

## 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- 21

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

WHEREAS, this organization is an Indian organization as defined under the Indian Reorganization Act of June 18, 1934, as amended, to exercise certain rights of home rule and to be responsible for its Tribal members; and

WHEREAS, the Te-Moak Enrollment Committee has been operating without rules and regulations for them to follow; and

WHEREAS, the Te-Moak Enrollment Committee, past and present, have met several times and developed the attached Committee By-Laws for approval.

THEREFORE BE IT RESOLVED, that it is the Te-Moak Enrollment Committee's recommendation to the Te-Moak Tribal Council to adopt the Te-Moak Enrollment Committee By-Laws.


BE IT FURTHER RESOLVED, that the Te-Moak Tribal Council hereby officially supports the recommendation and adopts the Te-Moak Enrollment Committee By-Laws.

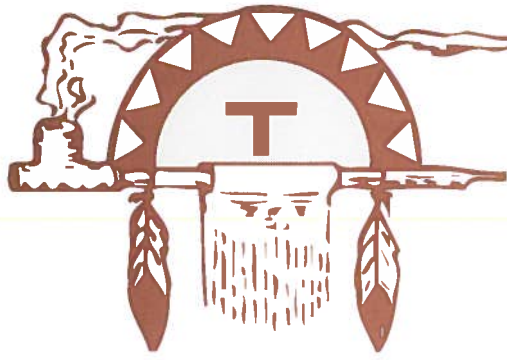
### C-E-R-T-I-F-I-C-A-T-I-O-N

I, the undersigned, as Chairman of the Tribal Council of the Te-Moak Tribe of Western Shoshone Indians of Nevada do hereby certify that the Te-Moak Western Shoshone Council is composed of 9 members of whom 6 constituting a quorum were present at a duly held meeting on the 18<sup>th</sup> day of July, 2013, and that the foregoing resolution was duly adopted at such meeting by a vote of 4 FOR, 0 AGAINST, 1 ABSTENTIONS, pursuant to Article 4, Section 3 (n & o), of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.

**INVALID IF NO SEAL APPEARS BELOW:**



  
Davis Gonzales, Chairman  
Te-Moak Western Shoshone Council



**TE-MOAK TRIBE OF WESTERN SHOSHONE**

***TE-MOAK***  
***ENROLLMENT COMMITTEE***  
***BY-LAWS***

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# **TE-MOAK ENROLLMENT COMMITTEE BY-LAWS**

## **Article I. Name of Committee**

The name of this committee shall be the Te-Moak Enrollment Committee.

## **ARTICLE II. Purpose**

The establishment and the work of the Enrollment Committee are to comply with the rules and regulations as found in the Te-Moak Constitution and Enrollment Ordinance, and to promote the welfare of its Tribal Members.

## **ARTICLE III. Membership**

### **Section 1. Establishment of the Te-Moak Enrollment Committee**

- A. There shall be a standing committee composed of seven (7) members of the Tribe who shall be appointed by the Council and shall serve for (three years), or indefinite terms and/or until replaced by the Council.
- B. The members will be comprised of two each (2) from Battle Mountain, Elko, and South Fork, and one (1) from Wells.

### **Section 2. Termination of Membership**

- A. Any member may resign by giving a written resignation to the Enrollment Committee.
- B. A member shall automatically be removed from membership in the Te-Moak Enrollment Committee if the member does not attend any regular or special called meetings of the committee for three consecutive **unexcused** absences from scheduled Enrollment Committee meetings.
  - 1. The member shall be notified by letter and such notice be sent by regular, first class mail and the letter signed by either the Enrollment Committee Chairman or Vice-Chairman.
  - 2. Appeal may be made to the Tribal Council, and the decision of the Tribal Council shall be final. The Tribal Council shall advertise and appoint a new member to fill the vacancy.
- C. With just cause, the Tribal Council shall immediately remove a Committee member when he/she divulges any confidentiality of any applicant or enrollee's personal information. The Tribal Council decision shall be final.

### **Section 3. Vacancies**

- A. The Tribal Council shall advertise the vacancy until filled.
- B. A vacancy can be filled by a majority vote of members of the Tribal Council.
- C. The new member will serve the same time of the vacancy.
- D. If there is no interest from the area of a vacated seat; the vacancy will be opened and filled by an individual affiliated with a different band.
- E. The Enrollment Committee will remain seated until the new members are seated.

### **Section 4. Voting Rights**

- A. Each member shall have one vote in any matter submitted to the committee for a general vote.
- B. Proxy voting and absentee balloting shall not be permitted.
- C. A member may abstain from voting on any matter.
- F. Pursuant to Article 4, Section 19, (g) (1) of the Te-Moak Constitution, the Tribal Chairperson shall be an Ex-officio non-voting member of the Te-Moak Enrollment Committee until the end of his Council term.
- G. Pursuant to Article 4, Section 19 (g) (2) of the Te-Moak Constitution, the Enrollment Committee shall not have more than one (1) voting member who is a member of the Te-Moak Council.

### **Section 5. Officers**

The Enrollment Committee shall select a Chairman and Vice-Chairman from within the Committee with a three-year term.

- A. Nominations for new officers shall be taken from the Committee member at a duly called meeting.
- B. Votes shall be cast by showing of hands or by secret ballots and tallied visibly for those in attendance to know the results.

### **Section 6. Duties and Powers**

General Duties:

- A. The Enrollment Committee shall establish and amend, if necessary, a Policy and Procedures manual covering the oversight of the Enrollment Office.
- B. Receive and review all applications for enrollment in the Tribe and make recommendations to the Tribal Council whether such applicants should be approved or rejected by majority vote.
- C. Receive and review all applications for relinquishments, pursuant to Section 6 of the Enrollment Ordinance and present its recommendations to the Tribal Council by majority vote.
- D. Receive and review all information and pertinent data for disenrollment, pursuant to Section 12 of the Enrollment Ordinance.
- E. Calculate and approve the degree of Shoshone and other Non-Shoshone Indian blood possessed by the applicant from ancestors on the 1937 Northeastern Nevada Census Roll dated January 1, 1937, as stated in the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.

General Powers:

- A. Enforce rules and regulations in conformity with the Enrollment Ordinance.
  - a. In a disenrollment situation, the Enrollment Committee shall have the power to hold a hearing to decide whether a member should or should not be disenrolled before presenting it to the Te-Moak Tribal Council.
- B. Calculate and approve the degree of Shoshone and Te-Moak Shoshone Indian blood, other Indian blood, and total Indian blood and determine whether an applicant(s) has met the membership requirements of blood degree.
- C. The Enrollment Committee shall meet as often as possible to take care of enrollment business and prevent the accumulation of applications for enrollment and any other Enrollment matters.

**Section 7. Reviews and Recommendations**

- A. The Enrollment Officer will make all information regarding enrollment, disenrollment, relinquishment, and other subjects regarding enrollment available to the Enrollment Committee.
- B. The Enrollment Committee shall review all information concerning the applicant's eligibility for approval or rejection for membership.

- a. Shall make written recommendations to the Tribal Council as to whether the application is approved or rejected.
- b. Where the Committee considers additional information is needed, it may request such information from the person filing the application or from the complainant.
- c. All recommendations must be supported by documentation provided by the applicant or in the research conducted by the Committee and must be in accordance with provisions set in these by-laws.

#### **ARTICLE IV. Officers**

The officers of the Te-Moak Enrollment Committee shall be a Chairman, Vice-Chairman and Secretary/Enrollment Officer. Other officers may be appointed as the committee elects.

##### **Section 1. Electing of Officers**

The officers of the Enrollment Committee shall be elected by a majority vote of the Committee.

##### **Section 2. Vacancy**

A vacancy in any office of the Enrollment Committee may be filled with a majority vote of the members present at a duly held meeting. The newly elected officer shall serve the remainder portion of the term of the vacant office.

##### **Section 3. Removal**

Any officer may be removed by two-thirds vote of all committee members present when it is in the best interest of the committee.

##### **Section 4. Duties of the Officer**

The following duties for the officer are:

- A. Chairman
  - a. Shall call and preside over all meetings of the committee.
  - b. Shall be a voting member of the Enrollment Committee.
  - c. Shall be the official spokesperson for the Enrollment Committee.
  - d. Shall attend Band and/or Tribal Council meetings upon request.
- B. Vice-Chairman

- a. Shall assist the Chairman when called upon so to do.
  - b. Will assume the role of the Chairman in his/her absence. When so presiding, he shall have all the rights, privileges, and duties as well as responsibilities of the Chairman.
- C. Secretary/Enrollment Officer
  - a. Shall keep the minutes of the meetings, regular, special, and emergency and shall provide minutes to the committee and to such other persons the committee may indicate.
  - b. Shall see that all notices are given in accordance to the provisions of these by-laws, be custodian of the committee's records, keep a list of the address and telephone numbers of each committee members.
  - c. Shall perform other such duties as prescribed by the Enrollment Committee from time to time.

## **ARTICLE V. Meetings**

The Te-Moak Enrollment Committee shall be held on the second Tuesday of each month or when necessary and on the call of the Enrollment Committee Chairman. A majority of the members present at any meeting may adjourn the meeting.

### **Section 1. Regular Meetings**

- A. Notice of regular meetings shall be in writing and shall state the date, hour, and location of the meeting.
- B. Notices shall be mailed to each member no less than five days before the date of each meeting.
- C. A copy of the agenda may be enclosed with the notice.
- D. All meetings shall be closed to the public.

### **Section 2. Quorum**

The presence of a simple majority of the committee shall be required to constitute a quorum necessary for the transaction of business of the Te-Moak Enrollment Committee. No decision of the committee shall be valid unless there is a majority vote of the members constituting a quorum. All decision made by majority of the Committee shall be official.

### **Section 3. Agenda**



- A. The Enrollment Officer shall prepare the agenda for each meeting.
- B. An item may be placed on the agenda by contacting the Enrollment Officer at least five days prior to the regular meeting date.
- C. The agenda shall cover the following item of business in the appropriate fashion:
  - 1. Call to Order and Roll Call
  - 2. Amend Agenda, if necessary
  - 3. Reading of Minutes
  - 4. Reports
  - 5. New Business
  - 6. Other Business
  - 7. Adjournment

#### **Section 4. Special Meetings**

Special meetings may be called by the Enrollment Committee Chairman or by a majority vote of the Enrollment Committee. All members shall be notified by telephone if necessary.

#### **ARTICLE VI. Amendments**

The By-Laws may be amended at any regular meeting by a majority vote of the members of the Enrollment Committee in attendance, if the amendment is to carry out the purpose of the objectives of the Enrollment Committee as expressed above.

#### **ARTICLE VII. Ratification**

These By-Laws shall be declared adopted by the Te-Moak Tribal Council when passed by majority of ***the Council*** at a duly called meeting of the council.

The Te-Moak Tribal Council at a special meeting held on July 18, 2013, approves these By-Laws.

IN WITNESS THEREOF,

**INVALID IF NO SEAL APPEARS BELOW:**



Davis Gonzales  
Davis Gonzales, Chairman  
Te-Moak Tribal Council

Philine A. Cantelis  
Recording Secretary  
Te-Moak Tribal Council