

WINNEMUCCA INDIAN COLONY

Council:
Judy Rojo
Shannon Evans
Merlene Magiera
Katherine Hasbrouck
Misty Morning Dawn Rojo-Alvarez

RESOLUTION NUMBER: 2020-03-008

**RESOLUTION OF THE COLONY COUNCIL OF
THE WINNEMUCCA INDIAN COLONY
WINNEMUCCA, NEVADA**

WHEREAS; the Winnemucca Indian Colony Council, governing body of the Winnemucca Indian Colony, is the only lawful government of the Winnemucca Indian Colony and is recognized as the government of the Winnemucca Indian Colony by the Federal Court and the United States of America; and

WHEREAS; the Council of the Winnemucca Indian Colony is organized pursuant to the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) (25 USC 476), as amended, to provide for certain rights of home rule and responsible for the general welfare of its membership; and

WHEREAS; the Council is empowered in Article VI, Power of the Council; Section 1, The Winnemucca Indian Colony Council shall exercise the following powers, subject to any limitations imposed by the laws or Constitution of the United States; (h) To enact ordinances to protect the health, welfare, and property of the members of the Colony and for other purposes considered in the best interest of the Colony; and is duly empowered as a sovereign Indian Colony to govern the Colony;

WHEREAS; the Bureau of Indian Affairs has been the only police force and enforcement agency on the Colony and has failed and refused for the last thirty years to remove non-members, persons conducting criminal enterprise, persons engaging in violence, persons who are actively distributing or using illegal drugs and persons who have engaged in unsanitary practices, including but not limited to depositing solid, hazardous and infectious waste upon the lands of the Winnemucca Indian Colony;

WHEREAS; the Council of the Winnemucca Indian Colony has received recent reports from residents of violence being perpetrated against elder residents of the Colony, use of illicit drugs and distribution of illicit drugs by persons on the Colony, and the recent reports from a contractor that human waste was being deposited on the ground in quantity as to affect the health and safety of the children and other residents of the Colony; and,

WHEREAS; economic development is about to open for business on other Colony lands and the Council is encouraging economic development for the twenty acre parcel and has been informed that no economic development can take place to better the lives and habitation of the residents while this violence, unsanitary practices and drug use continues on the twenty acre parcel; and

WHEREAS; the Council of the Winnemucca Indian Colony recognizes and acknowledges that a pandemic is presently threatening the health and safety of all Americans, including those residing upon the Colony lands and that unsafe and unhealthy conditions give rise to a greater threat during a pandemic when persons are restricted to home.

NOW, THEREFORE, BE IT RESOLVED; that the Winnemucca Indian Colony Council declares that an emergency exists threatening the health and safety of the residents and members of the Winnemucca Indian Colony as outlined above, and effective immediately closes the 20-acre parcel to the public and all visitors for a period of 120 days enacted of this Resolution; and

FURTHER, BE IT RESOLVED, that the Winnemucca Indian Colony appoints a Task Force to investigate and make recommendations as soon as can possible be accomplished to identify the following:

- Factors causing the crisis on the Winnemucca Indian Colony;
- Specific resources needed to address the crisis;
- Recommendations on how to clear the Colony of perpetrators of the crisis;
- Measurable goals (including timeframes) for the Colony to work toward and gauge its progress in addressing the health and safety issues on the reservation; and

FURTHER, BE IT RESOLVED, that the following persons shall serve on the Task Force for the next six months:

Two Council members:

One member of the Western Shoshone Nation:

One person from Indian Health Services:

One person from Bureau of Indian Affairs, either Western Nevada Agency or Western Region:

One person from Bureau of Indian Affairs Office of Justice Services:


One Resident on the Colony:

FURTHER, BE IT RESOLVED; that the Colony shall be posted with notices to all residents restricting outside persons from entering the Colony and the roads and entries shall be physically restricted to prohibit access and to clear the street and to begin the rehabilitation of the infrastructure of the twenty acres.

CERTIFICATION

It is hereby certified that the foregoing Resolution of the Business Council of the Winnemucca Indian Colony, governing body of the Winnemucca Indian Colony, composed of five (5) members of whom 3 constituting a quorum, were present at a Special Meeting held on the 25th day of March, 2020, was adopted by the affirmative vote of 4 for; 0 opposed; and 0 abstentions, pursuant to the authority contained in the Constitution and By-Laws of the Winnemucca Indian Colony and contained herein as of the date of passage by a majority of the Council.

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Judy Rojo, Chairwoman
Winnemucca Indian Colony