

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

WHEREAS, the Tribal Council Secretary has prepared briefs for Council meeting minutes for April 2nd & 3rd, 1997 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 the briefs should be approved as presented.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves Council meeting briefs for April 2nd & 3rd, 1997 as presented.

The foregoing resolution was on May 14, 1997 duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribal Constitution, including Article IV, Sections 1 (i) and (s) of the Constitution of the Tribe, ratified by the Tribe on September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

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**RT APACHE INDIAN AGEN
WHITERIVER, ARIZONA**


Chairman of the Tribal Council


Secretary of the Tribal Council

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Tribal Council Chambers
Wednesday, April 2, 1997

BRIEFS

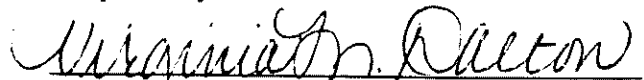
1. The regular Council meeting for April was called to order by Chairman Lupe at 9:25 a.m. with the following members of the Tribal Council present: Chairman Ronnie Lupe, Vice Chairman Lefe Altaha, Councilmembers Judy DeHose, Harley Janeway, Romeo Dazen, Lynn Cody, Margaret Walker, Guy Massey, Jr. and Herbert Tate. Councilmembers Alvin Declay and Frank Endfield, Jr. joined the meeting in progress.
2. Councilmember Romeo Dazen gave the invocation, roll call was conducted by the Council Secretary Resolution No. 04-97-064 was adopted, motioned by Councilmember Janeway and second by Councilmember Massey, to approve Council Meeting Briefs for March 12, 13,14, 1997 with corrections.
3. Tribal member, Rupert Lupe requested Tribal Council permission to start a small business in rodeo school and horse back riding, all activities, such as overnight camping will be on his personal private land. Resolution No. 04-97-065 was adopted, motioned by Councilmember Dazen and second by Councilmember Massey granting Mr. Lupe's request.
4. Mr. Rupert Lupe also reminded the Tribal Council that while he was away on TRS business, a Tribal Council resolution was adopted that removed Mr. Lupe from the TRS Board for conflict of interest. Mr. Lupe explained while there are two sides to every story, he wasn't given a chance to respond to complaints made by a staff member and any reference made to his brother was a violation and should have never been discussed. Chairman Lupe said he advised that the issue be taken back to the School Board, but, that a motion was made and a vote had to be taken. Chairman Lupe advised that the Tribal Council are forced to vote in the heat of a politically charged motion. Chairman Lupe lectured on traditional relations among members of the Council. Councilmember Endfield acknowledged Chairman Lupe's statements. Mrs. Gertie Lupe asked why her children were of interest when the Tribal Council were elected to act on other matters of importance to the Tribal Council ie, development, illegal woodcutting, etc. After statements from each member of the Tribal Council, Councilmember Massey motioned to reinstate Rupert Lupe to the TRS Board. After additional discussion, Tribal Council concluded that discussion will continue in an Executive Session, whether or not to reinstate Rupert Lupe as a TRS Board.
5. The Council recessed for lunch at 12:10 p.m. and reconvened at 2:00 p.m.

6. Larry Vicario, Navajo County Supervisor presented a check for \$1,000 to the Cibecue community School for project GLOBE.
7. Kara Henry on behalf of FATCO employee, Melvis Henry reported that while Mr. Henry was on leave to care for a sick child his job was taken over by a newly hired Ms. Gushoney. Mr. Carl Aslup was called into the meeting. Mr. Aslup reported to the Tribal Council that the situation has been resolved and Melvis has been put back in his position.
8. Kara Henry, inquired about the status of her 79 year old mother, Alice Declay's HIP application. Councilmember Dazen told her that she is either number four or five on the current HIP listing.
9. Orita Altaha explained to the Tribal Council that she believes she was wrongfully terminated from the Tribal Livestock by Joe Harvey and wishes the Tribal Council to back pay her or provide some assistance with a job. After discussion by the Tribal Council, Resolution No. 04-97-066 was adopted motioned by Councilmember Walker and second by Councilmember Declay directing Tribal Personnel Office to review Orita Altaha's grievance within five days of receipt of this resolution.
10. Tribal member, Kino Kane reported that there is no TV reception in North Diamond Creek area and requested the Tribal Council to look into that problem again.
11. Mr. Kane also reported that he's been applying for positions with the Patient Business Transportation and wasn't given the courtesy of a response as to the status of his application. Resolution No. 04-97-067 was adopted motioned by Councilmember Tate and second by Councilmember Declay recommending to the Tribal Health Authority to provide Mr. Kane a courtesy letter regarding the status of his job application.
12. Resolution No. 04-97-068 was adopted motioned by Councilmember Walker and second by Councilmember Tate to allow Jackie Lee to use the Memorial Hall to hold a benefit Concert, starring Ashley Lucas, for cancer patient, DJ Altaha on May 3, 1997.
13. Jerry Gloshey, Jr. came before the Tribal Council with a proposal to consolidate JTPA, HIP and Weatherization under the Vocational Skill Center, with supporting statements from WAP Coordinator, Cline Griggs, and Building Trades Director, Jim Clugston. Mr. Gloshey advised the Tribal Council that he hasn't shared this proposal with the departments but intends to meet with them for their comments.
14. Resolution No. 04-97-069 was adopted motioned by Councilmember Walker and second by Councilmember Declay approving filing of a grant application for a tribal vocational rehabilitation program and if funded the establishment of the White Mountain Apache Vocational Rehabilitation Program.
15. Mr. Gloshey also requested additional funds to fund 7 more student for the Adult Vocational

Training program, which Mr. Gloshey explains was denied by the Tribal Budget & Finance Committee last year. Chairman Lupe recommended that Mr. Gloshey present this request to the The Budget and Finance Committee again.

16. Resolution No. 04-97-070 was adopted motioned by Councilmember Walker and second by Councilmember DeClay to approved \$20K for a professional Educational Certification program to fund seven community members.
17. The meeting recessed at 4:54 p.m. and will reconvene the following day at 9:00 a.m. in the Executive Conference Room.

Respectfully submitted:


Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Executive Conference Room
Thursday, April 3, 1997


BRIEFS

1. The meeting reconvened at 9:35 a.m. with a full quorum of the Tribal Council present.
2. Etheline Cosay, Mona Lupe and Deona Henry reported to the Tribal Council with similar complaints against the Day Care Center Director, Dejean Rodriguez and members of the Board. After considerable discussion, in which Mrs. Cosen identified conflicts of interest between the Director and Board; inadequate grievance procedures, and that she was forced to resign, Resolution No. 04-97-071 was adopted motioned by Councilmember Endfield and second by Councilmember Declay recommending to the Chaghache Day Care Center Board of Directors to reconsider the termination of Etheline Cosen and reinstate her pending resolution of her complaints before an impartial Board.
3. Chairman Lupe announced that a new Hondah Casino Manager, David A. Peters has been interviewed and should meet with the Council on Thursday, April 10th at the Ground Breaking Ceremony. Tribal Council tentatively approved acceptance by Resolution No. 04-97-072 motioned by Councilmember Dehose and second by Councilmember Janeway.
4. Members of the Healthy Nation Youth Cluster Group addressed the Tribal Council with a request to support their establishment of a Boys and Girls Club of America utilizing the new Youth Center facility. Resolution No. 04-97-073 was adopted motioned by Councilmember Cody and second by Councilmember Tate granting permission for the establishment of the Boys and Girls Club of America, recommending to the Youth that they develop plans for use of the Youth Center.
5. Vice Chairman Lafe Altaha reported on the draft strategic plan submitted by the Special Trustee of the Office of Trust Funds Management to implement the reforms required by the American Indian Trust Management Reform Act of 1994, said plan provides for all Indian trust function and would be transferred to the new administration. Resolution No. 04-97-074 was adopted motioned by Vice Chairman Lafe Altaha and second by Councilmember Janeway opposing the Strategic Plan of the Office of Special Trustee for reasons set forth in this resolution, and that it requests support of the Arizona Congressional Delegation, the Senate Committee on Indian Affairs, the House Interior Committee and the Secretary of the Interior.
6. The meeting recessed for lunch at 12:22 p.m. and reconvened at 2:00 p.m.

7. After presentation by Tribal Game and Fish, Kelly Meyers advising the Tribal Council that a joint fish survey to gather biological information on fish numbers may help the removal of the critical habitat designation for razorback sucker on the Salt River. Resolution No. 04-97-075 was adopted motioned by Councilmember Walker and second by Councilmember Janeway to grants permission to the Arizona Game and Fish Department to conduct a joint fish survey in the Salt River with the Tribal Game and Fish Department and the U.S. Fish and Wildlife Service.
8. Carla Alchesay-Nachu presented the FY'97 proposed IHS budget. Resolution No. 04-97-076 was adopted motioned by Councilmember Massey and second by Councilmember Endfield to approve the proposed IHS budget for FY'97, that Don Davis PAIHS Director reconfirm that all Third Party funds, including M&M surplus remain at the Whiteriver hospital; and that all CHS allowances remain at the Whiteriver hospital; and that the PAIHS "tap" to maintain areawide programs should not be the responsibility of service units including the Whiteriver hospital.
9. Resolution No. 04-97-077 was adopted motioned by Councilmember Massey and second by Councilmember Janeway to grant tribal member, Michael Endfield permission to encumber lease land for the purpose of securing a loan.
10. Resolution No. 04-97-078 was adopted motioned by Councilmember Massey and second by Councilmember Endfield to borrow nine million fifty thousand dollars for the construction of the Hondah Hotel and Convention Center.
11. The Tribal Attorneys report included information that HB2194 was defeated, this bill would have undermined proposition 201; ADOT has requested permission to place 2 additional buildings at the Flying V maintenance yard within the same acreage; there was discussion on tribal member employment within ADOT; a request to eliminate the snowplow turn-around at Roberts Ranch. Mr. Brauchli further advised that Sue Higgins, JFK Principal presented policies to Legal Department for review but suggested that BIA should provide technical assistance. A report on cellular phone study has revealed that there have been some illegal hook-ups, once they are inventoried, all information will be turned over to the US Attorney to file charges.
12. The Tribal Council was advised that Whiteriver Police Department has allowed Pinetop Police Department to come onto the reservation to conduct criminal investigation. Tribal Council adopted Resolution No. 04-97-079 prohibiting the Pinetop Police Department from coming onto the Fort Apache Indian Reservation to conduct criminal investigation until such time there is a meeting with the Tribal Council to establish protocol for access to the reservation for evidence or suspects.
13. Resolution No. 04-97-080 was adopted motioned by Councilmember Walker and second by Councilmember Dazen to implement the seventh amendment to Plan 3 of the White Mountain Apache Tribe Retirement Plan which converts the employee matched contribution to a pre-tax 401(k) savings feature.

14. Resolution No. 04-97-081 was adopted motioned by Councilmember Tate and second by Councilmember Janeway to permit the Pinetop Fire Department to conduct rope rescue exercise. Mr. Nuvamsa also observed during the recent rescue in Salt River that there were too many observers and BIA will provide support in future rescue as well, but the Tribe should consider designating one entity to take charge of such situations.
15. Tribal member Randall Massey, Jr. reported to the Tribal Council thanking them for their resolution recognizing his Logging business, and is now requesting approximately 5 acres of land on the right side of the turn off to Industrial Park, north of the Reman Plant as a business site. Mr. Massey was advised to go through the Land Office application procedure. Mr. Massey also requested the Tribal Council to assign an old crusher that he will use for parts or take off the reservation and will not compete against FAM business. Chairman Lupe advised that he will inquire about the status of the crusher from Mr. Hupp Sanchez.
16. Resolution No. 04-97-082 was adopted motioned by Councilmember Tate and second by Councilmember Massey to direct the Land office to survey the 44 acres south of the cemetery in Canyon Day being considered for the proposed new school. Chairman Lupe asked Raymus if the building at Miner Flat has a land assignment? Mr. Albert did not have any knowledge but may have been assigned to the Utility Authority. Charlie O'Hara will check it out. The personal land dispute in Fort Apache remains unresolved by the Land Board as reported by Councilmember Cody.
17. The meeting recessed at 5:00 p.m. and will reconvene the following day at 9:00 a.m.

Respectfully submitted:


Tribal Council Secretary