

01-29-14 11:54 AM
Deanna Francis

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7 IN THE TRIBAL COURT OF THE NOOKSACK TRIBE OF INDIANS FOR THE
8 NOOKSACK INDIAN TRIBE

9 *ADAMS, et al.,*

Plaintiffs,

Case No. 2014-CI-CL- 006

10 v.

11 *KELLY, et al.,*

12 Defendants.

13 DECLARATION OF CHAIRMAN,
14 ROBERT KELLY, JR.

COPY

15 I, ROBERT KELLY, JR., declare under penalty of perjury under the laws of the Nooksack
16 Indian Tribe and the State of Washington that the following is true and correct to the best of my
17 knowledge:

- 18
- 19 1. I am over the age of eighteen (18), competent to testify about the matters stated herein,
20 and make this declaration of my personal knowledge.
 - 21 2. I am a member of the Nooksack Indian Tribe and I am currently the Chairman of the
22 Nooksack Tribal Council ("Council"). I have served as Chairman since 2010.
- 23

24 DECLARATION OF CHAIRMAN,
25 ROBERT KELLY, JR.

-- Page 1 of 6

Nooksack Indian Tribe
Office of Tribal Attorney
P.O. Box 63
5047 Mt. Baker Hwy.
Deming, WA 98244
Tel. (360) 592-4158
Fax (360) 592-2227

1 3. I am a named Defendant in this case and I have received all of the pleadings submitted to
2 the Nooksack Tribal Court to date. I have reviewed those pleadings, including the
3 declaration of Michelle Roberts.

4 4. I am responsible for calling meetings of the Tribal Council.

5 a. In the past, I have notified councilmembers of special meetings with notice of at
6 least twenty-four hours, usually by email. Typically, I use the group email for the
7 Council created by our I.T. Department to send the email notice - that email
8 address is CouncilMembers@nooksack-nsn.gov and includes the individual
9 names of all councilpersons.

10 b. Meetings are typically intended as a regular meeting as set forth in the
11 Constitution, although tribal needs necessitated special meetings more often than
12 once a month. When I inform councilmembers of a special meeting, I am specific
13 as to the time of the meeting, the date of the meeting, and where the meeting will
14 be held. If the meeting is not held by teleconference, it is intended as an in-person
15 meeting and personal attendance is required.

16 c. During the past year, Council identified public safety concerns that made
17 teleconferencing, rather than in-person meetings, necessary. If I call a
18 teleconferencing meeting, I will specifically notify the councilmembers that it is a
19 teleconference meeting, furnish the call-in number, and furnish the pincode to
20 access the meeting.

21 5. On or about 3:13 p.m. on January 16, 2014, I sent an email to
22 CouncilMembers@nooksack-nsn.gov notifying all councilpersons of an in-person
23

24 DECLARATION OF CHAIRMAN,
25 ROBERT KELLY, JR.

- Page 2 of 6

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1 special Council meeting to be held at the Chairman's office and set for the following day
2 (January 17, 2014) at 3:15 p.m. A copy of that notice is attached hereto as Exhibit A.

3 a. Approximately ninety (90) minutes prior to the meeting, I received an email from
4 Mr. St. Germain requesting an access code to a teleconference number when the
5 meeting was held in-person. A copy of that email is attached hereto as Exhibit B.

6 b. Shortly before the meeting, I also received an email from Ms. Roberts indicating
7 she would not personally appear for the Council meeting either. A copy of that
8 email is attached hereto as Exhibit C.

9 c. At approximately 3:15 p.m. on January 17, 2014, I arrived at my office for the
10 Council meeting.

11 d. At no time prior to the meeting did I notify councilmembers that the meeting was
12 cancelled, postponed, moved to a different location, or to be held telephonically.

13 e. All then-councilmembers were present with the exceptions of Rudy St. Germain
14 and Michelle Roberts.

15 f. The meeting concerned the youth basketball tournament with Steve Brown.

16 6. At approximately 3:04 p.m. on January 17, 2014, I sent an email to
17 CouncilMembers@nooksack-nsn.gov notifying councilmembers of an in-person special
18 meeting to be held at the Chairman's office that was set for the following day (January
19 18, 2014) at 3:15 p.m. A copy of that notice is attached hereto as Exhibit D.

20 a. Again, approximately ninety (90) minutes prior to the meeting, Mr. St. Germain
21 informed me via email that he would not be available for the meeting due a claim
22 of a family emergency. A copy of that email is attached hereto as Exhibit E.

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25 DECLARATION OF CHAIRMAN,
ROBERT KELLY, JR.

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- 1 b. Shortly before the meeting commenced, at approximately 2:23 p.m., I received an
2 email from Ms. Roberts informing me that she would not be present at the
3 meeting. A copy of that email is attached hereto as Exhibit F.
- 4 c. At approximately 3:15 p.m. on January 18, 2014, I arrived at my office for the
5 Council meeting.
- 6 d. At no time prior to the meeting did I notify councilpersons that the meeting was
7 cancelled, postponed, moved to a different location, or to be held telephonically.
- 8 e. All then-councilmembers were present with the exceptions of Rudy St. Germain
9 and Michelle Roberts.
- 10 f. The meeting lasted for several hours and consisted of a number of topics of tribal
11 concern including discussion on budgets for the canoe journey and the need for
12 additional tribal cemetery space.
- 13 7. At approximately 12:30 p.m. on January 19, 2014, I received another email from Ms.
14 Roberts. A copy of that email is attached hereto as Exhibit G.
- 15 8. On or about 10:35 a.m. on January 19, 2014, I sent an email to
16 CouncilMembers@nooksack-nsn.gov notifying councilpersons of an in person special
17 meeting to be held at the Chairman's office and was set for the following day (January
18 20, 2014) at 10:40 a.m.. A copy of that notice is attached hereto as Exhibit H.
- 19 a. Again, approximately ninety (90) minutes prior to the meeting, Mr. St. Germain
20 informed me that he would not be available for the meeting due a claim of a
21 family emergency. A copy of that email is attached hereto as Exhibit I.
- 22 b. At approximately 10:40 a.m. on January 18, 2014, I arrived at my office for the
23 Council meeting.

24 DECLARATION OF CHAIRMAN,
25 ROBERT KELLY, JR.

– Page 4 of 6

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Tel. (360) 592-4158
Fax (360) 592-2227

- 1 c. At no time prior to the meeting did I notify councilmembers that the meeting was
2 cancelled, postponed, moved to a different location, or to be held telephonically.
- 3 d. All then-councilmembers were present with the exceptions of Rudy St. Germain
4 and Michelle Roberts. This was the third consecutive meeting at which they were
5 not present.
- 6 e. Following the commencement of the meeting, I received an email from Ms.
7 Roberts. A copy of that email is attached hereto as Exhibit J.
- 8 f. During this meeting, the Council discussed that Mr. St. Germain and Ms. Roberts
9 failed to appear for a meeting for a third consecutive time.
- 10 i. The Council considered the notices of meetings sent from the Chairman to
11 Ms. Roberts and Ms. St. Germain as well as emails sent from Mr. St.
12 Germain and Ms. Roberts to the Chairman and found the stated reason(s)
13 for Ms. Roberts' and Mr. St. Germain's absences were insufficient.
- 14 ii. Given that Mr. St. Germain and Ms. Roberts each missed three (3)
15 consecutive meetings without sufficient cause, the Council considered,
16 and took action to remove the then-seated councilmembers. A copy of
17 Resolutions Nos. 14-03 and 14-04 is attached hereto as Exhibit K and L.
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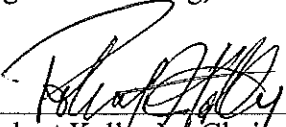
24 DECLARATION OF CHAIRMAN,
25 ROBERT KELLY, JR.

– Page 5 of 6

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Office of Tribal Attorney
P.O. Box 63
5047 Mt. Baker Hwy.
Deming, WA 98244
Tel. (360) 592-4158
Fax (360) 592-2227

1 I declare under the penalty of perjury, under the laws of Nooksack Indian Tribe, that the
2 foregoing is true and correct.

3 Signed at Deming, Washington on January 29, 2014.

4 
5 _____
6 Robert Kelly, Jr., Chairman
7 Nooksack Indian Tribe
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24 DECLARATION OF CHAIRMAN,
25 ROBERT KELLY, JR.

- Page 6 of 6

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Deming, WA 98244
Tel. (360) 592-4158
Fax (360) 592-2227

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 27, 2014 11:00 AM
To: Rickie W. Armstrong
Subject: Fwd: Council meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: <BKelly@nooksack-nsn.gov>
Subject: Council meeting
Date: January 16, 2014 at 3:13:40 PM PST
To: CouncilMembers <councilmembers@nooksack-nsn.gov>

I'm calling a council meeting for tomorrow at 3:15 tomorrow January 17th at the chairman's office.

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Solomon
Sent: Monday, January 20, 2014 12:46 PM
To: Rickie W. Armstrong
Subject: Fwd: Council meeting

Bob Solomon
360-305-0343

Begin forwarded message:

From: Rudy ST Germain <RSTGERMAIN@nooksack-nsn.gov>
Date: January 17, 2014 at 1:50:45 PM PST
To: Bob Kelly <BKelly@nooksack-nsn.gov>
Cc: CouncilMembers <CouncilMembers@nooksack-nsn.gov>
Subject: Re: Council meeting

Bob,

I will be available by phone only can you please give me an access code so I can call in for the meeting?

Thank you
Rudy StGermain
Nooksack Tribal Secretary

Sent from my iPhone

On Jan 16, 2014, at 3:13 PM, "Bob Kelly" <BKelly@nooksack-nsn.gov> wrote:

I'm calling a council meeting for tomorrow at 3:15 tomorrow January 17th at the chairman's office.

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

From: Bob Kelly
Sent: Friday, January 17, 2014 3:05 PM
To: CouncilMembers
Subject: Council meeting

Councilmembers,

I am calling a meeting for tomorrow January 18th at 3:15 at the Chairman's office.

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 27, 2014 11:00 AM
To: Rickie W. Armstrong
Subject: Fwd: Council meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: Bob Kelly Jr. <bkelly@nooksack-nsn.gov>
Subject: Council meeting
Date: January 17, 2014 at 3:04:50 PM PST
To: CouncilMembers <councilmembers@nooksack-nsn.gov>

Councilmembers,

I am calling a meeting for tomorrow January 18th at 3:15 at the Chairman's office.

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Solomon
Sent: Monday, January 20, 2014 12:47 PM
To: Grett Hurley; Rickie W. Armstrong
Subject: Fwd: Council meeting

Bob Solomon
360-305-0343

Begin forwarded message:

From: Rudy ST Germain <RSTGERMAIN@nooksack-nsn.gov>
Date: January 18, 2014 at 12:53:23 PM PST
To: Bob Kelly <BKelly@nooksack-nsn.gov>
Cc: CouncilMembers <CouncilMembers@nooksack-nsn.gov>
Subject: **Re: Council meeting**

Bob,

I have a family emergency to attend and will not be available for the meeting today at 3:15. I will be available through email.

Rudy St Germain
Nooksack Tribal Secretary

Sent from my iPhone

On Jan 17, 2014, at 3:04 PM, "Bob Kelly" <BKelly@nooksack-nsn.gov> wrote:

Councilmembers,

I am calling a meeting for tomorrow January 18th at 3:15 at the Chairman's office.

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Charity Bernard on behalf of Bob Kelly
Sent: Monday, January 27, 2014 2:22 PM
To: Rickie W. Armstrong
Subject: FW: Delivery

-----Original Message-----

From: Michelle Roberts
Sent: Saturday, January 18, 2014 2:23 PM
To: Bob Kelly
Subject: Delivery

Bob, there has been Tribal police trying to deliver something to my house from the tribe, and have been there several times at all hours of the day and night. Why do you have them knocking at my door at ten at night? What is so urgent that you would have them basically harassing my family. I called Rory after the first time they stopped by and told him I would let him know when I was back in town to arrange for them to come over.

With your spontaneous call of council meetings at the Chairmanship office, I am feeling uncomfortable being there with all the hate going on right now and the unprofessional on how terminations have been carried out and other actions this council has taken to hurt my family. I still have not received an agenda and I noticed that things have been approved by council that have been posted on the communications page so it is obvious that you have been conducting meetings without Rudy or me.

I will be AVAILABLE for this afternoons meeting by teleconference, please provide me with an access code or I will just call into the chairmans office. I am assuming this is an open meeting.

Thank you
Michelle Roberts
Council Member

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 20, 2014 12:29 PM
To: Grett Hurley; Rickie W. Armstrong
Subject: Fwd: Council Meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: Michelle Roberts <mroberts@nooksack-nsn.gov>
Date: January 19, 2014 at 12:26:17 PM PST
To: Bob Kelly <BKelly@nooksack-nsn.gov>
Cc: CouncilMembers <CouncilMembers@nooksack-nsn.gov>
Subject: Re: Council Meeting

What is the reason why the other two meetings did not take place? I called into the chairmans office yesterday because I did not get a response from you that it was canceled, also the same as the meeting that was scheduled on Friday. If the meetings are going to be canceled I would appreciate a courtesy message of the cancelation and the reason why. I have made myself available on both occasions just to be ignored. Also, please provide the agenda for this meeting.

Michelle Roberts

On Jan 19, 2014, at 10:35 AM, "Bob Kelly" <BKelly@nooksack-nsn.gov> wrote:

Councilmembers,

I am calling a meeting for tomorrow January 20, 2014 at 10:40 am in the Chairman's office.

GO SEAHAWKS!!!!!!

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157

Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 27, 2014 11:00 AM
To: Rickie W. Armstrong
Subject: Fwd: Council Meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: Bob Kelly Jr. <bkelly@nooksack-nsn.gov>
Subject: Council Meeting
Date: January 19, 2014 at 10:35:52 AM PST
To: CouncilMembers <CouncilMembers@nooksack-nsn.gov>

Councilmembers,

I am calling a meeting for tomorrow January 20, 2014 at 10:40 am in the Chairman's office.

GO SEAHAWKS!!!!!!

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506

bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 20, 2014 12:28 PM
To: Grett Hurley; Rickie W. Armstrong
Subject: Fwd: Council Meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: Rudy ST Germain <RSTGERMAIN@nooksack-nsn.gov>
Date: January 20, 2014 at 8:19:32 AM PST
To: Bob Kelly <BKelly@nooksack-nsn.gov>
Cc: CouncilMembers <CouncilMembers@nooksack-nsn.gov>
Subject: Re: Council Meeting

I am still out of town on family emergency I will be back in town Tuesday morning. I will be available through via teleconference today I will need to get access code to call in.

Sent from my iPhone

On Jan 19, 2014, at 10:35 AM, "Bob Kelly" <BKelly@nooksack-nsn.gov> wrote:

Councilmembers,

I am calling a meeting for tomorrow January 20, 2014 at 10:40 am in the Chairman's office.

GO SEAHAWKS!!!!!!

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506

bkelly@nooksack-nsn.gov

Rickie W. Armstrong

From: Bob Kelly
Sent: Monday, January 20, 2014 12:28 PM
To: Rickie W. Armstrong; Grett Hurley
Subject: Fwd: Council Meeting

Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244
Office: (360) 592-5164 Cell: (360) 739-4055
Fax: (360) 592-4506
bkelly@nooksack-nsn.gov

Begin forwarded message:

From: Michelle Roberts <mroberts@nooksack-nsn.gov>
Date: January 20, 2014 at 10:47:53 AM PST
To: Bob Kelly <BKelly@nooksack-nsn.gov>
Cc: CouncilMembers <CouncilMembers@nooksack-nsn.gov>
Subject: Re: Council Meeting

I called I to the council office at 1040 and asked to join the meeting. The message given was you were in session already why would you prevent me from attending when you have allowed Abby and others to walk in late. You have set the precedence of teleconference this year so why are you disallowing it now.

Michelle Roberts

On Jan 19, 2014, at 10:35 AM, "Bob Kelly" <BKelly@nooksack-nsn.gov> wrote:

Councilmembers,

I am calling a meeting for tomorrow January 20, 2014 at 10:40 am in the Chairman's office.

GO SEAHAWKS!!!!!!

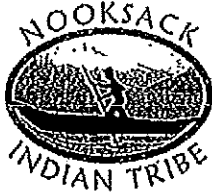
Bob Kelly Jr.
Chairman
Nooksack Indian Tribe
4979 Mt. Baker Highway
PO Box 157
Deming, WA 98244

Office: (360) 592-5164 Cell: (360) 739-4055

Fax: (360) 592-4506

bkelly@nooksack-nsn.gov

EXHIBIT K



NOOKSACK TRIBAL COUNCIL

4979 Mt. Baker Hwy, Suite G.
PO Box 157
Deming, WA 98244

RESOLUTION #14-03
January 20, 2014

**TITLE: REMOVAL FROM TRIBAL COUNCIL OFFICE (POSITION: SECRETARY)
PURSUANT TO ARTICLE V, § 1 - RUDY ST. GERMAIN**

WHEREAS, the Nooksack Tribal Council is the governing body of the Nooksack Tribe of Indians, a recognized tribe under the Treaty of 1855, in accordance with its Constitution and By-Laws approved by the Deputy Assistant Secretary of Indian Affairs on September 24, 1973, as amended, and in accordance with the Indian Reorganization Act of June 18, 1934; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the Nooksack Indian Tribe; and

WHEREAS, the Council met on January 17, 2014, January 18, 2014, and January 20, 2014 for a Special Tribal Council meeting at the Tribal Council Chairman's Office at a date, time, and place set forth in a written notice provided by the Chairman at least twenty-four (24) hours prior to each individual meeting; and

WHEREAS, on each scheduled Tribal Council meeting, Councilmember Secretary Rudy St. Germain failed to attend each of the three scheduled meetings (1/17/14; 1/18/14; 1/20/14) and was declared absent; and

WHEREAS, Tribal Council considered Mr. Rudy St. Germain's reasons for not attending each of the three (3) consecutive meetings, which Mr. Rudy St. Germain sent via email, and found that Mr. Rudy St. Germain was absent without sufficient reason for three (3) consecutive special meetings; and

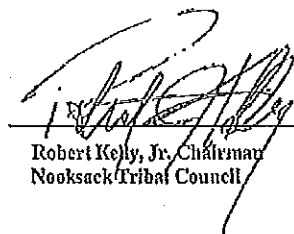
NOW THEREFORE BE IT RESOLVED, declares the position of Tribal Council Secretary to be vacant in accordance with Article V, Section I of the Constitution and Bylaws of the Nooksack Indian Tribe; and

BE IT FURTHER RESOLVED, that the Chairman (or Vice-Chairman in his/her absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Vice Chairman (or other councilperson in his/her absence) are authorized and directed to execute the following certification.

CERTIFICATION

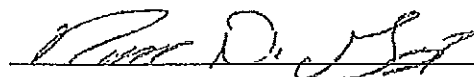
I, the undersigned do hereby certify that the Nooksack Tribal Council is composed of eight (8) members, of which 6 were present, constituting a quorum of a duly called meeting thereof held on this 20 day of January 2014, and that the above Resolution #14-03 **REMOVAL FROM TRIBAL COUNCIL OFFICE (POSITION: SECRETARY) PURSUANT TO ARTICLE V, § 1 – RUDY ST. GERMAIN** was duly enacted by the Council Members vote of: 5 FOR, 0 OPPOSED, and 0 ABSTENTIONS, and since its approval this resolution has not been altered, rescinded, or amended in any way.

Dated this 20th day of January 2014.

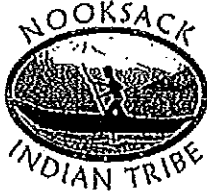


Robert Kelly, Jr., Chairman
Nooksack Tribal Council

ATTEST:



Rick D. George, Vice Chairman
Nooksack Tribal Council



NOOKSACK TRIBAL COUNCIL

4979 Mt. Baker Hwy, Sulte G,
PO Box 157
Deming, WA 98244

RESOLUTION #14-04
January 20, 2014

**TITLE: REMOVAL FROM TRIBAL COUNCIL OFFICE (POSITION C) PURSUANT
TO ARTICLE V, § 1 – MICHELLE ROBERTS**

WHEREAS, the Nooksack Tribal Council is the governing body of the Nooksack Tribe of Indians, a recognized tribe under the Treaty of 1855, in accordance with its Constitution and By-Laws approved by the Deputy Assistant Secretary of Indian Affairs on September 24, 1973, as amended, and in accordance with the Indian Reorganization Act of June 18, 1934; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the Nooksack Indian Tribe; and

WHEREAS, the Council met on January 17, 2014, January 18, 2014, and January 20, 2014 for a Special Tribal Council meeting at the Tribal Council Chairman's Office at a date, time, and place set forth in a written notice provided by the Chairman at least twenty-four (24) hours prior to each individual meeting; and

WHEREAS, on each scheduled Tribal Council meeting, Councilmember Michelle Roberts failed to attend each of the three schedule meetings (1/17/14; 1/18/14; 1/20/14) and was declared absent; and

WHEREAS, Tribal Council considered Ms. Roberts' reasons for not attending each of the three (3) consecutive meetings, which Ms. Roberts' sent via email, and found that Ms. Roberts was absent without sufficient reason for three (3) consecutive special meetings; and

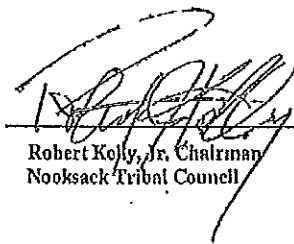
NOW THEREFORE BE IT RESOLVED, declares Position C of Tribal Council to be vacant in accordance with Article V, Section 1 of the Constitution and Bylaws of the Nooksack Indian Tribe; and

BE IT FURTHER RESOLVED, that the Chairman (or Vice-Chairman in his/her absence) is hereby authorized and directed to execute this resolution and any documents connected here within, and the Vice Chairman (or other councilperson in his/her absence) are authorized and directed to execute the following certification.

CERTIFICATION

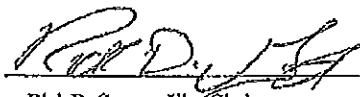
I, the undersigned do hereby certify that the Nooksack Tribal Council is composed of eight (8) members, of which 6 were present, constituting a quorum of a duly called meeting thereof held on this 20 day of January 2014, and that the above Resolution #14-04 **REMOVAL FROM TRIBAL COUNCIL OFFICE (POSITION C) PURSUANT TO ARTICLE V, § 1 – MICHELLE ROBERTS** was duly enacted by the Council Members vote of: 5 FOR, 0 OPPOSED, and 0 ABSTENTIONS, and since its approval this resolution has not been altered, rescinded, or amended in any way.

Dated this 20th day of January 2014.



Robert Kolly, Jr. Chairman
Nooksack Tribal Council

ATTEST:



Rick D. George, Vice Chairman
Nooksack Tribal Council