

ORDINANCE NO. 18

HUALAPAI TRIBAL COUNCIL

WHEREAS; the tribal members of the Hualapai Reservation desire to make better use of their range resources through proper livestock management; and

WHEREAS, it is the desire of the Hualapai Tribal Council to manage the tribal resources in cooperation with the Department of the Interior as provided in 25 CFR 151.3 and made a part of this Ordinance:

151.3 Objectives. It is the purpose of the regulations in this part to aid the Indians in the achievement of the following objectives:

- (a) The preservation through proper grazing practices of the forest, forage, land, and water resources on the Indian reservations, and the building up of these resources where they have deteriorated.
- (b) The utilization of these resources for the purpose of giving the Indians an opportunity to earn a living through the grazing of their own livestock.
- (c) The granting of grazing privileges in a manner which will yield the highest return consistent with undiminished future use; and

WHEREAS, the Council, aware of the responsibilities placed upon it by the people of the reservation, does hereby declare its position to be that the rangelands of the reservation belong to the tribe as a whole and are not subject to appropriation or use by any individual or individuals without the formal consent and approval of the Tribal Council.

NOW, THEREFORE, BE IT ENACTED by the Council of the Hualapai Tribe that the Articles of Association and Bylaws as follows will govern the activities of the COYOTE SPRINGS LIVESTOCK ASSOCIATION.

ARTICLES OF ASSOCIATION

COYOTE SPRINGS LIVESTOCK ASSOCIATION

We, the undersigned Hualapai Indians, all of whom own cattle, do hereby voluntarily associate together with \$ _____ cash as capital stock for the purpose of forming a cooperative livestock association. The association is formed to operate on a cooperative basis for the mutual benefit of its members.

ARTICLE I

The name of the Association shall be COYOTE SPRINGS LIVESTOCK ASSOCIATION.

ARTICLE II

The nature of the business of the Association and the objectives and purposes for which this association is formed are:

1. To promote and protect the interests of the Indian livestock industry among the members of the Coyote Springs Livestock Association.
2. To promote sound livestock management and range management upon the land used by the Coyote Springs Livestock Association members.
3. To obtain grazing rights or grazing privileges for the members of the Coyote Springs Livestock Association.
4. To cooperate and enter into agreements upon approval of Tribal Council, with Federal, State, County, local agencies, and other livestock associations on the Hualapai Reservation in promoting interests of the livestock industry, establishing proper use and increased production of range lands, and to further the welfare of the members of the Coyote Springs Livestock Association.
5. To cooperate with other livestock associations on the Hualapai Reservation in the buying and selling of materials, equipment, supplies and livestock as may be to the best interest of the members of the Coyote Springs Livestock Association.
6. To hire and contract labor as may be required in carrying out the objectives of the Association.
7. To have and exercise all powers, privileges and rights incidental to carrying out the purposes for which this Association is formed and as the bylaws may prescribe.
8. To obtain the highest possible prices for all livestock products sold by having definite sales dates and selling all livestock and livestock products in cooperation with other Hualapai Livestock Associations.
9. To perform any other function not specifically enumerated which would promote benefit to the livestock owners in this Association.

ARTICLE III

The accounts and records for this Association will be held at the Truxton Canon Subagency and remain until such time as the members and officers of the Association determine that they can make arrangements for a commercial depository.

ARTICLE IV

The business activities of the Association shall be conducted by a three-member Board of Directors in accordance with the Articles of Association and Bylaws. The Board of Directors shall consist of a President, Vice-President and Secretary.

ARTICLE V

Candidates will be selected from the floor at the regular annual meeting for the election of directors.

ARTICLE VI

The Board of Directors shall be elected by members of the Coyote Springs Livestock Association.

ARTICLE VII

- Section 1. Amendment of the Articles of Association and/or Bylaws shall be made by referendum and shall be subject to the approval of the Hualapai Council.
- Section 2. A majority vote of the members present at any duly authorized membership meeting of the Association may amend the Articles of Association and/or Bylaws by written ballot.
- Section 3. Each member 18 years of age and older of the Coyote Springs Livestock Association shall be entitled to one vote in voting to amend the Articles of Association and/or Bylaws or in any duly authorized meeting.
- Section 4. These Articles of Association and Bylaws shall be effective upon the date that they are approved by the Hualapai Tribal Council.
- Section 5. The activities of this Association shall be subject to ordinances of the Hualapai Council pursuant to its constitution and bylaws which have been ratified under the Indian Reorganization Act of June 18, 1934.

ARTICLE VIII

The members of the Coyote Springs Livestock Association shall adopt such Bylaws may be necessary to carry out the purposes of the Articles of Association.

BYLAWS

ARTICLE I

The purpose for which this Association is formed are those set forth in the Articles of Association.

ARTICLE II

Membership

- Section 1. Any enrolled member of the Hualapai Tribe shall be eligible to become a member of the Coyote Springs Livestock Association with the approval of the Board of Directors. Also, those members will receive permits approved by the Hualapai Tribal Council under Range Ordinance No. 2 Amended.
- Section 2. New membership shall be confined to enrolled Hualapai Tribal members upon reaching the age of 18 with the consent of the Board of Directors.
- Section 3. A member of this livestock association will not be eligible for transfer to another association without the consent of the Board of Directors of the associations concerned.
- Section 4. Removal of Members: Individuals shall be removed from membership immediately when found guilty in the Hualapai Tribal Court of infraction of the Articles of Association or Bylaws of the Association, or for non-payment of dues or assessments. The individuals' cattle shall be rounded up at his expense and caused to be sold by the Board of Directors in the same manner as provided in Article XIII of Ordinance No. 2 Amended.
- Section 5. Meetings: Any duly authorized meeting shall be any meeting where a notice in writing is mailed 5 days in advance by order of the Board of Directors. The Secretary of this livestock association shall act as secretary at all meetings unless otherwise directed by the Board of Directors.
- Section 6. Quorum: Those present at any duly authorized meeting of the members of the Coyote Springs Livestock Association shall constitute a quorum for all purposes.
- Section 7. Voting: At each meeting of the members every member shall be entitled to one vote. Voting shall be by ballot.
- Section 8. Amendments: These bylaws may be amended by resolution subject to the approval of the Hualapai Tribal Council.

ARTICLE III

Board of Directors

- Section 1. Number, powers, term of office and quorum:

- a. The business and property of the Coyote Springs Livestock Association shall be managed and controlled by a board of three directors.
- b. The directors shall have authority to conduct the affairs of the Association and to expend association funds in the transaction of association business.
- c. A general meeting of directors shall be held on the second Saturday of January of each year. At every other meeting a President, Vice-President, and Secretary-Treasurer shall be elected for a two-year term, and such officers will be eligible for re-election.
- d. A majority of the Board of Directors shall constitute a quorum for the transaction of business, but if at any meeting of the Board there be less than a quorum present those present may adjourn the meeting from time to time.

Section 2. Vacancies: When a vacancy exists in the Board of Directors, the remaining members of the Board shall appoint a replacement to serve until the next regularly scheduled election.

ARTICLE IV

Section 1. Duties of the Board of Directors: The Board of Directors shall be responsible for the management and supervision of the Association and perform the following:

- a. Meet upon the request of the President. All members of the Board must be notified.
- b. Call meetings of the members of the Association when deemed advisable or when requested by a petition of 33-1/3 percent of the livestock association members.
- c. Prepare an annual budget on the calendar year basis for the operation of the Association.
- d. Cause an annual inventory of each member's livestock as well as Association-owned property.
- e. Cause an annual audit to be made.
- f. Conduct sales as prescribed in Article II, Section 8 of the Articles incorporating this Association.
- g. Cause all livestock to be branded with the brand of its owner.
- h. Carry industrial compensation in accordance with State laws.
- i. Assist appropriate government agencies in the preparation and execution of the range and livestock management plan.
- j. Cooperate with the tribal council and government agencies in the conservation of natural resources.
- k. Levy assessments sufficient to conduct the affairs of the Association.
- l. Obtain insurance on such equipment and property as is deemed advisable.
- m. Take appropriate action on any matter which is in the interest of the Association.
- n. Shall obtain a recorded brand with the Arizona State Livestock Commission in the name of the Association and brand all mavericks accordingly. These cattle will be sold at the discretion of the Board of Directors and the money deposited to the Association account.
- o. Procure all the bulls that are to be used on Association range.

- p. Conduct the business of the Association in accordance with the tribal ordinances.
- q. Assist their members in recording their brands with the Arizona Livestock Commission.
- r. Shall hire sufficient help when necessary to carry out the provisions of the range and livestock management plans. Compensation for this help shall be set by the Board of Directors.
- s. Shall maintain a current list of membership.
- t. Shall hold not less than one directors' meeting every three months.
- u. The Board of Directors will set dates for roundups. No individual member will be allowed to work cattle at any time other than the organized dates without the consent of the Board of Directors.
- v. Any other related duties not specifically enumerated which would promote the interest of the livestock industry in this Association.

ARTICLE V

- Section 1. Director's Pay:
Directors may receive compensation for their services of \$10.00 per meeting and not to exceed a total of \$60.00 in any one year.
- Section 2. Regular Meetings:
Regular meetings of the Board of Directors shall be held quarterly in January, April, July and October of each year.
- Section 3. Special Meetings:
Special meetings of the Board of Directors may be called by the President or a majority of the Board of Directors. All directors must be notified.
- Section 4. Order of Business:
At all meetings of the Board of Directors the President of the Board shall preside, or in his absence, the Vice-President shall preside.

ARTICLE VI

- Section 1. Qualification of Directors: The candidates for Board of Directors shall be selected on the basis of ability, morality and industry and must have the following qualifications:
- a. Twenty-one years of age or over.
 - b. Must own cattle in the livestock association.
 - c. Must be in good standing and free from any indebtedness to the Association.
- Section 2. Recall: Any member of the Board of Directors may be recalled upon a petition signed by a majority of the members of the Association.
- Section 3. Disqualification: Any member of the Board of Directors can become disqualified upon receiving a sentence from any court.

ARTICLE VII

Assessments

- Section 1. An assessment for operation expenses shall be made against each member in accordance with the number of head of livestock over six (6) months of age which he owns as of January 1 of each year.
- Section 2. The annual assessment rate will be determined in advance by the Board of Directors.
- Section 3. All assessment fees shall be collected each year in advance, due and payable on or before December 1 of each year.

ARTICLE VIII

Rate of Stocking

- Section 1. The Board of Directors shall obtain grazing rights or privileges for the Association on the reservation lands and shall comply with the maximum carrying capacity as established. On non-reservation lands, the maximum carrying capacity will be established by the land owner(s) or when the land owner (s) fail to establish a maximum carrying capacity, the Board of Directors shall establish a maximum carrying capacity based upon the best available information.
- Section 2. When a reduction of livestock numbers is necessary to conform to the established carrying capacity of the range, the Board of Directors shall:
- a. Take constructive action in cooperation with Federal agencies to increase the production of forage.
 - b. Try to obtain additional range.
 - c. Cut deeper into the herd by heavier culling.
 - d. Increase the assessment fee until livestock numbers are within the limits of the established carrying capacity.

ARTICLE IX

Management Plans

The Board of Directors shall prepare or assist and enter into agreement with an appropriate government agency in the preparation of a livestock and range management plan or plans and shall be responsible for the effectuation of such agreement plans. Livestock management plans shall include:

1. Maximum stocking rate
2. Culling procedure
3. Annual Inventory
4. Breeding procedure
5. Weaning procedure
6. Cow and bull ratio
7. Branding, castrating and dehorning procedures
8. Construction of corrals and chutes
9. Any other phase of livestock management which is to the best interest of the Indian livestock owners.

Range management plans may be incorporated with livestock management plans and shall include:

1. Deferred rotation grazing
2. Salting procedure
3. Reseeding depleted range
4. Stockwater development
5. Erosion control
6. Fencing
7. Water spreading
8. Flood control
9. Brush and undesirable plant control
10. Any other phase of range management which is to the best interest of the Indian livestock owners.

ARTICLE X

Limitation of Power and Individual Rights

Section 1. The Board of Directors is authorized to take any action in behalf of the majority of its members; however, no action shall be taken which is to the benefit of an individual or minority group unless it is determined that such action will result in a benefit to a majority of the members.

Section 2. The Board of Directors shall in all instances encourage the initiative and responsibility of the individual in the care and management of his livestock and shall assist its members in obtaining separate ranges when their operations and livestock numbers so justify.

ARTICLE XI

Penalties

Any individual who does not comply with the bylaws, regulations, and rules of the Board of Directors shall be dropped from membership and prosecuted in accordance with Article V, Sections 1, 2, 3 and 4 of the Tribal Range Ordinance No. 2 Amended.

ARTICLE XII

Death of Members

When a member dies, membership shall be transferred to the spouse. Should the spouse become deceased and the cattle is heired by a minor, such membership may be held for the minor until he reaches the age of 18 in the name of his guardian.

ARTICLE XIII

Trespass

Any livestock found on the range that are not owned by a member of the Association shall be rounded up and the owner notified. If the owner of the livestock does not remove them within 5 days from date of notification, the livestock will be disposed of in accordance with Article V, Sections 2 and 3 of the Tribal Range Ordinance No. 2 Amended.

ARTICLE XIV

Disposition of Association Assets

When a member is dropped from Association membership, he shall receive no share of the assets or liabilities of the Association. At such time as the Association is dissolved, assets or liabilities shall be distributed equally to its current members.

ARTICLE XV

This Association is formed to operate for the mutual benefit of its members. The names and addresses of the members of the COYOTE SPRINGS LIVESTOCK ASSOCIATION are as follows:

<u>Name</u>	<u>Address</u>
Claudius Honga	Peach Springs, Arizona
Rupert Parker	" " "
Joe Montana	" " "
Grant Tapija, Jr.	" " "
Dallas Quasula	" " "

CERTIFICATE OF APPROVAL

We, the undersigned, hereby certify that the Hualapai Tribal Council is composed of nine (9) members, of whom six, constituting a quorum, were present at a special meeting held on this 13th day of November 1963; and that the foregoing Ordinance No. 18 was duly adopted by a vote of 9 for to 0 against, pursuant to provisions of Section 1 (p) and (q), Article VI, of the Amended Constitution and Bylaws of the Hualapai Tribe effective October 22, 1955.

Sterling Mahone, Chairman
Hualapai Tribal Council

Evalena Hamidreek, Secretary
Hualapai Tribal Council

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