

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending and Supplementing Resolution 97-101 which Extended the
Authority of the Executive Branch to Manage all Activities of the Nation's
Farming Operations Until September 30, 1997)**

RESOLUTION NO. 97-109

**WHEREAS, by Resolution 96-387, the Tohono O'odham Legislative
Council suspended the Restated Plan of Operation ("Plan of
Operation") of the Tohono O'odham Farming Authority
("TOFA"); and**

**WHEREAS, Resolution 96-387 authorized the Chairman of the Nation to
assume all management functions of TOFA for a period of
180 days; and**

**WHEREAS, Resolution No 96-387 authorized the Chairman to conduct a
fraud audit, and the results of a preliminary audit were
reported to the Legislative Council; and**

**WHEREAS, as a result of the findings of the preliminary audit and
pursuant to Resolution 96-511, certain matters have been
referred to the United States Attorney for criminal
investigation; and**

**WHEREAS, the suspension of the Plan of Operation pursuant to
Resolution 96-387 terminated all members of the TOFA
Management Board, creating vacancies in all Board
positions; and**

WHEREAS, the Chairman, in consultation with the Agriculture

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Committee, is assessing amendments to the Plan of Operation to assure proper operation of TOFA in the future; and

WHEREAS, the Chairman requires additional time to (1) develop and implement management systems (such as, but not limited to, personnel, purchasing, accounting and inventory control) which will correct the systemic deficiencies noted in the preliminary audit; (2) propose amendments to the TOFA Plan of Operation for consideration by the Legislative Council; and (3) assess candidates and present for Council approval nominations to fill the vacancies on the TOFA Management Board; and

WHEREAS, the Agriculture Committee has reviewed in detail the work done by the Chairman during the initial period of 180 days; the Committee recommends that the Chairman continue to manage TOFA through the end of this fiscal year; and the Committee recommends the Chairman present to the Legislative Council his nominations for TOFA Board positions and any proposed amendments to the TOFA Plan of Operation by September 30, 1997.

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NOW, THEREFORE, BE IT RESOLVED THAT:

1. Resolution 97-101 is amended to read:

(a) The repeal of the Restated Plan of Operation of the Tohono O'odham Farming Authority is rescinded retroactive to the effective date of Resolution 97-101.

(b) The suspension of the Restated Plan of Operation of the Tohono O'odham Farming Authority pursuant to Resolution 96-387 is hereby continued and extended from the expiration date of the suspension period prescribed in Resolution 96-387 through September 30, 1997.

(c) The authority granted to the Chairman pursuant to Resolutions 96-387, 96-511 and 97-101 to manage all activities associated with the operation of the Tohono O'odham Farming Authority is hereby continued and extended from the expiration date of the 180-day period prescribed in Resolution 96-387 through September 30, 1997.

2. The Legislative Council concurs in the Chairman's projected deadline of September 30, 1997 for

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presentation of (a) proposed amendments to the Restated Plan of Operation of the Tohono O'odham Farming Authority and (b) nominations for each position on the Farming Authority's Management Board.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 8TH. day of APRIL, 1997 at a meeting at which a quorum was present with a vote of 1,215.0 FOR; 160.0 AGAINST; 187.0 NOT VOTING; and 314.0 [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(b), (d), (e) & (i) and Article VII, Section 2(c) & (d) 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

10th day of April, 1997

ATTEST:



Frances G. Antone, Legislative Secretary

10th day of April, 1997.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10th day of April, 1997 at 8:59 o'clock, A.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.

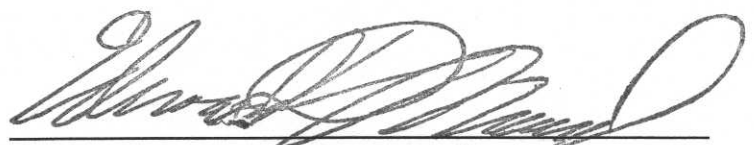
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

APPROVED on the 14th day of April, 1997

DISAPPROVED at 8:45 o'clock, A.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14th day of April, 1997, at 8:53 o'clock, A.M.



Frances G. Antone, Legislative Secretary

ACTION: AMENDING AND SUPPLEMENTING RESOLUTION 97-101 WHICH EXTENDED THE AUTHORITY OF THE EXECUTIVE BRANCH TO MANAGE ALL ACTIVITIES OF THE NATION'S FARMING OPERATIONS UNTIL SEPTEMBER 30, 1997

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILMAN TONY BURRELL

DATE: APRIL 08, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	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
	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 ()	128.5	X			
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5			X	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			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	1,215.0	160.0	187.0	314.0 [05]

**PASSED VOTES