



TE-MOAK TRIBE OF WESTERN SHOSHONE

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Regular Meeting – January 5, 2011

Open Session

6:00 P.M.

Bryan Cassadore, Chairman	Present	Paula Brady, Vice Chairperson	Present
Lindsey Oppenheim, Member	Present	Davis Gonzales, Member	Present
Brandon Reynolds, Member	Present	Gilbert Temoke, Member	Present
Craig Roa, Member	Present	Richard Smith, Member	Absent
Paula Salazar, Member	Present		

VISITORS:

Leonard Johnnie, Lorrie Carpenter, Bernice Lalo, Darby Adams, Sandra Boggs, Betty Tybo, Lillian Adams, Juanita Joe, Vince Garcia, Myron Tybo, Andrea Allison and Gerald Temoke, KenMiller, BLM District Manager and Dave Overcast, BLM.

ROLL/CALL – Meeting called to order by Chairman Cassadore @ 6:00 P.M., with eight (8) members present.

REGULAR MINUTES FOR APPROVAL:

1. November 3, 2010 – Regular Meeting Minutes
2. November 12, 2010 Special Meeting Minutes
3. December 1, 2010 – Regular Meeting Minutes
4. December 9, 2010 Special Meeting Minutes

Pat informed the Council that the minutes were not completed but one which was for the December 1, 2010 Regular Meeting. She did inform the Council that due to her illness and ending up in the hospital she did not get to complete the minutes and is now in the process of trying to catch up on her work. Lindsey Oppenheim made a motion to table the minutes, second by Davis Gonzales. **VOTE: 7 FOR 0 AGAINST 0 ABSTENTION**

Davis Gonzales asked Pat if she can put the council member names on the agenda for the council to check those individuals in attendance like the Elko Band hands out to their council.

CHAIRMAN REPORT:

Chairman reported on 12/2/2010 he attended the Indian Health Board of Nevada Meeting and informed he was nominated and elected as Secretary of the board. On 12/3/2010, he attended the Native Market and Bizarre. He informed the Council he continues to keep in touch with the WSDPS regarding current crime issues and grant opportunities. On 12/7/2010, he attended the Te-Moak Diabetes Center and participated in their health classes that were posted for the public. He also attended the Drug Enforcement Children “DEC” Meeting held at the State of Nevada Department of Safety Office here in Elko. There was a good turnout of 26 people attending and 15 were from Tribal communities. He informed the Council he attended the activities sponsored by Elko Band Christmas Party, Te-Moak Housing Authority, Elko Band Cultural Day, Elko

County Board of Commissioners Meeting and met the newly elected commissioners and attended the P.A.C.E. Coalition Meeting at Stockmen's. He met with 35 community members in person, by phone and at his home. He has met with members regarding future plans for the Te-Moak Tribe.

TRIBAL MANAGER REPORT/FINANCE:

For the month of December, I contacted Carolyn Richards, Awarding Official, Western Regional Office in reference to the second continuing resolution and was informed she was unaware of a second CR.

I have been out most of December due to illness and being in the hospital so I am trying to catch up on my minutes to get to the Councils review and approval. The Tribe has not heard anything on the three cases pending against Te-Moak Tribe vs. Felix Ike, Te-Moak Housing Authority vs. Deborah Mendez and Elko Band Council vs. Rena Premo, Davis Gonzales, Gonzalo Mendez and Nancy Hodge. Two Appellate Judges presided over the hearing Judge Stan Read and Allen Toledo from Albuquerque, NM. There has been no decision as of this date. I contacted Chuck Zeh in reference to the gaming compact and advised him to process the changes he has been requesting from the Tribe. I did request Mr. Zeh that upon completing the changes to submit a draft copy for the Tribe's review and input. Due to the issue of the SF Case again this has pushed back all of the documents he was working on

On the Banishment Ordinance from the Elko Band Council's Attorney I have not received any comments or recommendations as of this date. I did recommend to the bands to review the questions and make recommendations because there are numerous questions that need to be answered. I worked on the proposed Election Ordinance and incorporated the recommendations submitted by Elko Band for the Council's review. The draft information with the changes included should be sent out for the bands review and input. As of this meeting, the Elko Band is the only area that has submitted their comments.

We have completed our audit ending FY'10 and we are working with the auditors on information that is needed for last minute confirmations. Once this audit is completed we should have it submitted into Audit Clearinghouse by the beginning of January.

On December 22, 2010, I contacted Joe McDade in reference to an email sent to our office recommending an Arthur Fisher as an interim Magistrate for the court system. I did request a resume for the Council to review his qualifications and asked which Tribe's he has worked with. I did ask Mr. McDade the status of this position and if it has been advertised and he advised he did talk to the HR Office in Albuquerque on December 8, 2010 and he has had no contact since that date.

Receiving and returning phone calls and assisting and meeting with the public and working with other bands when contacted.

DON MCKENZIE, ACTING CEO:

Mr. McKenzie reported clinic hours, staffing is currently 100% clinical provider with the exception of Behavior Health Services. He advised they are in the process of announcing a new

position for an Advanced Nurse Practitioner with Psychiatric Specialty Licensure to replace the departing Psychologist. They are also re-advertising for a Public Health Nurse due to the selected applicant withdrawing. They are in the process of credentialing Dr. Peter Stuart, Psychiatrist, They are in the process of credentialing Dr. Peter Stuart, Psychiatrist, IHS, who will be providing telemedicine services for behavior health until the position is filled permanently. Specialty Clinics – Psychiatry established patients is being contacted for tele-medicine appointments. Audiology – exact dates will be determined. Hemophilia – Spring 2011 dates to be determined. Tele-Nutrition scheduled for January 19, 2011. Tele-Rheumatology – January 25th and on site February 7, 8 and 9, 2011. The Te-Moak Community Health Assessment Team (TCHAT) has been meeting since January 2010. Contract Health Services is operating under Priority I for the contracted health care. As of January 5, 2011 total obligated amount \$272,551.17 and unobligated balance is \$136,783.83. The Elko Service Unit budget is set at the 2010 funding levels through March 11, 2011 during the FY'11 continuing resolution.

OLD BUSINESS:

CLAIMS UPDATE:

Pat informed the Council that a notice was sent to eligible participants that they are on track for the partial payment scheduled for February 2011. It is also important that your current address is on file with their office.

PROPOSED BANISHMENT DRAFT ORDINANCE UPDATE:

Pat gave an update in her report.

GAMING COMPACT UPDATE:

Pat gave an update on her report.

FINALIZE LIQUOR ORDINANCE AMENDMENT:

Pat gave an update on her report.

ELECTION ORDINANCE REVIEW – EXTENDED:

Pat informed the Council that she has not received any additional changes and was informed the Elko Band has been having meetings reviewing and inputting recommendations. Brandon Reynolds brought recommendations from South Fork Band.

ETHICS ORDINANCE REVIEW – EXTENDED:

Pat informed the Council she has not received any recommendations except from Elko Band as reported by Dana Cassadore. Pat did inform Brandon Reynolds did submit some information.

LORRIE CARPENTER DISCUSSION:

Chairman Cassadore that this was discussed on December 9, 2010 Special Meeting. Bernice Lalo is requesting a resolution from Te-Moak on their decision. Bernice Lalo is asking for a written

document on their decision and did inform the Council that all the documents were provided from both parties and all they are asking for is a written decision. After a lengthy discussion, Davis Gonzales made a motion to honor the decision of the Battle Band Council and a letter stating that decision be sent, second by Lindsey Oppenheim. **VOTE: 6 FOR 0 AGAINST 1 ABSTENTION**

TE-MOAK DOG ORDINANCE:

Davis Gonzales made a motion to table the Dog Ordinance, second by Lindsey Oppenheim. **VOTE: 7 FOR 0 AGAINST 0 ABSTENTION**

EXTENSION OF PROSECUTOR POSITION:

Lindsey Oppenheim made a motion to advertise for ten (10) days, closing on January 21, 2011, second by Paula Brady. **VOTE: 7 FOR 0 AGAINST 0 ABSTENTION**

NEW BUSINESS:

CFR JUDGE POSITION & BIA RECOMMENDATION:

The Council recommended Chairman Cassadore to write a letter to immediately get a Judge for the Te-Moak Tribe CFR Court System.

BLM – SETTLEMENT AGREEMENT WITH RODEO CREEK GOLD, INC.:

Ken Miller, Elko District Manager and Dave Overcast are in attendance to discuss the BLM Settlement Agreement with Rodeo Creek Gold, Inc. Mr. Overcast gave a brief synopsis of what had occurred in July 2008 on damages to archeological resources within the areas of RCG's exploratory drilling operations and of a potential Archeological Resources Protection Act ("ARPA") violation. In the agreement, BLM shall establish a BLM controlled account the BLM Tosawih Account to be used exclusively for the benefit of the district in the amount of 1.5 million dollars. BLM is in attendance to relay this information to the Tribe's involved.

MYRON TYBO - LETTER OF REQUEST:

Myron Tybo presented his letter of request asking the Council to allow Chuck Zeh, Te-Moak Tribal Attorney to represent the people against South Fork Band Council. The Council did inform Mr. Tybo that the contract is directly with the Te-Moak Council. Mr. Tybo requested a copy of the contract and informed him it should be public information and one will be forwarded for his information,

EBC – REQUEST FOR LIQUOR LICENSE FOR GLADIATOR CHALLENGE:

Lindsey Oppenheim made a motion to adopt Resolution #11-TM-01 to approve a liquor license for Jeff Watson/Gladiator Challenge with a administrative fee charge of \$250.00 to be made payable to the Te-Moak Tribe for processing as per Te-Moak Resolution #10-TM-19 adopted July 7, 2010, second by Paula Brady. **VOTE: 7 FOR 0 AGAINST 0 ABSTENTION**

MEETING ADJOURNMENT:

Paula Salazar made a motion to adjourn the meeting at 8:09 P.M., second by Craig Roa. **VOTE:**
7 FOR 0 AGAINST 0 ABSTENTION

Respectively Submitted,

Patricia G. Stevens

Patricia G. Stevens, Recording Secretary