

TE-MOAK TRIBE OF WESTERN SHOSHONE

RESOLUTION OF THE GOVERNING BODY

OF THE

TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA

RESOLUTION NO: 14-TM-24

WHEREAS, this organization is an Indian Organization as defined under the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) (IRA), as amended, to exercise certain rights of home rule and to be responsible for the promotion of economic and social welfare of its tribal members; and

WHEREAS, at a duly held meeting on April 15, 2014, the Te-Moak Tribal Council considered the request of the Battle Mountain Band Council to hold a Hearing regarding the Exclusion of non-member Ruth Lee Burton, living at 20 Mountain View Drive, Battle Mountain Indian Colony, Battle Mountain, Nevada, 89820, under the Non-Member Exclusion Ordinance of the Te-Moak Tribe, 04-ORD-TM-02; and

WHEREAS, by Resolution No. 14-TM-09, the Tribal Council approved Battle Mountain Band's request and scheduled a Hearing to be held on the matter on May 19, 2014; and

WHEREAS, at the hearing on May 19, 2014, the Tribal Council heard evidence(s) from Battle Mountain Band and from Ms. Ruth Lee Burton, and determined that Ms. Burton engaged in activities that meet all three (3) of the "**good cause**" standards found in Section 4 of the Non-Member Exclusion Ordinance, including negatively affecting the political integrity and economic security of the Tribe and threatening the health and welfare of the Battle Mountain Band community, and that Ms. Burton's Exclusion is necessary to protect the Te-Moak Tribe's self-government and internal relations; and

WHEREAS, by Resolution No. 14-TM-18, the Tribal Council excluded Ms. Burton from the Band's lands for a period of 2 years, pursuant to Section 6 of the Ordinance; and

WHEREAS, pursuant to Section 7 of the Non-Exclusion Ordinance, on May 27, 2014, Ms. Burton filed a request for Reconsideration of Resolution No. 14-TM-18, and on June 3, 2014, the Battle Mountain Band filed a response dated June 3, 2014 opposing Ms. Burton's request and requesting its own reconsideration of Resolution No. 14-TM-18; and

WHEREAS, the Te-Moak Tribal Council considered Ms. Burton and the Battle Mountain Band's requests for reconsideration of Resolution No. 14-TM-18, and passed Resolution No. 14-TM-22 approving both requests, and with a 20 day notice to Ms. Ruth Lee Burton and the Battle Mountain Band Council. The Te-Moak Tribal Council scheduled a Hearing for Reconsideration by Resolution No. 14-TM-18 for June 26, 2014 at 5:00 p.m. at the Battle Mountain Band's Administration Building at 37 Mountain View Drive, Battle Mountain, Nevada 89820; and

WHEREAS, at the Hearing for Reconsideration on June 26, 2014, the Te-Moak Tribal Council heard evidence(s) from the Battle Mountain Band and Ms. Burton along with their Attorneys, and determined that Ms. Burton engaged in activities that meet all three of the "good cause" standards found in Section 4 of the Non-Member Exclusion Ordinance, including: negatively affecting the political integrity and economic security of the Tribe, threatening the health and welfare of the Tribe, and that her exclusion is necessary to protect the Tribe's self-government and internal relations.

THEREFORE BE IT RESOLVED, having considered all the evidence presented on reconsideration of Resolution No. 14-TM-18 and all other procedures under the Ordinance being met, the Te-Moak Tribal Council finds that Ms. Burton engaged in activities that meet all three of the "good cause" standards set out in Section 4 of the Tribe's Non-Member Exclusion Ordinance and, based on these findings, the Tribal Council excludes Ms. Ruth Lee Burton from the Battle Mountain Band's lands for a period of 2 years as provided in Section 6 of the Ordinance.

BE IT FURTHER RESOLVED, from the date of this Open Te-Moak Tribal Council meeting on June 26, 2014 held in the Battle Mountain Band Administration Building at 5:00 p.m. Ms. Ruth Lee Burton along with her Attorney was informed that she has twenty-four (24) hours to remove herself from the premises, and also, procedures to enter Battle Mountain Band land was discussed with Tribal Law Enforcement Officer during this meeting.

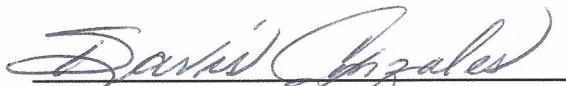
BE IT FURTHER RESOLVED, Ms. Ruth Lee Burton will be provided until July 7th, 2014 to remove the home that is currently residing on the property,


BE IT FINALLY RESOLVED, after July 7, 2014, any personal property left at 20 Mountain View Drive by Ms. Ruth Lee Burton shall be disposed of by the Battle Mountain Band, and any expenses related to their disposal shall be charged to Ms. Ruth Lee Burton.

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

I, the undersigned, as 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 **June 26, 2014**, 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(m) of the Constitution of the Te-Moak Tribe of Western Shoshone Indians of Nevada.




Davis Gonzales, Tribal Chairman
Te-Moak Tribe of Western Shoshone


Phaline Conklin, Recording Secretary
Te-Moak Tribal Council