

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribal Council Secretary has prepared abstracts of the Tribal Council minutes for December 6, 1990; December 12, 1990; December 13, 1990; January 9, 1991; and January 10, 1991 and has presented them to the Council this date for approval; and

WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that they should be approved without change.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the minutes of the Tribal Council meetings of December 6, 1990; December 12, 1990; December 13, 1990; January 9, 1991 and January 10, 1991.

The foregoing resolution was on February 13, 1991, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

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FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Executive Council Meeting
Executive Conference Room
December 6, 1990

B R I E F S

1. Meeting called to order at 8:32 a.m. with a quorum present.
2. Tribal Attorney summarized loan documents.
3. Resolution No. 12-90-270 adopted approving \$2½ million loan for Sunrise.
4. Meeting recessed at 11:10 for lunch and reconvened at 1:30 p.m. in the Council Chambers.
5. Resolution No. 12-90-271 adopted approving design and construction of Cibecue Lagoon.
6. Resolution No. 12-90-272 adopted approving water treatment and filtration plan for Whiteriver.
7. Resolution No. 12-90-273 adopted application for Indian Child Welfare Act Grant.
8. Resolution No. 12-90-274 adopted approving committee selection for Solid Waste Management.
9. Resolution No. 12-90-275 adopted authorizing final passage of Bingo Gaming Ordinance No. 164.
10. Resolution No. 12-90-276 adopted directing Tribal Attorney to negotiate with BIA Superintendent for employment of tribal member Elmer Danford, Jr.
11. Meeting adjourned at 4:55 p.m.

9. Resolution No. 12-90-274 was adopted with a vote of 9 for and 1 against, approving IHS/OEH's recommendation that a committee be formed to address the problem of solid waste disposal and that the committee should report back to the Tribal Council by March 6, 1991 with a recommendation on the issue.
10. After considerable discussion, Resolution No. 12-90-275 was adopted authorizing final passage of the Bingo Gaming Ordinance with a vote of 6 for and 0 against.
11. Tribal member, Elmer Danford requested Tribal Council decision regarding his request for tribal assistance, Tribal Council concluded that the Tribal Attorney would negotiate with the Superintendent for employment for Mr. Danford, Resolution No. 12-90-276 was adopted with a vote of 10 for and 0 against.
12. The meeting adjourned at 4:55 p.m.

Respectfully submitted,

Virginia M. Dalton
Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Executive Conference Room
December 12, 1990

A B S T R A C T

1. Chairman Lupe informed members of the Tribal Council that Mr. Lahm and Mr. Dieterich have completed their burning study for the Tribe and excused Bureau personnel for the duration of the report.
2. Meeting was called to order at 9:30 a.m. with a full quorum present, Councilman Kino Kane offered the opening prayer.
3. Erv Kulosa reported that the results of the last 4 months study will probably take all morning and requested such time. He then introduced Mr. John Dieterich who is eminently qualified for studying the effects of burning, who has been a consultant and has also written papers on the subject.
4. Mr. Dieterich contract was to study the effects of fire control burning, or prescribed burning, secondly, to review the operational aspect of control burning of the BIA, and finally to provide alternative for fuel treatment.
5. Mr. Dieterich's report included the affects of fire on the mortality of trees, natural regeneration, thinning, wildlife, range, soil, water quality and quantity, aesthetics, and air quality. He provided chronology of events of prescribed burning on the Fort Apache Indian Reservation, along with a brief fire history.
6. Members of the Tribal Council viewed a video of a prescribed burn area, as filmed by Erv in May, 1990.
7. Mr. Dieterich commented to the Tribal Council that the video showed a severely damage condition as a result of a prescribed burn which is unacceptable; but to evaluate the effect of fire on the area, they would need to go back and see this area in about a year.
8. Chairman Lupe and Vice Chairman Altaha along with other members of the Tribal Council voiced their disagreement about the report as submitted by Mr. Dieterich. To which Mr. Dieterich responded that he has attempted to provide the effects of fire management the best he could.

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Executive Conference Room
December 13, 1990

B R I E F S

1. Regular Council Meeting called to order at 9:10 a.m. with a quorum present.
2. Resolution No. 12-90-279 adopted approving Holy Ground Protection Ordinance No. 163.
3. Resolution No. 12-90-280 adopted posting amendment to Bigamy Ordinance No 165 for 10 days.
4. Resolution No. 12-90-281 adopted approving Hondah Restaurant lease for one year to Harry Slaughter.
5. General discussion on closure of Liquor Store with Manager Gerald Alsenay.
6. Career Awareness Week announcement distributed.
7. Draft copies of "Regulations for Tribal Property" distributed.
8. Resolution No. 12-90-282 adopted approving donation of Hondah Homesite cabins to CDC.
9. Council member Judy Dehose submitted claim documents.
10. Resolution No. 12-90-283 adopted approving 90/91 Forestry Budget.
11. Resolution No. 12-90-284 adopted granting \$800.00 for Carrizo Community Christmas Party.
12. Resolution No. 12-90-285 adopted approving Chairman to obtain transportation for dialysis patient from Cedar Creek.
13. Resolution No. 12-90-286 adopted authorizing \$500.00 for Canyon Day Community Christmas Party.
14. Resolution No. 12-90-287 adopted approving \$500.00 for Seven Mile Community Christmas Party.
15. Council Member Herbert Tate's general report included: pension plan status, grants for fire hydrants in Canyon Day, employees laid off for ten days; health insurance for himself.
16. Resolution No. 12-90-288 adopted granting \$500.00 for East Fork Community Christmas Party.
17. Resolution No. 12-90-289 adopted granting approval for McNary Mill Ponds Waterfowl Improvement Project.
18. Meeting adjourned at 12:35 p.m.

12. Resolution No. 12-90-284 was adopted granting Carrizo Community to utilize \$800.00 from their Land Claim Funds to sponsor a Christmas Party as requested by District II Council member Kino Kane.
13. Resolution No. 12-90-285 was adopted directing the Tribal Chairman to assist tribal member, Dorothy Ethelbah of Cedar Creek with transportation so that she may receive her dialysis treatment in Show Low as requested by Mr. Kane.
14. District IV Council member Herbert Tate inquired on the status of retirement premiums of tribal employees and was assured by the Tribal Attorney that Mr. Hoecker has completed his investigation and along with ERISA will report to the Tribal Council.
15. Mr. Tate reported that the community of Canyon Day has only one fire hydrant which is located in front of Dallas Massey's resident and due to an increased housing projects in the community requested a grant application for fire hydrants.
16. Resolution No. 12-90-286 was adopted granting Canyon Day to utilize \$500.00 from their Land Claim Funds to sponsor a Christmas party as requested by Mr. Tate.
17. Resolution No. 12-90-287 was adopted granting Seven Mile community to utilize \$500.00 from their Land Claim Funds to sponsor a Christmas party as request by Mr. Tate and confirmed my District III Council member Kino Torino.
18. Mr. Tate informed the Tribal Council that employees laid off for ten days were still waiting to be rehired. Chairman Lupe responded that he didn't ask for a 10 day lay off, he requested for a 25% cutback and Managers responded to that request and initiated lay off.
19. Mr. Tate requested Tribal Council approval to have \$4.05 tribal health insurance premium deducted from his council meeting compensation. Chairman Lupe advised him that his request will be considered.
20. Council member Raymond Endfield commented that he understood the previous resolution directing the Chairman and Mr. Tate to resolve his request for full time council salary had been settled, but apparently hasn't been done, and voiced strong personal opinions.
20. Resolution No. 12-90-288 was adopted granting East Fork community \$500.00 from their Land Claim Funds to sponsor a Christmas party as requested by District III Council member Kino Torino.

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Tribal Council Chambers
January 09, 1991

B R I E F S

1. Tribal Council Meeting called to order by Chairman Ronnie Lupe at 9:25 a.m. with a full quorum present.
2. Resolution No. 01-91-01 adopted accepting meeting abstracts for December 5, 1990.
3. Wesley Bonito requested assistance with road repair.
4. Audrey (Johnson) Altaha requested archeological waiver on homesite.
5. Resolution No. 01-91-02 adopted reaffirming HIP house for Debra Baha-Alchesay.
6. Resolution No. 01-91-03 adopted to assist Larnita Perry's suspension from riding on school bus.
7. Resolution No. 01-91-04 adopted for Doreen White to be included on HIP program.
8. Lengthy discussion on negotiations between students and Tribal Council.
9. Meeting recessed at 12:02 and reconvened at 1:41 p.m.
10. Resolution No. 01-91-05 adopted accepting negotiations between students and Tribal Council.
11. Resolution No. 01-91-06 adopted authorizing Chairman Lupe to request extension on Deer Spring Timber sale.
12. Resolution No. 01-91-07 adopted appointing Grievance Committee.
13. Resolution No. 01-91-08 adopted accepting Ordinance No. 160.
14. Resolution No. 01-91-09 adopted accepting Ordinance No. 162.
15. Resolution No. 01-91-10 adopted accepting Ordinance No. 165.
16. Resolution No. 01-91-11 adopted accepting Ordinance No. 166.
17. Resolution No. 01-91-12 adopted to post Ordinance No. 167.
18. Resolution No. 01-91-13 adopted to post Ordinance No. 168.
19. Resolution No. 01-91-14 adopted Culture Center to retain Ray Carson to apply for grants to complete museum construction.
20. Resolution No. 01-91-15 adopted approving a sunrise dance for Henry and Emily White.
21. Meeting adjourned at 4:29 p.m.

games and finally that when the liquore store is relocated the facility be turned into a recreation hall for the students.

11. The meeting recessed at 12:02 and reconvened at 1:41 p.m.
12. Resolution No. 01-91-05 was unanimously adopted granting the students request to open the swimming pool; the Whiteriver and Cibecue theatres; and opening the liquor store from Friday to Sundays except when the school has home games; and finally to turn the facility into a recreation hall for the students when the liquor store is relocated.
13. Chairman Lupe acknowledged the attendance of the Vice Chairman of the Mescalero Apache Tribe in the audience.
14. Russell Henry and Erv Kulosa requested an extension of the Deer Spring Timber sale to supply the CBQ sawmill with logs. After some discussion about slash disposal, Resolution No. 01-91-06 was unanimously adopted directing Chairman Lupe to submit a letter to the Superintendent requesting an extension.
13. Resolution No. 01-91-07 was unanimously adopted appointing Wesley Bonito, Edwin Kane, Randi Stevens, Eddie Hall and Irvin Santiago and Clarel Herring as an alternate for the Tribal Grievance Committee.
14. Resolution No. 01-91-08 was unanimously adopted granting approval for the Sunrise Park Trespass Ordinance. (#160)
15. Resolution No. 01-91-09 was unanaimously adopted granting approval for the Sunrise Ski Safety and Liability Regulation Ordinance. (#162)
16. Resolution No. 01-91-10 was unanimously adopted granting approval for the amendment to the existing Bigamy Ordinance. (#165)
17. Resolution No. 01-91-11 was unanimously adopted granting approval for the Tribal Council member protection Ordinance. (#166)
18. Resolution No. 01-91-12 was adopted directing the Council Secretary to post in compliance with the Tribal Constitution the proposed "Good Samaritan" Ordinance (#167)
19. A resolution requesting cooperative agreement between the White Mountain Apache Emergency Medial Service Director, Gila River Medical Transportation Program and the San Carlos Apahce Emergency Medical Service Program was tabled for further information from Hedy Beatty and Debra Sanchez.
20. Resolution No. 01-91-13 was adopted directing the Council Secretary to post for 10 days the proposed "Extradition" Ordinance. (#168)

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Executive Conference Room
January 10, 1991

B R I E F S

1. Day two of regular council meeting called to order at 9:30 a.m. by Chairman Lupe.
2. District III council report given by Randall Massey, Jr.
3. Resolution No. 01-91-16 adopted authorizing construction of community buildings in Turkey Creek and Forestdale.
4. District II council report given by Kino Kane.
5. District II council report given by Virgil Hinton.
6. Meeting recessed at 11:36 and reconvene at 1:04 p.m.
7. District II council report concluded.
8. District IV council report by Johnny Endfield.
9. Resolution No. 01-91-17 adopted appointing Overall Economic Development Planning Committee.
10. Tribal Council reaffirm recommendation for recreation facility.
11. Council meeting scheduled for January 22, 24 and 25, 1991.
12. Resolution No. 01-91-18 adopted directing BIA to proceed with fair market value appraisals.
13. Resolution No. 01-91-19 adopted placing HIP under JTPA supervision.
14. Meeting adjourned at 2:33 p.m.

- d) FATCO bridge needs a barrier on the North east end to prevent an accident;
 - e) Inquired into the confiscated wood piles at Game and Fish;
 - f) FATCO residential area need their water problem addressed, which Charlie O'Hara confirmed was the Tribe's responsibility;
 - g) Requested Cedar Creek Rodeo be scheduled for the first payday in June and the second payday in July, Council member Johnny Endfield will prepare Rodeo schedule for the year.
4. District II Council member Virgil Hinton's general report included:
- a) A request to convert the old Carrizo store into a laundromat was not considered due to existing water problems in the community;
 - b) Suggested that the Tribe manufacture plyboards with the sawdust piling behind FATCO, Council member Randall Massey, Jr. advised that issue is already being addressed by the Board of Directors of FATCO;
 - c) Requested emergency feed for ID livestock association, which was further confirmed by Mr. Varnell Gatewood;
 - d) ID Ranch road needing maintenance.
5. The meeting recessed at 11:36 a.m. and reconvened at 1:04 p.m.
6. Council member Virgil Hinton concluded his report with the Chairman's approval for 10 tons of emergency feed for ID, Mr. Gatewood was referred to the Tribal Controllers office at this time.
7. District IV Council member Johnny Endfield gave his general report:
- a) Extended appreciation for Christmas candy distributed in District IV;
 - b) Is encountering location problems with the construction of the antenna for better TV reception for the Diamond Creek-North Fork areas. General discussion on the McKays Peak location concluded that it would not benefit the reservation but rather the surrounding communities;

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15. Meeting adjourned at 2:33 p.m.

Respectfully submitted,

Virginia M. Dalton

Tribal Council Secretary

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FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA