

Resolution No. 01-99-21

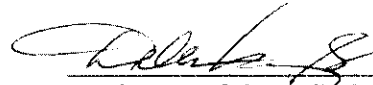
**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council Secretary has prepared briefs for Tribal Council meetings for December 2-4, December 14-15 and December 22, 1998, and has presented them to the Council this date for approval; and

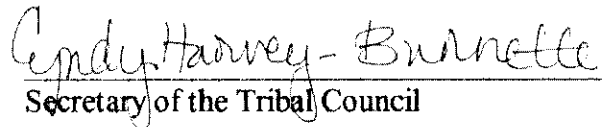
WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs should be approved with changes as clarified.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves Tribal Council meeting briefs for December 2-4, December 14-15 and December 22, 1998 as presented with noted changes.

The foregoing resolution was on January 13, 1999, 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 Article IV, Section 1 (1), (t) 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).



Chairman of the Tribal Council



Secretary of the Tribal Council

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Tribal Council meeting
Tribal Council Chambers
Wednesday, December 02, 1998

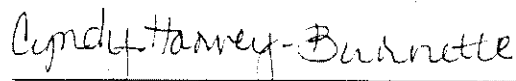
BRIEFS

1. The meeting was called to order at 9:38 a.m. by Tribal Chairman Massey. Council Member Cody offered the invocation. The Tribal Council Secretary took roll call and all members of the Tribal Council were present except Council Member Declay who was excused.
2. Tribal Member and Whiteriver Community President, Dino Manuel, requested monetary assistance for Christmas activities for the Whiteriver Community. Council Member Cody stated that all communities should be assisted. Council Members Tate and Craig made supporting comments regarding community officer's achievements and efforts. Vice Chairman Endfield mentioned the annual distribution of Christmas candies for all communities and support for this event.
3. Resolution No. 12-98-263 adopted for approval of \$500^{seed money} for the Whiteriver Community for Christmas. Council Member Tate made the motion and the motion was seconded by Council Member Craig. The resolution passed with a vote of 8-0.
4. Tribal Member and Day Care Board President, Darlene Gatewood, began by informing Council of the situation with Day Care employee, Etheline Cosen. Chairman Massey recommended an Executive Session this afternoon as this is a personnel issue.
5. Tribal Member Davis Knight, Jr. complained of being wrongfully terminated at Sunrise. Vice Chairman Endfield, Council Members Craig and Baha-Walker shared complaints received regarding Sunrise and the General Manager, Chris Shellabarger. Council Member Craig recommended to meet with Chris. Chairman Massey commented on the improvements at Sunrise and stated that the Council will meet with Mr. Shellabarger tomorrow.
6. Tribal Member and Elderly Services Coordinator, Vonda Clarkson, informed Council of the Elderly Services Christmas activities and visitations scheduled. She encouraged Council participation in these events.
7. Resolution No. 12-98-264 adopted for tribal administration of the Title VI programs. Council Member Baha-Walker made the motion and seconded by Council Member Clay. Passed with a vote of 9-0.
8. Tribal Member and Headstart Director, Marlene Truax, presented resolution and thanked Council for their support during their program review. She also informed Council of her recent decision in demoting three teachers and reasons for demotions. Chairman Massey informed Council that Mrs. Truax, after a lengthy term as Acting Head Start Director and since the person selected declined position, was selected as the Director. Several members of Council congratulated Marlene on her new position and wished her well.

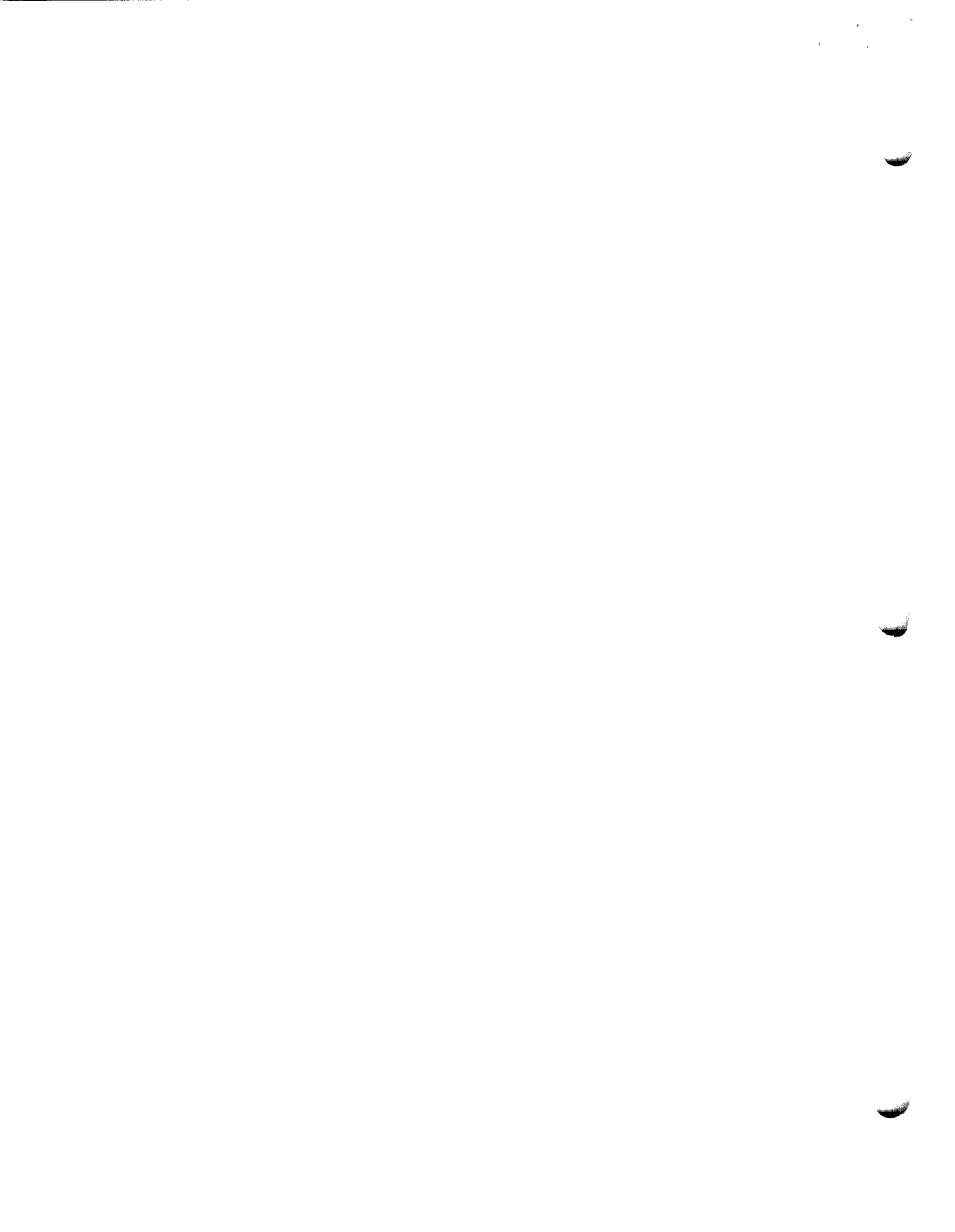
9. Tribal Member and Church of Life Pastor, Ben Hendricks, presented a resolution to declare the month of December as the month of the Bible. Resolution No. 12-98-266 adopted to declare the month of December as the month of Bible reading. Council Member Tate made the motion and seconded by Council Member Cody. The resolution passed with a vote of 8-0.
10. Tribal Attorney, George Hesse, read the Tribal Council meeting briefs for the month of October, 1998. Briefs were approved with changes as clarified by Council Members Baha-Walker, Clay and Craig.
11. Resolution No. 12-98-267A adopted to approve Tribal Council meeting briefs for the month of October, 1998 with changes. Council Member Tate made the motion and motion was seconded by Vice Chairman Endfield. Council Member Dehose was not present to vote. The resolution passed with a vote of 8-0.
12. Tom Johnson and Robert Lacapa, BIA Foresters, presented the Hop Cot 2 Timber Sale which included information pertaining to purpose of sale, sale history, thinning, burning, sale acreage, sale & leave volume, roads and bonds. Chairman Massey and Council Member Craig shared concerns on the borrow pits.
13. Resolution No. 12-98-268 adopted for the Hop Cot 2 Timber Sale. Council Member Nez made the motion and the motion was seconded by Vice Chairman Endfield. Council Member Tate was not present to vote. The resolution passed with a vote of 8-0.
14. Keith Jones, Environmental Planner, introduced Mike Hart and Dallas Glasser, consultants, and he presented information for exploring opportunities for mining gravel to reduce rock products on the state road departments. Keith stated that Larry Ethelbah conducted an inventory of all existing pit sites reservation-wide which numbered about 165. Mr. Ethelbah shared information on cinder pits and recommended closing five of the 15 sites. He stressed the need for good mining plans. Chairman Massey advised to have District IV Council Members inform Hondah and McNary residents regarding the mining of cinders. Larry also informed Council of developing site in District II. Chairman Massey recommended meeting with District II community members and have Keith Jones share information.
15. Chairman Massey requested information on purpose of sites and identification of resources and amount taken out of areas. He also stated closing of some sites and using only recommended sites. Ben Nuvamsa, BIA Supt. advised the need to set up an operation if the Tribe wishes to sell on a per ton basis to ADOT. Currently operating under lease which is not generating a lot of revenue but if program set up, more revenue and employment can be generated. Keith Jones stressed the need for planning and restoration for these areas.
16. Mike Hart and Dallas Glasser, consultants, gave a slide presentation on Reclamation. Areas of emphasis were: low access area natural area, low maintenance upon completion and reclamation concurrent with mining. They presented reclamation plan and explained the dewatering trench process.

17. Discussion followed on the Canyon Day area. Council were assured that this area can be restored if plans are in place. Keith read resolution regarding EPA grant for McNary which was followed by concerns expressed by Council on the two-year period indicated in resolution. Keith also shared that the underground fuel tanks need to be removed or emptied and sites cleaned up by December 22, 1998.
18. Resolution No. 12-98-269 adopted for application of EPA grant funding for community-based economic redevelopment planning for McNary. Council Member Craig made the motion and motion was seconded by Vice Chairman Endfield. The resolution passed with a vote of 9-0.
19. Tribal Member and consultant, Milfred Cosen stated that financing was available on the Timberline Ranch but Mr. Butler sold to another party. The Canyon Day Convenience Store land issue was finally resolved and the store will be built on site originally planned for. He stated that architectural and market studies completed. Milfred also presented information on the fast food franchises as well as information on the Carrizo, Seven Mile and Cedar Creek stores. Council Members Baha-Walker, Craig and Dehose expressed concerns regarding financing of the Canyon Day store. Milfred explained that \$2,000,000+ received in HUD grant for economic development. Tribal Attorney recommended that Council review actual HUD proposal. Milfred then requested extension of his contract and several Council Members shared supporting comments on his behalf.
20. Resolution No. 12-98-270 adopted to extend Milfred Cosen's contract. Council Member Tate made the motion and the motion was seconded by Council Member Clay. Council Member Dehose not present to vote. The resolution passed with a vote of 8-0.
21. Hal Luedtke of BIA Forestry, along with supporting comments from Ben Nuvamsa, presented the Woodland Management activities. Resolution No. 12-98-271 adopted for the Forest and Woodland Management Plan. Vice Chairman Endfield made the motion and the motion was seconded by Council Member Nez. Council Member Dehose not present to vote. The resolution passed with a vote of 7-0.
22. Chairman Massey announced that the Day Care issue will be addressed tomorrow morning.
23. The meeting adjourned at 5:15 p.m. and to reconvene tomorrow at 9 a.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary



WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Tribal Council meeting
Tribal Council Chambers
Thursday, December 03, 1998

BRIEFS

1. The continuation of the Tribal Council meeting was called to order at 9:45 by Tribal Chairman Massey with a quorum present. The invocation was offered by Council Member Declay. Council Members Nez and Tate were excused.
2. The Tribal Council Secretary read the briefs for the month of November, 1998 and they were approved with one minor change as noted by Council Member Clay. Resolution No. 12-98-267B adopted to approve Tribal Council meeting briefs for the month of November, 1998 with change. Vice Chairman Endfield made the motion and the motion was seconded by Council Member Cody. Resolution passed with a vote of 7-0.
3. Chairman Massey, shared comments on the Day Care Center personnel problems. Leona Ethelbah, Day Care Center Director, shared information on Day Care and explained the process which lead to the termination of Etheline Cosen. Council Member Declay remarked that Etheline worked her way up to current position, questioned her position being abolished and stressed upward mobility. He also requested policies. Council Member Baha-Walker felt that Etheline has a right to refuse a lower salary and would like this issue resolved. She also advised to review policies ASAP. Council Member Clay questioned educational requirements of staff.
4. Chairman Massey commented that Day Care has always been a problem and feels that Etheline deserves a chance as she is certified and qualified. Vice Chairman Endfield requested Policies and Procedures for Day Care Board of Directors and explained that Board are only policy makers and cannot process personnel actions. He also stated that all Director appointments are authorized through the Tribal Chairman. Glorianna Dayaye, BIA Tribal Services, shared reasons for Day Care charter and stressed the need for a personnel management system.
5. Council Member Craig stated that current situation with Leona and Etheline is due to poor management and lack of structure. She stressed the need for an organizational chart and that is the Director's responsibility to handle the problems to overcome barriers. She also remarked that she would like to see Etheline return to work as prior board recommended to keep her at the \$8.00/hr. rate and as Etheline has demonstrated the ability to work hard. She would like some resolution among the Board, Director and Etheline for some equitable decision.
6. Council Member Tate provided additional supportive comments on behalf of Etheline and he agrees that the Board only authorized to be policy makers and cannot manage Day Care. He would also like this resolved, for all involved to reach a compromise and the importance of working together.
7. Council Member Dehose expressed concerns regarding lack of accounting for funds, turnover in Directorship and Board. She feels that the Day Care Center could be a model center but for the

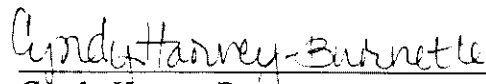
personnel problems. Council Member Dehose also addressed her concern for the children at Day Care, believes that they are suffering mental deprivation due to the conflicts. She strongly recommended the Montesorri Program and stressed policies. Council Member Craig also spoke in support of this program and made a motion for Council directive to Board to incorporate the Montesorri Program in their curriculum. Council Member Craig also recommended Council directive to Board to follow the personnel procedures.

8. The Tribal Attorney advised that this discussion is consistent with bylaws in charter and that Council can establish standards so that its educational ideas are being served at the Day Care Center. He also commented that the Board is responsible for the daily operations but that Council, in issuing charter, can revoke it or change the mission and also have educational goals and standards it wishes to see met by Day Care.
9. Etheline Cosen then updated Council on her situation at Day Care. Chairman Massey informed Council that Mrs. Cosen was denied transfer of sick leave hours from her spouse and of Board overriding his decision to retain Mrs. Cosen as an employee of Day Care. Council Members shared supporting comments on behalf of Etheline and a review of policies was strongly recommended.
10. Resolution No. 12-98-272 adopted for reinstatement of Etheline Cosen at rate of \$8.00/hr., approval of sick leave hours transferred from spouse, the Board to incorporate the Montesorri Program at Day Care and Board to review policies. Vice Chairman Endfield made the motion and motion seconded by Council Member Cody. The resolution passed with a vote of 9-0.
11. Chairman Massey shared information regarding the need for a centralized fleet management system for the tribe. Connor Murphy, Tribal Planner, stated that there is no organization or structure regarding the 700+ tribal vehicles and the need for such a structure. He introduced Karen Bellow, who is affiliated with a fleet company. Ms. Bellow provided information on services fleet management companies provide. Chairman Massey requested information on insurance, lease benefits & options and trade in values for vehicles. He expressed concern on the high level of tribe's vehicle expense and the need for tight controls. He advised Ms. Bellow, along with Connor, to draft proposal for Council's review.
12. Raymus Albert, Land Board Chairperson, presented the Land Board meeting minutes of November 20, 1998. After discussion on topics 1, 2 & 3 of the minutes, Chairman Massey advised to table these three items. Council Member Tate informed Council that verbal approval for land was obtained for the Canyon Day Convenience Store.
13. Resolution No. 12-98-273 adopted to approve the Land Board meeting minutes of November 20, 1998 as presented but to table topics 1 through 3. Council Member Tate made the motion and motion was seconded by Council Member Craig. Resolution passed with a vote of 8-0.
14. At 2:50 p.m. the meeting became an Executive Session due to Sunrise personnel issue. Sunrise General Manager, Chris Shellabarger, publicly and humbly apologized for his use of inappropriate language at work. Council Member Craig thanked him for apology but stated that foul language is unacceptable as it contributes to hostile working environment. Chairman Massey addressed the language issue and informed Chris of Davis Knight, Jr.'s termination.

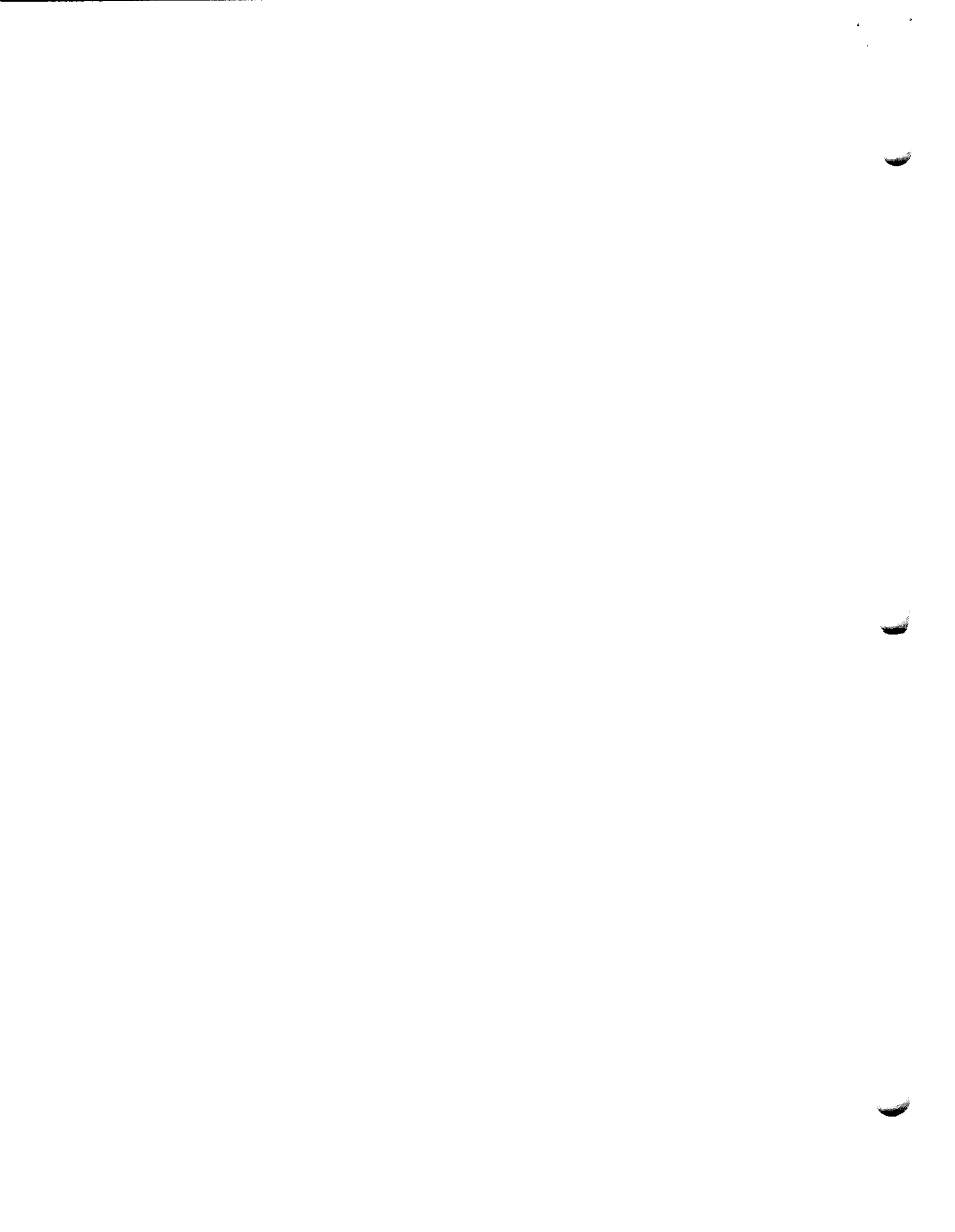
Chairman Massey also stated that Council needs to hear both employee and management sides for clarification.

15. Mr. Shellabarger informed Council that Davis had abandoned his position last November and he was not eligible for rehire for one year based on policy. Due to change in management and personnel department, this was not caught. He applied for job and since he had experience, was hired, which is contrary to policy. Eddie Padilla, Assistant Snowmaking Supervisor, stated that he received three different excuses on the same day from Davis.
16. Council stressed upward mobility, promotions and Tribal member preference for positions. They also questioned the turn over rate for Snowmakers, salary issues and acknowledged improvements at Sunrise. Chairman Massey explained the need for camera in the cash room for for better tracking and to provide protection for manager and employees.
17. Chris and Raymond Endfield, Jr. Executive Director of Enterprises, shared with Council the hazards involved for snow making positions and reasons crew have to be experienced and dependable. Chris announced that opening day for Sunrise will be on December 9, 1998.
18. Terry Amalong and Floyd Walker presented a Business and Financial Proposal through Rim Aviation, Inc. Mr. Amalong gave information regarding history, management profiles, overview and objectives, financial proforma, training and expansion of Rim Aviation. Council expressed the need for med evac services but concerned with the financial aspect of proposal and requested further research by consultant, as well as input from Health Authority, IHS and BIA. Other concerns included insurance. Mr. Amalong and Mr. Walker were advised to meet with the Tribal Attorney on the lease agreement.
19. The meeting recessed at 5:00 p.m. and to reconvene tomorrow at 1:30 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary



WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Meeting with FATCO Board
Executive Conference Room
Friday, December 4, 1998

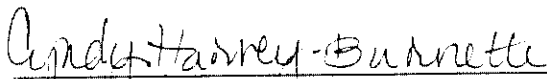
BRIEFS

1. The meeting with FATCO Board was called to order at 1:55 p.m. by Chairman Massey with a quorum present. The invocation was offered by Council Member Nez.
2. Omar Villa, FATCO General Manager and FATCO Board Member, Martin Devere presented the major changes of the Plan of Operations for FATCO, which included Section C, #5 Insurance in lieu of Bonding for Employees & #6 Contracts. Other changes were under Section D, #3 Distribution of Profits, Section E, #4 Inventory, #5 Audits and #9 Budgets.
3. Council addressed issues regarding raises, sick leave, provisions for Tribal Council's position, outdated machinery, informing employees of Plan of Operations, productivity, investments and employee complaints.
4. Omar and Martin also informed Council of the FATCO's recommendations for the short-term generation of cash and the lay off situation which will affect seventeen (17) employees. Lay off period is for three months.
5. Resolution No. 12-98-274 adopted to approve Plan of Operations of the Fort Apache Timber Company. Vice Chairman Endfield made the motion and the motion was seconded by Council Member Tate. The resolution passed with a vote of 7-0.
6. Resolution No. 12-98-275 adopted in order that the Reserve Fund shall be used for the exclusive purpose of providing benefits and defraying expenses in administering the pension plan. Council Member Tate made the motion and the motion was seconded by Council Member Cody. The resolution passed with a vote of 8-0.
7. Chairman Massey recommended Reagan Armstrong, Sr. for the Associate Judge position. Council Member Tate made motion in support of Chairman Massey's recommendation. Discussion, questions and complaints followed on advertisement of Associate Judge, applicants and Chief Judge Grimes. Council Member Craig advised to table this issue until Council meets with Chief Judge Grimes. Chairman Massey stated to table this issue and Council Member Tate withdrew his motion.
8. Consultant Milfred Cosen updated Council on the \$2 million plus that was redirected to Economic Development through HUD. He stated that the tribe will need to complete HUD block grant application and if evaluation not passed and requirements not met, the tribe could lose the funding. Milfred advised that if threshold requirements passed, the funds will not be available until June 1999. He also shared financial information regarding the \$375,000.

The Tribal Attorney and Tribal Controller expressed concerns with regard to breaching covenant for financing agreement with Wells Fargo.

9. Chairman Massey advised the need to review all Tribal loans and suggested that Milfred and George Hesse, Tribal Attorney, meet for this purpose.
10. The meeting recessed at 6:00 p.m. and to reconvene on Monday, December 14, 1998.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary
WHITE MOUNTAIN APACHE TRIBE

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Continuation of Council meeting
Executive Conference Room
Monday, December 14, 1998

BRIEFS

1. The continuation of the Tribal Council meeting was called to order at 9:50 a.m. by Chairman Massey with a quorum present. The invocation was offered by Council Member Clay.
2. Tribal Attorney, George Hesse, introduced Alfredo Gutierrez, Lobbyist, and Gary Husk, newest member of the Gutierrez firm. Alfredo commented on the need for a public affairs program. He stated that his firm is available to provide support services and will act on behalf of the tribe at the Tribal Council's direction.
3. Gary Husk commented that it will be helpful to gather people together and provide format on over-view of gaming and the current situation. He also suggested drawing upon some of the resources of attorneys and firms through out the nation that represent tribes on this issue, as well as involving financial people so other issues can also be addressed. Mr. Husk stated that the responsibility shown by the WMAT in gaming will result in the tribe being one of the first tribes called to the table to look at whole issue and stressed that being prepared for this is in the tribe's best interest. Mr. Husk also informed Council that he met with Joe Lodge from the U. S. Attorney's office and that Mr. Lodge is more than willing to work with the WMAT and looks forward to this relationship. He also stated that as they get more information on Law Enforcement issues that the tribe has concerns over, they will make these resources available.
4. Council stressed the need for a strong relationship with Joe Lodge as well as Council involvement in any discussions regarding casino or gaming issues. Comments were made on the appointment of new Gaming Director - the need for the tribe to present names to the Governor for consideration.
5. Alfredo also stated that any legislation on expanding or extending compacts, taxation, tax lease, welfare and education reform issues that affect the tribe, will be reported to the Tribal Council.
6. Chairman Massey informed Council that the tribe's spokesperson for the media will be Raymond Endfield, Jr.
7. Tribal Member and SWIRA (Southwest Indian Rodeo Association) President, Lloyd Susan, presented an overview on SWIRA. Lloyd answered questions and explained and clarified issues. He was advised to work with the Fair Commission.
8. Council Members shared concerns and complaints received on Chief Judge and the court system with Chief Judge Grimes. Chief Judge Grimes advised that the Council should address the Law and Order committee with their concerns, in turn, the committee will inform her of these concerns. She also stated that they are working on setting up the Court of Appeals.

9. Law & Order Chairperson Reno Johnson, Sr. commended Council and he urged working together. He also thanked Council for his appointments to the Law & Order Committee and the FATCO Board. He recommended the signing of documents regarding Law & Order complaints but needs direction from the Council.
10. Chairman Massey stressed the need for an Associate Judge and highly recommended Reagan Armstrong, Sr. Council Members Craig and Nez expressed concerns regarding other applicants and qualifications for this position as it was advertised. Vice Chairman Endfield explained that prior procedure included recommendations from the Law & Order Committee and appointment by the Tribal Council. Reagan Armstrong, Sr. thanked Council for their support.
11. Resolution No. 12-98-276 adopted for appointment of Reagan Armstrong, Sr. as Associate Judge. Vice Chairman Endfield made the motion and motion was seconded by Council Member Cody. The resolution passed with a vote of 4-1-2 abstentions.
12. Resolution No. 12-98-277 adopted granting ownership and title of tribal rental house at Lot No. 6, Blueberry Hill, to tribal member, Caroline Cheney. Council Member Craig made the motion and the motion was seconded by Council Member Tate. Resolution passed with a vote of 6-0.
13. Tribal Attorney presented resolution on Rules of Professional Conduct for the Tribal Court. Chairman Massey advised to have the Law & Order Committee and the Tribal Council review document first. Ben Nuvamsa recommended to incorporate this into the 638 contract for Judicial Services. The Tribal Attorney also presented a resolution to reassign land assignment from Tribal Member, Michael Endfield to Tribal Member Katherine K. Shephard. After brief discussion, it was decided to table this resolution due to the need for more information.
14. The Tribal Attorney also brought up the Legal Aid contract and he stated that Legal Aid provided Public Defender services and contract was due last year. This was followed by discussion and questions concerning Paula King, Public Defender.
15. The meeting recessed at this point for the swearing in ceremony of Associate Judge, Reagan Armstrong, Sr. which was conducted by Chief Judge Grimes with majority of Council present.
16. The Tribal Council appointed individuals for eleven (11) committees and boards of the White Mountain Apache Tribe. The committees included: Enrollment, Land Board, Roads, Indian Education, Finance & Budget, TERO/TAP, KNNB, Fair Commission, Apache Cultural Advisory Council, Election Commission and Tribal Health Board. The Tribal Council Secretary to inform individuals of their appointments. Chairman Massey advised that the Natural Resources and the Land Restoration committees will be considered at next meeting. Council Members Craig and Nez stressed the need for an Ethics Committee and training in Ethics while Council Member Cody recommended public relations training.
17. Resolution No. 12-98-278 adopted to accept the recommended individuals for the eleven (11) committees and boards of the WMAT. Council Member Declay made the motion and the motion was seconded by Council Member Tate. The resolution passed with a vote of 7-0.

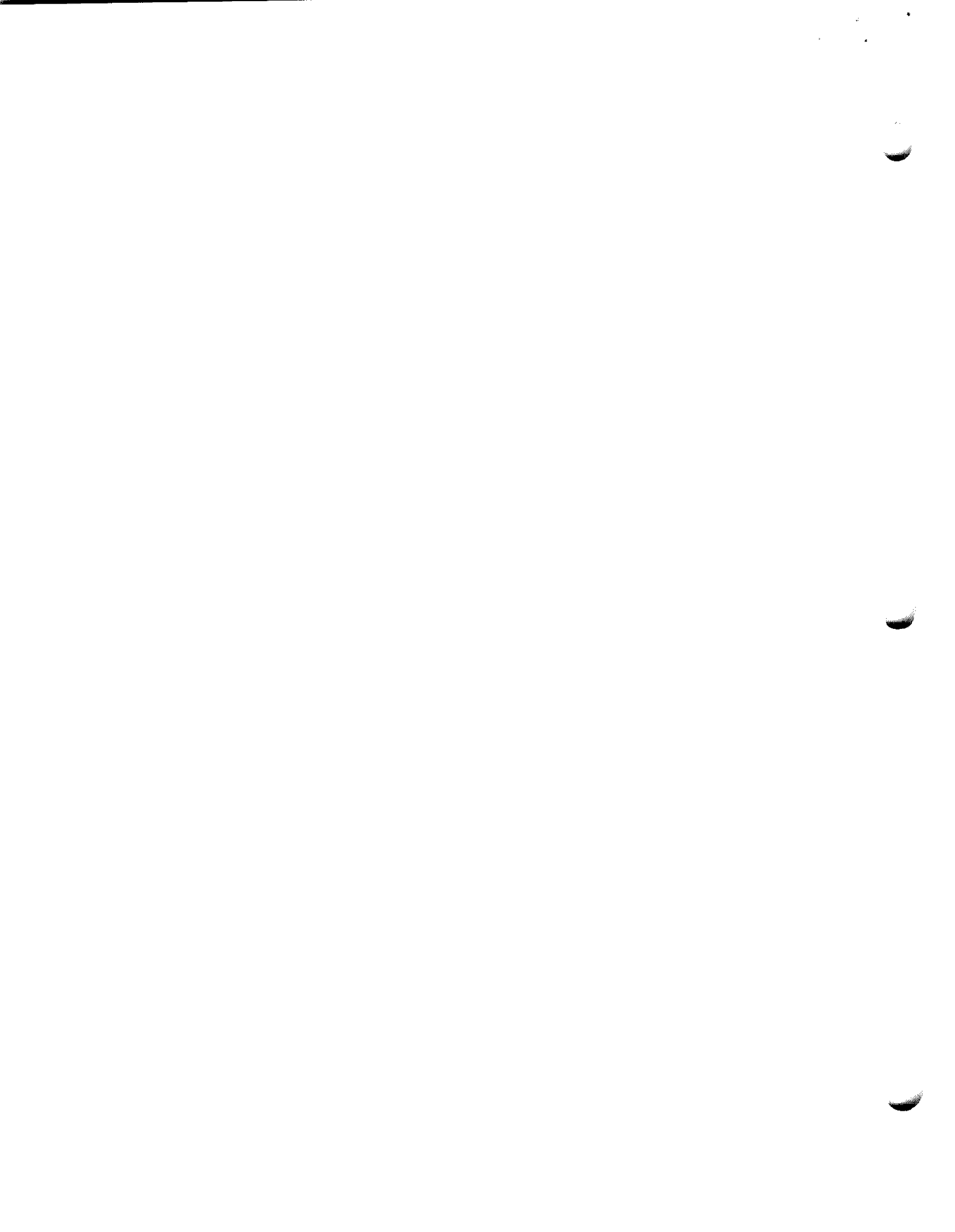
Pg. 3 - Tribal Council mtg. -12/14/98

18. The meeting recessed at 5:20 p.m. and to reconvene tomorrow.

Sincerely,

Cyndy Harvey-Burnette
Cyndy Harvey-Burnette
Tribal Council Secretary

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WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Continuation of Council meeting
Executive Conference Room
Tuesday, December 15, 1998

BRIEFS

1. The continuation of the Tribal Council meeting was called to order at 9:30 a.m. by Chairman Massey with a quorum present. Council Member Dehose was on sick leave and Council Member Clay attended the Law & Order meeting. Vice Chairman Endfield offered the invocation.
2. Council discussed the seriousness of the allegations regarding Ms. King who has given work related information to her husband, reporter Tom King, which in turn is reported by him in a local newspaper. Other concerns include the amount of time Ms. King may have available to perform the public defender services, given her current administrative responsibilities with Legal Aid and reports of additional proposed responsibilities she may have to the Legal Aid office in San Carlos, as well as complaints that plea bargain agreements reached with the prosecutor may not always have been made with the knowledge and consent of the client. Council requested a follow-up review to the preliminary report by the Law and Order Committee. It was also recommended that Council receive the contract with adequate time for review before approval.
3. Reno Johnson, Sr., Chairperson of the Law and Order Committee and the Tribal Attorney recommended to the Council that the Public Defender contract with Southern Arizona Legal Aide be authorized in order to assure continuity of legal defender services to criminal defendants during the period of follow-up review.
4. Resolution No. 12-98-279 adopted to approve the renewal of the Public Defender contract with Southern Arizona Legal Aid, Inc., for an additional one year term. The resolution also to include a review of the reported concerns with the performance of the current Public Defender by the Law and Order Committee. The motion was made by Council Member Nez and the motion was seconded by Council Member Janeway. The resolution passed with a vote of 5-2-1 abstention.
5. The Tribal Attorney recommended certain modifications to the Intergovernmental Agreement (IGA) between the WMAT and the U. S. Geological Survey. The Survey is agreeable to the recommended modifications as explained to the Tribal Council by the Tribal Attorney.
6. Resolution No. 12-98-280 adopted to approve the Intergovernmental Agreement between the WMAT and the U. S. Geological Survey for Stream Gaging Access Permit and Technical Assistance. Council Member Tate made the motion and Council Member Baha-Walker seconded the motion. The resolution passed with a vote of 7-0.
7. A brief discussion followed on Bill Veeder, Water Rights Attorney. Council expressed an interest to show appreciation to him from the tribe and the need to recruit a new Water Rights Attorney.
8. The meeting adjourned at 12:05 p.m.

Sincerely,

Cyndy Harvey-Burnette

Cyndy Harvey-Burnette
Tribal Council Secretary

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WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Special Council mtg. w/Game & Fish
Executive Conference Room
Tuesday, December 22, 1998

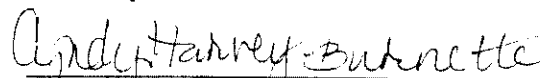
BRIEFS

1. The special meeting with the Wildlife & Outdoor Recreation Division was called to order at 9:30 a.m. by Chairman Massey with a quorum present. Council Member Dehose was absent. The invocation was offered by Council Member Cody.
2. Jon Cooley, Wildlife & Outdoor Recreation Division Manager, gave a brief overview of today's presentation. They also want to clarify issues they view as potential problems for managing the fisheries and wildlife resources as well as proposing some regulation changes they feel is in the best interest of the tribe. Jon also invited Tribal Member college students who are in resource field to learn about policies, issues and to observe interaction between W&ORD and the Tribal Council as well for their involvement.
3. Darrell Declay presented information on symptoms of over use, angler characteristics, the benefits of quality fishery programs and raising permit fees. Jon Cooley stated that 638 contract funding have reduced significantly which limits department's ability to manage resources. He also shared that department is reviewing how to better fund programs to be able to fund more Fisheries Biologists positions. More positions needed due to our reservation size and the availability of resources. He also brought up charging Tribal Members and explained that these fees assist in funding scholarships, Hunter Education & Report A Poacher Programs. He feels that if utilizing tribal resources, they need to use it responsibly and the tribe should derive some benefits from use of resource. He stressed building up the department's management program.
4. Council suggested informing Tribal Members of these issues via community meetings, KNNB and the Apache Scout. Other comments included plans for the development of more lakes and a request for statistics on the actual numbers of Tribal Members who fish. Jon explained that costs and environmental issues are the two obstacles regarding lake development.
5. Daniel Parker presented a perspective of fish and wildlife service on the two national fish hatcheries-Williams Creek and Alchesay Fish Hatcheries. He reported that 100,000 fish are raised annually but that some die due to disease and drought problems. He also mentioned the high feed costs and the problems of abuse of fish by tribal members, as well as by non tribal members. A discussion on abuse problem followed with Council expressing concerns and advised that a solution be found.
6. Joe Jojola, Wildlife Biologist, presented information on the various wildlife. He explained that habitat has changed over the years and is not as productive. The decline in wildlife numbers are due to habitat and predation, especially mountain lion. He recommended to aggressively pursue predator and habitat management. The elk numbers continue to increase by 20%, mainly in the

northeast part of the reservation, therefore, he advised to maximize number of permits. Joe commented that this year was the first time a Bighorn Sheep tag was issued to a tribal member and that the potential for revenues for Bighorn Sheep management is extremely good. He stated that if burns are implemented, this will definitely benefit the wildlife habitat. He ended his presentation with a summary of the 1998 Trophy Elk hunt, which he stated was successful.

7. Council recommendations included the utilization of tribe's public relations firms for advertisement of the Trophy Elk hunt, moving up the hunt a week early for better productivity, better public/customer relations, more tribal member Biologist positions, decrease the long waiting lines for permits, more aggressive cooperation between Enterprises and Personnel in selection for positions, utilizing full potential of policies and procedures, improvement of name drawing system and more public education.
8. Doreen Gatewood remarked on a fair system for college students as far as selection for competitive positions within the tribe.
9. The staff of Wildlife and Outdoor Recreation Division were thanked for their presentations.
10. Council Member Tate reported that a roads inventory should be forthcoming from Clarence Begay, BIA Roads Manager. He also briefed Council on recent roads meeting and that two representatives are needed for the Negotiated Rulemaking Task Force. Council Members Tate and Nez were nominated but after discussion, it was decided to have Chairman Massey and Paige Erickson, Environmental Planner, as tribal representatives.
11. Resolution No. 12-98-281 adopted to have Chairman Massey and Paige Erickson, Environmental Planner serve as tribal representatives to serve on the Negotiated Rulemaking Task Force. The motion was made by Council Member Declay and the motion was seconded by Vice Chairman Endfield. The resolution passed with a vote of 7-1.
12. Resolution No. 12-98-282 adopted directing Chairman Massey to seek funds for FATCO employees bonuses. Council Member Craig made the motion and the motion was seconded by Council Member Baha-Walker. The resolution passed with a vote of 9-0.
13. Resolution No. 12-98-283 adopted for a ferrel horses contract immediately with involvement and input from Joe Harvey, ID Manager and Candy Lupe, Wetlands Planner. The motion was made by Council Member Nez and seconded by Council Member Tate. The resolution passed with a vote of 8-0.
14. The meeting adjourned at 1:15 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary