



TE-MOAK TRIBE OF WESTERN SHOSHONE

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

RESOLUTION NO: 13-TM-07

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, the Te-Moak Tribal Council the parent council for the constituent Band of Elko Indian Colony, Battle Mountain Indian Colony, South Fork Indian Reservation and Wells Indian Colony; and

WHEREAS, the Tribe is responsible to protect and preserve the safety, welfare of our Tribal Members; and

WHEREAS, by the authority vested in the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada - **Article 4 – Executive and Legislative Branch of Government**; and

WHEREAS, in **Article 4 Sec. 3. (e)** to charter and regulate independent organization, 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

The Te-Moak Tribal Council recognized the Western Shoshone Law Enforcement Services Public Safety Board as a Tribal Organization by Resolution No. 07-TM-23.

WHEREAS, it reads in **Article 4. Sec. 3.(g)** to establish agencies for and otherwise to provide for, Law Enforcement within the territory and jurisdiction of the Tribe; and

The Western Shoshone Public Safety Board was recognized by Resolution No.07-TM-23, by the Te-Moak Tribal Council to provide law enforcement service to the Band who wished to participate.

WHEREAS, it reads in **Article 4. Sec. 3 (j)** to promote and protect the health, peace, morals, education, safety and welfare of the tribe, its members and all other persons within its jurisdiction, and govern the conduct of tribal members, and

There have been numerous concerned issues within the Western Shoshone Law Enforcement Service Public Safety Board/Department with respect to potential liabilities and /or contract violation such as (1) failure to provide information/communication (2) relocation officers out side of jurisdiction and (3) non-compliance issues with contract.

WHEREAS, it reads in **Article 4. Sec. 3.(k)** to regulate all administrative and legislative bodies of the tribe, tribal agencies, officers and organization.

Violation: the By-Laws of the Public Safety Board are hereby unconstitutional and hereby voided in its entirety.

WHEREAS, Sec. 12. Powers of Band Councils. (c) Conduct business affairs concerning all matters that relate solely to the Bands.

WHEREAS, the Elko Band Council had appointed Fermina Stevens and Raymond Gonzales, Sr. as Representatives to the Public Safety Board, and Battle Mountain Band Council had appointed Angela Van Dorn as Representative to the Public Safety Board, and

WHEREAS, Battle Mountain Band Council at a duly held meeting on February 6, 2013, officially removed LaVona Johnson as their Representative, and the Wells Band Council at a duly held meeting on February 4, 2013 officially removed Andrea Woods as their Representative.

NOW, THEREFORE BE IT RESOLVED, that the Te-Moak Tribal Council hereby recognize and honor Wells Band Council and the Battle Mountain Band Council's decision of removing Andrea Woods (W) and LaVona Johnson (BM) as Public Safety Board Members, and they no longer have any authority whatsoever on this Board.

BE IT FURTHER RESOLVED that thru this Resolution the three remaining members, Raymond Gonzales, Sr., Fermina Stevens Elko Band appointed Official Representatives and Angela Van Dorn Battle Mountain Band Representative and the Chief of Police are the official members of the Public Safety Board, and will remain as so until the Bands appoint the remaining Representatives to the Public Safety Board.


BE IT FURTHER RESOLVED, the Contract is with the Bureau of the Indian Affairs and request that they honor and respect this resolution.

FINALLY, BE FURTHER RESOLVED, the Te-Moak Tribe of Western Shoshone Tribal Council hereby has the OVERSITE for the PL-93-638 Contract of the Western Shoshone Law Enforcement Public Safety Board that any and all necessary documents

such as By-Laws, Personnel Policies, etc. shall be supported by the Te-Moak Tribal Council so that it adheres to the Constitution of the Te-Moak Tribe.

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 8 were present at the meeting which constituted a quorum held **February 26, 2013** and that the foregoing resolution was adopted at such a meeting by a vote of **6 FOR, 0 AGAINST and 1 ABSTENTION** pursuant to the authority at Article 4, Section 3 of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada


Davis Gonzales, Chairman
Te-Moak Tribe of Western Shoshone

INVALID IF NO SEAL APPEARS BELOW:



ATTEST:


Recording Secretary
Te-Moak Tribal Council