

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Agriculture Committee Recommendations for
Addressing Issues Related to the
Tohono O'Odham Farming Authority Board)

RESOLUTION NO. 95-223

WHEREAS, the Agriculture Committee of the Legislative Council has considered
the issues facing the Tohono O'odham Farming Authority addressed
by the Legislative Council in Resolution Nos. 93-364, 93-392 and
93-462; and

WHEREAS, the Agriculture Committee has further considered the concerns
raised by the Sif Oidak District Council, the San Lucy District
Council, and the Pisinemo District Council concerning the operation
of the Nation's farms; and

WHEREAS, the Agriculture Committee held numerous meetings with members
of the Nation, District representatives, Farming Authority employees,
auditors, vendors and creditors regarding the operation of the
Nation's farms; and

WHEREAS, in accordance with Resolution No. 94-217, the Nation retained the
firm of Eide Helmeke & Co., Certified Public Accountants, to
perform an operations audit of the Farming Authority; and

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**WHEREAS, Eide Helmeke & Co. has presented its report and recommendations
to the Agriculture Committee and to the Legislative Council; and**

**WHEREAS, the Agriculture Committee directed the interim farm manager to
begin implementation of the recommendations of Eide Helmeke &
Co.; and**

**WHEREAS, the Agriculture Committee referred allegations regarding the
conduct of certain Farming Authority personnel to the Nation's
Prosecutor for investigation and disposition in accordance with the
Nation's laws; and**

**WHEREAS, the Agriculture Committee recommends that the Nation's Prosecutor
continue to investigate and dispose of such allegations as
appropriate; and**

**WHEREAS, the Agriculture Committee recommends that the Nation's farms be
operated pursuant to the Restated Plan of Operation for the
Farming Authority (as approved by the Legislative Council in
Resolution No. 283-90) under the close supervision, control and**

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direction of a Farming Authority Management Board which is
dedicated to the proper, efficient and profitable operation of the
Nation's farms, with both strict adherence to the requirements of
the Restated Plan of Operation, and due consideration given to
District concerns; and

WHEREAS, the Agriculture Committee recommends that the proper method to
assure the Management Board's adherence to the requirements of
the Restated Plan of Operation is through the appointment of
qualified and capable Directors (pursuant to the procedures stated
in the Restated Plan of Operation) who have a commitment to
work in close cooperation with the Agriculture Committee
(exercising its oversight authority); and

WHEREAS, the Nation's Chairman presented in accordance with Section 8(A) of
the Restated Plan of Operation, nominations for appointment to the
Farming Authority Management Board; and

WHEREAS, by Resolution Nos. 95-217, 95-218, 95-219, 95-220, 95-221, and

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95-222 the Legislative Council approved the Chairman's nominations to the Farming Authority Management Board; and

WHEREAS, the Farming Authority Management Board has a quorum to conduct business in accordance with Section 11(E) of the Restated Plan of Operation; and

WHEREAS, the Agriculture Committee recommends that pursuant to Section 6(A)(9) of the Restated Plan of Operation, the Management Board make a formal written and oral report to the Legislative Council within 120 days of the effective date of this Resolution to present a full, complete and comprehensive operating budget for the entire Farming Authority for the ensuing fiscal year, to report on the progress of the implementation of the recommendations of Eide Helmeke & Co., to report on the status of retaining a full-time General Manager, and to report on the progress of the Management Board in the development of policies and procedures for the proper, efficient and profitable operation of the Nation's farms; and

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WHEREAS, the Agriculture Committee has discharged its responsibilities under Resolution Nos. 93-364, 93-392 and 93-462, to the satisfaction of the Legislative Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The appointment of the Agriculture Committee as the interim Farming Authority Board is hereby rescinded for the reason that the Agriculture Committee has completed the tasks assigned by the Legislative Council.**
- 2. The Management Board of the Farming Authority is hereby directed pursuant to section 6(A)(9) of the Restated Plan of Operation to present its formal written and oral report to the Legislative Council on or before the September 1995 General Session which shall include: (1) present a full, complete and comprehensive operating budget for the entire Farming Authority for the ensuing fiscal year; (2) the status of the**

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implementation of the recommendations of Eide Helmeke &
Co.; (3) the status of retaining a full-time General Manager;
and (4) the progress of the Management Board in the
development of policies and procedures for the proper, efficient
and profitable operation of the Nation's farms.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 5TH day of MAY, 1995 at a meeting at which a quorum was present with a vote of 1,639.0 FOR; -0- AGAINST; -0- NOT VOTING; and 124.0 [05] ABSENT, pursuant to the powers vested in the Council by Section 1(b), (d)(2), & (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Alex J. Ramon, Legislative Chairman

13th day of May, 1995

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ATTEST:

Frances Antone
Frances Antone, Legislative Secretary

12th day of May, 1995

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 12 day of May, 1995 at 4:45 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Alex J. Ramon
for **Alex J. Ramon, Legislative Chairman**

APPROVED

on the 12 day of May, 1995

DISAPPROVED

at 5:34 o'clock, P.M.

Sylvester Listo
**SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION**

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Returned to the Legislative Secretary on the 15th day of

May, 1995, at 9:43 o'clock, A.M.

Frances Antone

Frances Antone, Legislative Secretary

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ACTION: APPROVING AGRICULTURE COMMITTEE RECOMMENDATIONS FOR ADDRESSING ISSUES RELATED TO THE TOHONO O'ODHAM FARMING AUTHORITY BOARD

MOVED: COUNCILMAN KENNETH WILLIAMS

SECOND: COUNCILMAN WILLARD JUAN, SR.

DATE: MAY 5, 1995

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			X
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5	X			
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			
	2. DENNIS RAMON ()	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ()	115.0	X			
	2. EDWARD KISTO (Idella Stanley)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. VACANT	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ()	49.0	X			X
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ()	62.0				X
	2. MICHAEL FLORES (Fern Salcido)	62.0				X
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			
	2. LLOYD FRANCISCO ()	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO	89.0	X			
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,639.0	-0-	-0-	124.0 [05]

****PASSED VOTES**