Business, and under New Business – Confirmation of phone vote, James Darrough, Home Site Land Lease, and Donation, until the next meeting. Schedule the interview for the Manager Position for tomorrow at 6:00 P.M. Will recess tonight's meeting and continue it tomorrow in Closed Session.

Lois Whitney said they had a number of issues and asked to be heard by the previous Council and that hasn't been done. Is this Council going to honor our requests and listen to the voice of the people. She continued by saying that none of their letters have been answered by the previous Council. She is hoping that the Council will go back and look at their requests. Chairman Gonzales replied that he doesn't know if the Administration has all the documents she presented before. We need to gather that, which will probably be handled in January's meeting.

Art Thompson informed Chairman Gonzales that his issue is to address the payment of the Poll Takers for this Election that Elko Band Administrator said will not be paid by Elko Band. He would like the Council to look at the Ordinance and determine who pays for what. Elko Band's interpretation is that the Tribe takes care of the Poll Takers. He doesn't know how the other Bands handled payment for the Poll Takers. It was determined that South Fork and Wells' representatives said that their Poll Takers have been paid. Art said from what he was told, Battle Mountain will be paying their Poll Takers. Evelyn Temoke-Roche said the Election Committee has been paid, but not the Poll Takers. Gerald Temoke will follow up and see that they are paid.

Vince Garcia said with the tribal election, they submitted a protest letter with \$35 and were not given a hearing. He would like the Council to direct the Chairman of the Election Committee to submit a letter why their dispute wasn't heard. Art Thompson said there was suppose to be a letter coming, he will check with their Secretary. Also, the \$35 does not guarantee a hearing, because you have to look at the dispute and make a decision whether or not a hearing is warranted. Vince said the Ordinance states that you bring your documents regarding the dispute to the hearing. Art replied, only if a hearing is warranted. Chairman Gonzales informed Art to turn in the information, and the Council will look at it.

Chairman Gonzales called for a motion to amend the Agenda.

A motion was made by Gerald Temoke to amend the Agenda to include the rescinding of the previous Council as the TDHE, this Council as the TDHE, and this Council as the check signers for TDHE. Second by Cheryl Mose-Temoke. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Chairman Gonzales called for a motion to table the minutes.

A motion was made by Alice Tybo to table the minutes of June 6 and September 10, 2012 until the next Special Meeting. Second by Michelle Cure. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Lois Whitney asked about Agenda item, Request from employees. Isn't it public information? Chairman Gonzales replied that we will take care of it. A lot of the things on the Agenda, we will take care of.

Chairman Gonzales turned the meeting over to Cathy Welchert, CEO for the Southern Bands Health Center. He informed her that the Council usually asks the CEO to give a report on the Clinic and their budget, and that the CEO is on the Agenda every month.

REPORTS:

Cathy Welchert gave her report on the activities of the Southern Bands Health Center, and provided the Council with a copy. The first report is an overview: 1) Hours of Operations; 2) Contract Health Services (CHS); 3) Operating Budget of \$2.3 million starting October 1 through

completed online. Under Recruitment, advertised for a Dentist and Clinical Psychologist that closed today. Ms. Welchert said there are two applicants for each position that applied for positions with U&O and are interested in the Elko positions. A panel does the interviewing. Chairman Gonzales asked if the Tribe would be involved. Ms. Welchert said she can look into it and let him know. Chairman Gonzales asked if tribal members that are not quite qualified still apply for positions. Ms. Welchert replied yes, that the HR Specialists will go through and rank the applications. Their office is not involved with the process but will receive the final applicants based on qualifications. Supervisory Health System Specialist position that was held by Don McKenzie; three applicants were interviewed. They are waiting to hear if the position was accepted. This position is funded through an agreement between U&O (Fort Duchesne) and Schurz Service Units, and will oversee parts of their operation and ours. All are new positions under Vacancies: Telehealth Coordinator, Budget Analyst, Program Assistant, and Telepsychiatrist, a contract position; 5) Operations Summary – top ten diagnosis they are seeing in the Elko Service Unit, Dental and Pharmacy Program numbers; 6) Department Highlights – the Chief Pharmacist is pending retirement, providers are attending specialist consults via webex for UNR, JVN machine was updated with an employee being trained in January. Evelyn Temoke-Roche asked about the med refill line, if it's still going to be used. Ms. Welchert replied that they are having problems with it right now, and hope to have it resolved soon; 7) Upcoming Activities/Announcements – they will be having a videoconference on December 21, Leadership meeting in Phoenix the week of December 17, and Tribal Negotiations, which she has been involved with. Chairman Gonzales there are some concerns regarding complaints that are not being handled, and with the hours of operations, losing a day and half due to meetings. Ms. Welchert said the meetings are necessary for the staff, the hours of operation was extended to 6:00 P.M. where people that are working can come in after work. The complaints are being addressed. There is a complaint policy that they follow. They have ten days to address a complaint after it has been filed. Patty Taylor, PHN, handles the complaints. She is responsible for contacting the Supervisor and then getting back to her. Ms. Welchert said she needs to have written documentation to move forward and does follow their policy. She doesn't have an open door policy for she found that it was not as productive. The open door policy doesn't give her the option to hold somebody accountable. In the event of a complaint, she needs to have it investigated more before really going into the issue of the problem. With an employee situation, it has to be handled by the chain-of-authority. She is the final authority for any type of grievance. Chairman Gonzales said he is hearing from people that they can't talk to the CEO when they have a complaint and leave without it being resolved. Ms. Welchert said if they don't want to fill out form, she encourages that they see Patty to fill out the form for them. She doesn't like to hear that the patients are upset because their issues/complaints aren't being resolved. Chairman Gonzales said bills are still not being paid. Ms. Welchert said she is not aware of those, and would like to know about it so it can be addressed.

The next report is the Three Year Strategic Plan, which is a draft. She would like to sit down with the Council and review it further in the near future. If there are any items the Council would like to add, let her know. Ms. Welchert was excused.

OLD BUSINESS:

Chairman Gonzales called for a motion to table.

A motion was made by Gerald Temoke to table all the Old Business. Second by Cheryl Mose-Temoke. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

NEW BUSINESS:

Te-Moak Employee Christmas Party: Chairman Gonzales asked Sharla to explain further. Sharla replied that it's a dinner for the employees and Council. In the past the Tribal Council purchased the meat (prime rib), and we are asking if this Council would do the same. A copy of the past approval is included for your information.

Chairman Gonzales called for a motion on the Te-Moak Employee Christmas Party.

A motion was made by Alice Tybo to approve the request for the Te-Moak Employee Christmas Party. Second by Evelyn Temoke-Roche. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Chairman Gonzales advised the Council that there was a second request with the Christmas Party.

Alice Tybo made a motion to amend her first motion to include the Christmas Bonus of \$200 for the staff. Second by Evelyn Temoke-Roche. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Art Thompson asked Chairman Gonzales if there was a discussion on the bonus. Chairman Gonzales replied that it was included in the letter regarding the Christmas Party. Art asked if the Council will be receiving the \$200 bonus, too. He was informed that it was only for the staff. Art asked when the Old Business will be addressed. Chairman Gonzales said at the next Special Meeting.

Edith Smartt asked about the Financial Report, it wasn't on the Agenda. Chairman Gonzales will have the Finance Officer prepare a report and submit it to the Council for review before the next meeting.

Schedule Interview Date – Tribal Manager: Chairman Gonzales said they will interview for the Manager position tomorrow. The interviewees will be contacted first thing in the morning.

Diabetes Coordinator and Secretary Positions: Chairman Gonzales called for a motion to post the positions.

A motion was made by Gerald Temoke to post the Diabetes Coordinator and Office Clerk/Receptionist positions. Second by Michelle Cure. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Karla Dick – Native Aspiration Panel. Gerald Temoke asked Karla if it could wait to which she replied yes.

Resolution – Check Signers: Chairman Gonzales said the resolution is for the check signers for the Te-Moak Administration. He said that all present will be identified as check signers and have to sign the bankcards. Chairman Gonzales called for a motion.

A motion was made by Gerald Temoke to adopt Resolution No. 12-TM-33 identifying the Council as check signers for the Te-Moak Administration. Second by Evelyn Temoke-Roche. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Resolution – TDHE in the Interim: Chairman Gonzales called for a motion for the Tribal Council to be acting as the TDHE in the Interim.

A motion was made by Evelyn Temoke-Roche adopting Resolution No. 12-TM-34 identifying the Council as the TDHE in the Interim. Second by Alice Tybo. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

MEETING ADJOURNMENT:

Chairman Gonzales called for a motion to recess the meeting until tomorrow evening at 6:00 P.M.

A motion was made by Alice Tybo to recess the meeting at 7:08 P.M. until tomorrow evening at 6:00 P.M. Second by Gerald Temoke. VOTE: 6 FOR; 0 AGAINST; 0 ABSTENTIONS.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sharla Dick", with a stylized flourish at the end.

Sharla Dick