

## Motion

To direct and request the NPTEC to plan and complete a feasibility study to compact or contract under the authority of P.L. 93-638 the ISDEAA, as amended and report back to the General Council by the Fall 2016 Sessions, the Nez Perce National Park at Spaulding, Id. (NPTGC16-S01)

Motion by Elliot Moffett

2<sup>Nd</sup> by Levi Holt

Motion Passed.

Feasibility/ Resolution

## RESOLUTION

Whereas the Nez Perce Tribal General Council has been empowered to act for and on behalf of the Nez Perce Tribal General Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961; and

WHEREAS, The Nez Perce Tribe's greatest resource is its people from the youngest to the oldest; and

WHEREAS, The unemployment rate on our Reservation is approximately twice the national average, creating poverty and hardship especially for those in the age range of 55 to 60 years and up; and

WHEREAS, Due to the lack of Tribal inheritance of land, much of the lands were divided into fractionated interests, and some cases complete loss of family land and lease income derived from the land; and

WHEREAS, tribal members now 60 years of age and over have less job opportunity due to physical qualifications and age; and

WHEREAS, there is a high rate tribal members 60 years and older receiving social security, Supplemental Security Income" (SSWI), a needs base program who also care for grandchildren or other members of the family who live in the same household; and

WHEREAS, Supplemental Security Income benefits do not cover all the basic needs of the tribal elder and their household. Many go without food and other necessities by the middle of the month due to the lack of funds; and

Now Therefor Be it resolved, enrolled Nez Perce Tribal members 60 years and older are required to make contact and maintain a current address to the tribe. Each Nez Perce Tribal elder 60 years or older shall be eligible to receive \$200.00 per month regardless of their income until they are no longer in need of the Treaty Fee or deceased. and

Be it Further Resolved, the supplemental income to our elders 60 years and older shall be called the Elder's Treaty Fee; and

Be it Further Resolved the purpose of this supplemental income benefit is to argument other income to which elders of the Nez Perce Tribe are entitled in order to provide additional comfort and security during their later years; and

Be it Further Resolved, No Nez Perce Tribal elder will be forced to obtain this payment and may turn down the payment as they see fit; And

Be it Further Resolved, Back payments for elders who fail to maintain contact with the Nez Perce Tribe shall not be allowed, and

Be it Further Resolved, benefit payments shall be paid to each elder on the 16<sup>th</sup> of each month. Nez Perce Tribal elders turning 60 shall receive their Elder's Treaty Fee on the 16<sup>th</sup> of the month following their 60<sup>th</sup> birthday; and

Be it Further Resolved, the Nez Perce Tribe being a sovereign nation shall deem these funds tax free/non taxable. The Elder's Treaty Fees is to provide care for the needs of our people. Treaty fees monies shall not be reported as income in any entity within or outside of the Nez Perce Tribe; and

Be it Further Resolved, the Nez Perce Tribal Executive Committee, The General Council Chairman, Resolutions Committee shall do research of available funds. And begin to take proper action to adhere to this resolution regarding our tribal elders; and

NOW BE IT FINALLY RESOLVED This action taken here @ the Spring General Council, May 5, 6, 7, 2016 shall serve as **directive** to the Nez Perce Tribal Executive Committee and General Council officers to find funds for the Elder's Treaty Fee to become effective with the first payment November 16<sup>th</sup> 2016.

#### CERTIFICATION

The foregoing resolution was duly adopted by the Spring 2016 General Council in regular session on May 6, 2016 at Lapwai, Idaho with a quorum of its members present.

  
Shirley J. Allman, Secretary

  
Allen P. Slickpoo Jr., Chairman

MCB

## RESOLUTION

Whereas the Nez Perce Tribe's General Council has been empowered to act for and on behalf of the Nez Perce Tribal membership between meetings of the General Council, pursuant to the Revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commissioner of Indian Affairs on June 27, 1961; and

WHEREAS, in accordance of the Organizational Chart of the Nez Perce Tribe, the people also known as General Council's status is recognized the highest of authority; and

WHEREAS, the Nez Perce Tribal Executive Committee (NPTEC) is and has always been listed on the Nez Perce Tribal Organizational chart as second in authority; and

WHEREAS, the Administrative actions taken by the Nez Perce Tribal Executive Committee (NPTEC) of March 23, 2010 page item three (3) confirm and recognize the Nez Perce General Council as the highest of authority in the Nez Perce Organization; and

WHEREAS, The Nez Perce Resolutions Committee has presented Several Resolutions over the last five (5) years which are tabled by the NPTEC then lost with no timely response, excuses or no official response to the General Council Officers; And

NOW THEREFORE BE IT RESOLVED, The Nez Perce Tribal Executive Committee (NPTEC) shall recognize, respect and adhere to decisions made by the majority vote of the Nez Perce Tribal General Council, and

BE IT FURTHER RESOLVED, That the Nez Perce Tribal Executive Committee (NPTEC) shall follow and take immediate action to the directives of the Nez Perce General Council as it states in V Section 6 page 6; ***The Nez Perce Tribal Executive committee shall be required to place such item or items on the agenda of its next regular meeting or to call a special meeting for the consideration of such item or items. The item or items shall automatically placed on the agenda of each regular NPTEC meeting thereafter until final disposition has been made. A report in writing of the action taken at each meeting shall be mailed or delivered to each member of the Resolutions Committee within seven (7) days after each meeting.***

BE IT FURTHER RESOLVED, Failure to abide the wishes of the Nez Perce General Council shall result in charges of insubordination with appropriate action to take place immediately.

The foregoing Resolution was duly adopted by the Nez Perce Tribal Resolutions committee in regular session on MAY 6, 2016 at Lapwai, Idaho with a quorum of its members present and voting.

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Del Rae Kipp, Secretary GC

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Mary Tall Bull, Chairman GC

## RESOLUTION

WHEREAS, the Nez Perce Tribal General Council has been empowered to act for and on behalf of the Nez Perce Tribe, pursuant to the Revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commissioner of Indian Affairs on June 27, 1961; and

WHEREAS, On September 22, 2015 the Nez Perce Tribal Executive Committee took administrative action on the Nez Perce Tribe's Organizational Chart and the General Council took action at the Fall General Council of 2015 to rescind this action and to date the Nez Perce Tribe Governmental Structure has been in disarray because of the re-organization and business is not being adhered to; and

WHEREAS, The Nez Perce Tribe is in need of Re-organization in some areas but needs to get all Department Managers on the track for success of the Tribe. While complying with the resolution that excludes NPTEC from hiring or firing tribal employees; and

WHEREAS, The Nez Perce Tribal Executive Committee needs to rescind the action taken on September 22, 2015 as directed by the Nez Perce General Council directed; and

WHEREAS, The Executive Director in consultation with the Managers and Directors of the Government side need to work on the chart and to ensure the feasibility of the Tribe; and

WHEREAS, The Nez Perce Tribal Executive Committee needs to take immediate action at the next official Meeting of NPTEC following the Spring General Council 2016 and restore the organization chart and meet with the executive director to ensure feasibility of the Tribe; and

WHEREAS, the Nez Perce Tribe General Council does hereby approve this action; and

NOW, THEREFORE BE IT RESOLVED, the Nez Perce Tribal Executive Committee will rescind the administrative Action taken on September 22, 2015

BE IT FURTHER RESOLVED, NPTEC will direct the Executive Director and the Managers and Directors of the Tribe to work on the organizational chart and to ensure the feasibility of the Tribe, and

## CERTIFICATION

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council meeting in \_\_\_\_\_ Session, \_\_\_\_\_, 2016 in the, Lapwai, Idaho, a quorum of its Members being present and voting.

CERTIFICATION

The foregoing resolution was duly adopted by the Spring 2016 General Council in regular session on May 7, 2016, at Lapwai, Idaho with a quorum of its members present.

  
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Shirley J. Allman, Secretary

  
for \_\_\_\_\_  
Allen Slickpoo, Jr., Chairman

## RESOLUTION

## Conflict of Interest

WHEREAS, the Nez Perce Tribal General Council has been empowered to act for and on behalf of the Nez Perce Tribal General Membership between meetings of the General Council, pursuant to the revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commission of Indian Affairs on June 27, 1961; and

WHEREAS, the Nez Perce Tribe has a fiduciary responsibility to its Membership to ensure that the assets of the Tribe are protected for future generations and to uphold the Tribal constitution;

WHEREAS, the Nez Perce Tribe just recently passed a new Finance Manual which now has a conflict of interest clause;

WHEREAS, the Finance Manager (Executive) currently sits on the SRBA Investments, the Land Buy Back Program, the Land Lease committee, and the Tribal Investments Committees.

WHEREAS, the Finance Manager/Executive or his immediate family (wife or children) own businesses in every field of financial operations of the Tribe, Feather, LLC which is a consulting, horse breeding, land use and management business, LC Valley Real Estate and Debbie Brown/Caldwell Banker Tomlinson.

WHEREAS, the Nez Perce Tribe's General Council recognizes, where NPTEC does not have, a conflict of interest policy between the job duties for which the Finance Manager (Executive) performs on behalf of the Tribe and those that he performs as a private business owner;

WHEREAS, the General Council hereby requires that NPTEC remove the Finance Manager from all the aforementioned committees, boards, and bodies of management;

WHEREAS, the Tribe has four (4) accountants as reported by the Finance Manager (Executive) therefore General Council hereby requests that NPTEC appoint a Tribal Accountant to sit on the aforementioned committees, boards, and bodies of management to eliminate the conflict of interest;

NOW THEREFORE BE IT RESOLVED, that the NPTEC is here today for the Spring General Council and are present during the vote on the floor regarding the long standing conflict of interest and will within 60 days of the Spring General Council provide notice to the membership of the steps taken to abolish the conflict of interest;

BE IT FINALLY RESOLVED that the General Council and Secretary or Resolutions Committee will be provided the remediation steps in writing to ensure that any and all conflicts of interest between the Tribes Finance Manager (Executive) and his private businesses.

CERTIFICATION

The foregoing resolution was duly adopted by the Spring 2016 General Council in regular session on May 7, 2016, at Lapwai, Idaho with a quorum of its members present.

  
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Shirley J. Allman, Secretary

for   
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Allen Slickpoo, Jr., Chairman



## **Motion**

**Conduct constitutional convention within sixty (60) days of the Spring General Council for purposes of considering and making recommendations to revised constitution. (NPGCS16-02)**

**Motion by Elliot Moffett**

**2<sup>nd</sup> by Edith Powaukee**

**Motion Passed.**

**Constitution Convention/ Admin Action**

## Motion

**For the Law and Justice Department to take leadership in bringing together a partnership with Tribal Social Services, NPTHA, Juvenile Justice, NMPH-BH, to research the feasibility of the NPT to develop an after care plan to include transitional housing for families and youth needs.**

**Motion by Agnes Weaskus**

**2<sup>Nd</sup> by DelRae Kipp**

**Motion Passed.**

**Justice Dept./Admin Action**

## **Motion**

**To delegate Nez Perce Tribal Housing and Senior Citizens Programs to evaluate the Chief Joseph and Chief Lookingglass complex apartments and set up a referral process for any other Elder homes that may need evaluated. And to make recommendations and research possible funding avenues to repair or update the apartments or homes.**

**Motion by Julia Davis-Wheeler**

**2<sup>nd</sup> by Lucinda Simpson**

**Motion Passed.**

**Senior Citizens/ Admin Action**

## Motion

To direct NPTEC to have office of Legal Counsel comply with Section 2€ and be employed for the protection and advancement of the "Tribe" not merely the NPTEC.

Motion by Gary Dorr

2<sup>Nd</sup> by Lucinda Simpson

Motion Passed.

OLC/ Admin Action