

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Concurrence and Authorization Regarding Suspension and Termination of
Wayne Evans as General Manager of the Tohono O'odham Farming Authority,
and Referral of Certain Matters to the United States Attorney
for Criminal Investigation)**

RESOLUTION NO. 96-511

**WHEREAS, by Resolution 96-387, the Tohono O'odham Legislative Council
suspended the Restated Plan of Operation of the Tohono O'odham
Farming Authority ("TOFA") for a period of 180 days and authorized
the Chairman of the Nation to take various actions relating to the
operational and financial affairs of TOFA, including all necessary
steps to insure that the day-to-day farming operations continue
without interruption during such period; and**

**WHEREAS, it was the intention of Council in Resolution 96-387 to confer
authority to the Chairman to take any and all actions against the
TOFA General Manager or other employees or contractors necessary
to preserve and protect TOFA's assets and to assure proper operation
of TOFA during the period of suspension; and**

**WHEREAS, pursuant to such authority, on September 9, 1996 the Chairman
suspended Wayne Evans, as TOFA General Manager, without pay; and**

WHEREAS, on October 30, 1996 the Chairman of the Nation, other

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representatives of the Executive Office and the Attorney General met in closed session with the Legislative Council to report on the implementation of Resolution 96-387 and related legal issues; and

WHEREAS, the Chairman and Attorney General recommended the immediate termination of Wayne Evans as General Manager of TOFA; and

WHEREAS, the Chairman and Attorney General recommended the immediate referral of certain matters concerning TOFA operations to the United States Attorney for criminal investigation.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tohono O'odham Legislative Council concurs in the recommendation to immediately terminate Wayne Evans as General Manager of TOFA, and pursuant to the authority granted to the Chairman of the Nation in Resolution 96-387, the Chairman is directed to carry out such action by terminating the Management Agreement, dated as of August

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22, 1995, between Wayne Evans and TOFA by which Mr. Evans was engaged as General Manager.

2. The Legislative Council concurs in the recommendation to immediately refer certain matters concerning TOFA operations to the United States Attorney for criminal investigation, and directs the Chairman and Attorney General to make such referral.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 30TH day of OCTOBER, 1996 at a meeting at which a quorum was present with a vote 1,308.5 FOR; 160.0 AGAINST; 407.5 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Sections 1(b), 1(d)(1), 1(e) & 1(i)(1) and (2) and Article VII, Sections 2(c) and (d) 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



Dennis Ramon, Legislative Chairman

4th day of November, 1996

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ATTEST:



Frances Antone, Legislative Secretary

4th day of November, 1996

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 4th day of November, 1996 at 3:06 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



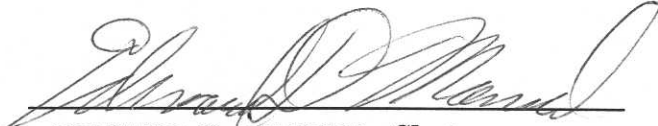
Dennis Ramon, Legislative Chairman

APPROVED

on the 5th day of November, 1996

DISAPPROVED

at 12:30 o'clock, P.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 5TH day of

November, 1996, at 2:20 o'clock, P.M.


Frances Antone, Legislative Secretary

ACTION: CONCURRENCE AND AUTHORIZATION REGARDING SUSPENSION AND TERMINATION OF WAYNE EVANS AS GENERAL MANAGER OF THE TOHONO O'ODHAM FARMING AUTHORITY, AND REFERRAL OF CERTAIN MATTERS TO THE UNITED STATES ATTORNEY FOR CRIMINAL INVESTIGATION

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILMAN JOHN RENO

DATE: OCTOBER 30, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOICES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0		X		
	2. RITA MARTINEZ (Maxine Norris)	80.0		X		
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0			X	X
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0			X	
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ()	58.5	X			X
	2. JOSEPH JUAN ()	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			
	2. ALEX J. RAMON (Marian Johnson)	93.5			X	
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ()	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5	X			
	2. JOHN RENO (Mary Hoffman)	52.5	X			
GU VO 134.0	1. GLORIA MONTANA ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	X			
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0	X			
	2. ALEX JOSE ()	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,308.5	160.0	407.5	[02]

****PASSED VOTES**