

Resolution No. 07-99-152

**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 June 2-4, June 10, June 14, June 23-25, 1999 and has presented them to the Tribal Council this date for approval; and

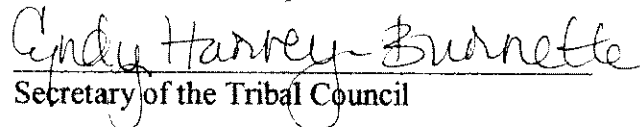
WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs should be approved with changes as clarified.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves Tribal Council meeting briefs for June 2-4, June 10, June 14, June 23-25, 1999 as presented with noted changes.

The foregoing resolution was on July 15, 1999, duly adopted by a vote of SIX 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 (i), (s) and (t) 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).

ACTING


Chairman of the Tribal Council


Secretary of the Tribal Council

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Tribal Council Meeting
Tribal Council Chambers
Wednesday, June 02, 1999

BRIEFS

1. The Tribal Council meeting was called to order at 9:40 a.m. The invocation was offered by Council Member Clay. Roll call was taken by the Tribal Council Secretary with all members of the Council present.
2. Tribal members, Rita and Eleanor Paxson, requested a financial loan on behalf of grandson, Waylon Dale Truax, who is attending the NAU summer session. Mother will reimburse tribe. Resolution No. 06-99-120 adopted to provide loan in the amount of \$533.00 to Waylon Dale Truax for NAU summer session expenses. The motion was made by Council Member Baha-Walker and seconded by Council Member Cody. The resolution passed with a vote of 7-0.
3. Tribal member, Helen Tso, requested \$1900 on behalf of son Patrick Tso. Mr. Tso is attending a Maricopa Skill Center in Phoenix. Funds are to pay for apartment rental. Council decided to invite Linda DeClay and Erma Walters to meeting to hear their comments.
4. East Fork Community Officers, Brian Quintero, Victor Edwards, Evelena Lee and other members of the East Fork Community shared their plans and concerns. A draft resolution was presented requesting 25% of revenues from the usage of the Stago Pit, the Sundown Liquor Store and the rodeo ground facilities for improvements within the community. No action was taken on this resolution. Council offered supporting comments for their efforts. The Treasurer to report on the \$75,000 land claim funds with Council input.
5. Linda DeClay, Tribal Education Director, and Erma Walters, Employment Assistance Coordinator updated Council on status of Patrick Tso. They stressed abiding by policies. Employment Assistance to inform Mr. Tso of application process.
6. Family member of the late Ardith Clawson shared concerns due to lack of accident report they have been trying to obtain for insurance purposes to benefit her child. District III Council Members and family to meet with the Tribal Attorney for follow up. Gertie Lupe, on behalf of the McNary Assembly of God Church, requested a well to be dug for the church on their property. She was referred to Keith Jones, Environmental Planner and Laurel Lacher, Hydrologist.
7. Earl J. Owens of Owens Mortuary introduced Tom Folkert, who presented a Professional Services plan which indicates single, three and five year pay premiums. Mr. Folkert also presented casket costs. They were informed that information will be forwarded to the Finance Committee.

8. Tribal member, Georgianna Truax, shared complaints regarding the Chief Judge and issue of child support. She was advised to document everything and referred to the Law & Order Committee.
9. Tribal member, Janet Craig, informed Council that an individual is willing to repair the Carrizo Community building. She was advised to check with Planning Department. Mrs. Craig also stressed that if funds are allocated for the Carrizo Community from Land Claims, be provided. Chairman Massey stated that \$250.00 which was designated for the playground is available for the community .
10. Resolution No. 06-99-121 adopted for approval for the --- church group to renovate the Carrizo Community Building. The motion was made by Council Member Nez and seconded by Council Member Tate. The resolution passed with a vote of 7-0.
11. Tribal member, Starlene Foster, requested emergency housing as was advised by Housing to give up home when she went to school. Council Member Craig advised to hear Housing staff regarding this issue.
12. Nancy Mahaney, Acting Culture Center Director, presented information on recent successes at Fort Apache. She also referenced Dr. John Welch's award. Resolution No. 06-99-122 adopted in support of Nowike Bagowa's expanded application for the Honoring Nations Award. The motion was made by Council Member Nez and Council Member Craig seconded the motion. The resolution passed with a vote of 7-0.
13. Resolution No. 06-99-123 adopted for Nowike Bagowa's application to the Arizona Historical Society for \$2,000.00 to assist with the purchase of equipment required for the cataloguing of museum collections. Council Member Cody made the motion and the motion was seconded by Council Member Baha-Walker. The resolution passed with a vote of 8-0.
14. Donna Vigil, Health Authority Director, presented Health Authority management unit organizational structure. She indicated the need for a Deputy Director and a Planner. Mrs. Vigil stated that the organization chart is approved by the Health Board. Resolution No. 06-99-124 adopted for approval of the Health Authority management unit organization structure. The motion was made by Council Member Craig and seconded by Council Member Nez. The resolution passed with a vote of 7-0-1 abstention.
15. Concerns were expressed on incident at Memorial Hall involving Healthy Nations staff. Mrs. Vigil is in the process of following up on this matter. Council Member Craig reported that diabetes is on the rise and incidents of t.b. are picking up. She will present narrative at next meeting. Donna also reported that Rainbow Center conducted a Mock Survey and
- 16.. Bryan Blow and Jim Monroe presented a Cable Television Proposal but were advised to return tomorrow with more information.

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17. Kris Atwell of Watershed Productions presented a video on Quartzite Fall in the Salt River Canyon area. The documentary film to provide educational outreach to instill the value of the wilderness, the need for preservation of archaeological and cultural sites and to respect the land. She was advised to speak to Ramon Riley and Paul Ethelbah for more information on legends associated with the Salt River.
18. The meeting recessed at 5:10 p.m. and to reconvene tomorrow.

Sincerely,

Cyndy Harvey-Burnette
Cyndy Harvey-Burnette
Tribal Council Secretary

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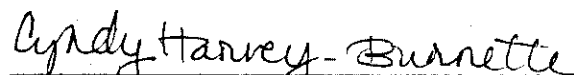
WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Tribal Council meeting
Tribal Council Chambers
Thursday, June 03, 1999

BRIEFS

1. The continuation of the Tribal Council meeting was called to order at 9:25 a.m. by Chairman Massey with a quorum present. Council Member Dehose was on annual leave. The invocation was offered by Council Member Tate.
2. Joe Jojola, Wildlife Biologist, presented a summary of the proposed 1999 - 2000 Tribal Member hunting regulations which included game, season dates, bag, number of permits and cost. Joe informed Council that input was obtained from tribal members at the various community meetings. Re-seeding habitat, signs indicating prohibited areas, predator control and elk hide market were some of the concerns addressed by the Council.
3. Resolution No. 06-99-125 adopted for approval of the Tribal Member hunting regulations with changes as recommended by the Tribal Council. Council Member Declay made the motion and Vice Chairman Endfield seconded the motion. The resolution passed with a vote of 7-0.
4. Patrick McMullen and Ann Marie Chischilly of ITCA presented the Community Involvement Plan as well as the WMAT Government and Community Members communication processes.
5. Bryan Blow of Comet Communications presented advantages of cable TV service but concerns were expressed for the protection of the Johnson's (Robert and Krista) interests as they have investments involved. Council Member Craig made a motion to accept the Comet Communications proposal with conditions set by the Tribal Council and the Assistant Tribal Attorney. The motion was seconded by Council Member Nez and the resolution passed with a vote of 3-2-4 abstentions.
6. Carla Alchessay-Nachu, Service Unit Director, reported on TB, HIV, Aids, Diabetes, Dental services and contract health budget. The Whiteriver Service Unit was awarded the Secretary's Award for Distinguished Service from Donna Shalala, Secretary of Health & Human Services.
7. Jonathan Long, Watershed Planner, presented a preliminary outline on the Canyon Day Wetlands Restoration Area. Resolution No. 06-99-127 adopted for the authorization of grant proposals to the National Fish and Wildlife Federation and other appropriate funding sources to support restoration of the White River at Canyon Day. Council Member Clay made the motion and Council Member Janeway seconded the motion. The resolution passed with a vote of 7-0.
8. Jonathan also requested permission to conduct proposed research concerning indicators of riparian-wetland health on the Fort Apache Indian Reservation using data collected by the Tribal Watershed Program and from interviews with cultural advisors. He stated that the Tribal Cultural Advisory Board has consented to his request.

9. Resolution No. 06-99-128 adopted granting permission to Mr. Long to conduct his proposed research as presented to the Tribal Council. The motion was made by Council Member Baha-Walker and seconded by Council Member Craig. The resolution passed with a vote of 8-0.
10. Gary Alchesay of Tribal I.D. requested pasture (over 7,000 acres) in the Sunrise area and he also requested burning of some cienegas for range improvement. A recommendation was made to have all involved to meet and to include Jonathan Long and Robert Lacapa. Mr. Alchesay also had concerns regarding the budget and he stressed the need for radios. Ben Nuvamsa to follow up on the radio request.
11. Raymus Albert, Land Office Director, presented the Land Board meeting minutes of May 28, 1999. A request was made to identify allotted acreage in minutes as well as decisions/actions by the Board. Other concerns included lost application status and relinquishment issues. Resolution No. 06-99-130 adopted for the approval of the Land Board meeting minutes of May 28, 1999. The motion was made by Vice Chairman Endfield and seconded by Council Member Nez. The resolution passed with a vote of 6-0.
12. The meeting went into Executive Session at 4:40 p.m. to discuss Tribal I.D. Herd.
13. The meeting recessed at 6:00 p.m. and to continue tomorrow at 9 a.m.

Sincerely,


Cyndy Harvey-Burnette
Tribal Council Secretary

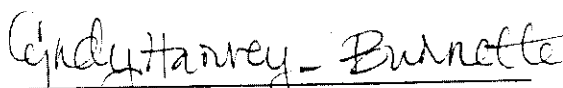
WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Tribal Council meeting w/U. S. Attorney
Executive Conference Room
Friday, June 4, 1999

BRIEFS

1. The meeting with the U. S. Attorney was called to order at 9:23 a.m. by Chairman Massey with all members of the Council present. The invocation was offered by Council Member Craig.
2. The Tribal Attorney referenced Chairman Massey's response to the Editor of the White Mountain Independent regarding last week's article. Comments and concerns followed. It was suggested to utilize the tribe's public relations firms.
3. The U.S. Attorney for District of Arizona, Jose De Jesus Rivera gave opening remarks focusing on utilizing the many resources available. He commended Sherry Martin, Tribal Prosecutor, for her Special Assistant U.S. Attorney appointment. The Assistant U.S. Attorney, Vincent Kirby stated that lack of witnesses and evidence is a major problem but that most cases are up to date. He praised organizations for working together. Richard Armstrong stressed working together and making the most of resources for better cooperation. The tribe was assured that cases are not being neglected but that lack of funds and manpower hinders cases.
4. Slow investigation process, disparities in sentencing guidelines, case guidelines, rewards, improvement of communications and post rape counseling were some of the concerns discussed.
5. Chairman Massey, on behalf of Mollie Colelay and family, expressed concerns regarding late daughter's case.
6. Resolution No. 06-99-131 adopted for the addendum to the current revocable permit issued by the Tribal Council to ADOT for the Indian Pines Maintenance Camp. Council Member Baha-Walker made the motion and the motion was seconded by Council Member Tate. The resolution passed with a vote of 7-0.
7. The Tribal Attorney reported on the development of the NPC campus. He stated that relinquishments are still pending from the three individuals. Discussion followed on business and land assignments and NPC lease issue. Connor Murphy, Tribal Planner and Bruce Klewer of NPC were advised to proceed with plans.
8. Resolution No. 06-99-132 adopted for the approval of a MOA with the BIA, Fort Apache Agency beginning October 1, 1998 and ending September 30, 1999 for the Whiteriver Fire Management Center. The motion was made by Council Member Cody and seconded by Council Member Clay. The resolution passed with a vote of 8-0.

9. Resolution No. 06-99-133 adopted for Department of Economic Security (DES) lease. Council Member Tate made the motion and Council Member DeClay seconded the motion. The resolution passed with a vote of 8-0.
10. The Tribal Attorney reported that as the tribe has terminated contract with J. R. Hall & Sons Trucking, they are threatening a lawsuit. This was followed by a discussion on loggers and to meet with them next week. A request was made to review all FATCO logging contracts.
11. Resolution No. 06-99-134 adopted to secure the appointment of a different attorney to manage the Whiteriver Legal Aid office and to carry out the responsibilities under the Public Defender Agreement. The motion was made by Council Member Tate and Council Member DeClay seconded the motion. The resolution passed with a vote of 6-1-2.
12. Resolution No. 06-99-135 adopted to authorize consent to the Boeing Corporation for its application to the Federal Patent and Trademark office to register the name "Apache" and "Apache Longbow" in reference to the military helicopter program. Council Member Tate made the motion and the motion was seconded by Council Member Clay. The resolution passed with a vote of 7-0-1.
13. The Tribal Attorney informed Council of the request from the Norwegian Broadcasting Corporation to film documentary on the Fort Apache Indian Reservation. He was advised to invite representatives to meet with the Tribal Council. George also updated on progress of litigation involving claim against the Department of Interior.
14. Resolution No. 06-99-136 adopted for approval of the Tribal Council meeting briefs for the month of May, 1999. The motion was made by Council Member Tate and seconded by Vice Chairman Endfield. The resolution passed with a vote of 9-0.
15. The meeting adjourned at 4:05 p.m.

Sincerely,


Cindy Harvey-Burnette
Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Tribal Council meeting
Executive Conference Room
Thursday, June 10, 1999

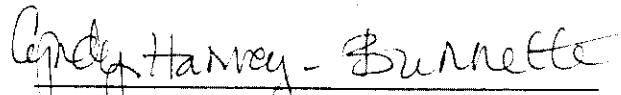
BRIEFS

1. The Council meeting with FATCO Loggers was called to order at 1:45 p.m. by Chairman Massey with a quorum present. Council Member Baha-Walker was on travel and Council Member Janeway was on leave. The invocation was offered by Council Member Cody.
2. Chairman Massey stated that purpose of today's meeting is to cover two agenda items - the FATCO Loggers and Fannie Mae Foundation.
3. Wilkie Gregg introduced all representatives in attendance - Earl's, Jaggo, Webb Ways, Canyon Creek and McCart Logging.
4. Kayle McNeil, Sonny Earl, Mrs. Webb (representing Miki Webb), and Dale & Mike Holl shared similar problems related to their logging businesses. Logging truck weights, higher fuel prices, road issues, more restrictions, high skidding costs, payday concerns, mistletoe problems, inaccurate scales and bi-weekly payroll were some of the concerns discussed.
5. Chairman Massey informed all of state law involvement in load issue. He also explained that skidding distances are due to environmental concerns and stressed limiting roads. Chairman Massey also advised another meeting before September. Omar Villa explained that renovations at FATCO will impact lumber transportation. Wilkie Gregg offered a review of financial statements for the loggers. Robert Lacapa and Dave Reinhold commented on environmental issues and skidding distances. Paul Declay addressed safety issues. Raymond Endfield, Jr. stated that a review will be conducted of issues and concerns presented today.
6. Replacement of outdated machinery and equipment at FATCO, environmental concerns, review of loggers contracts and salary issues were some of the important concerns raised by the Tribal Council. The loggers were thanked for their attendance.
7. Ruby Altaha of Revolving Credit introduced Elisa de la Vara and Bruce Friedman of Fannie Mae. Ruby explained that due to lack of funding for Revolving Credit loans, will sell these loans to Fannie Mae. She also presented budget, trial balance, and delinquent list for Revolving Credit. Elisa and Bruce provided an overview and information on Fannie Mae. A review of FHA homes was suggested. Raymond Endfield and Victor Velasquez shared comments in support of this effort.

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8. Resolution No. 06-99-137 adopted to authorize Revolving Credit to sell its secondary loans to Fannie Mae. The motion was made by Vice Chairman Endfield and Council Member Craig seconded the motion. The resolution passed with a vote of 7-0.
9. The Council were informed of a special Tribal Council meeting on July 1, 1999 with Housing Authority.
9. The meeting adjourned at 4:17 p.m.

Sincerely,



Cindy Harvey-Burnette
Tribal Council Secretary

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WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Emergency Tribal Council meeting
Executive Conference Room
Monday, June 14, 1999

BRIEFS

1. The Emergency Tribal Council meeting was called to order at 9:15 a.m. by Chairman Massey with all members of the Council present. The invocation was offered by Vice Chairman Endfield. In attendance were thirty-two (32) people representing the tribe, Red Cross, BIA, IHS, State, USDA Forest Service and Housing Authority.
2. Chairman Massey remarked that today's meeting is for an update on status of the Rainbow Fire. Dan Hawkins, BIA Investigator, stated that the fire is man caused and is under investigation. Ben Nuvamsa, BIA Superintendent, informed Council of aid through Federal Emergency Management Administration (FEMA) and HUD. Ben also stated that GIS staff will provide further maps related to the fire and commented on rehab plans. He recognized all organizations who were involved and assisted. Mr. Nuvamsa stressed immediate and long terms needs for families and to document all losses.
3. George Leech, Incident Commander (IC), presented a chronology of the Rainbow Fire. Larry Humphrey, IC, Southwest Area Type I Team, explained the difference between the Type Teams and remarked on the excellent cooperation between BIA and the tribe.
4. Resolution No. 06-99-138 adopted declaring the region of June 11-13 Rainbow Fire as a disaster area and requesting all appropriate emergency aid from Navajo County, State of Arizona, the United States, FEMA and HUD. Council Member Baha-Walker made the motion and Vice Chairman Endfield seconded the motion. The resolution passed with a vote of 8-0.
5. Robert Lacapa referenced his prediction of April 1, 1999. He commended the many heroes who assisted with the fire and stated that these individuals need to be recognized by the tribe. Mr. Lacapa stressed the need for prescribed burning. Robert Johnson of the Whiteriver Fire Dept. commented on the various organizations who assisted and plans to prevent same situation.
6. Chief Burnette of the Whiteriver Police Department, stressed planning ahead, supporting prevention and other agencies recommendations. Billy ___ presented costs involved in the Rainbow Incident which are as follows: Supplies \$44,793, Overhead \$128,918, Aircraft \$153,516, Camp Support \$211,949, Equipment \$228,337 and Crews \$325,571 which totaled over \$1 million dollars. These costs do not include burnt homes and structure costs.
7. Carla Alchesay-Nachu of IHS gave an overview of actions IHS took and their involvement in the disaster. She expressed concerns regarding communications and the need for a tribal incident command site. Roger Leslie & staff of Hondah also shared information on how they assisted families and firefighters. Roger was advised to give special consideration to employees affected by the road closure as well as by the fire.

8. Hal Luedtke, BIA Forestry, presented a status report on the Rainbow Fire Burned Area Emergency Rehabilitation (BAER) which included purpose of BAER, list of team members and action items.
9. Chadeen Palmer of Housing Authority reported that seventeen (17) units were completely burnt but that efforts were underway to locate available housing for these families. Victor Velasquez stated that assessment of homes are being conducted.
10. The formation of the Emergency Task Force Team was presented. Representatives for IHS, Tribal Planning and Tribal Safety were identified and added. Pedro Ayala of the Red Cross reported on their priorities and the availability of financial assistance in the form of vouchers to eligible families. Sue Goseyun reported that an account is set up within the tribe for all cash donations. Chuck Rappley of the Arizona Division of Emergency Management reported on assistance provided by the state of Arizona and the process for funds for structures and utilities.
11. Yvonne Redsteer, Tribal Social Services, informed Council that about 200 people need emergency assistance. Evelyn Roanhorse, Phoenix Area Social Worker, stated that funds are available for essential household items and that \$600,000 was requested for this area but that documentation was required.
12. A tour of the Rainbow Fire to be conducted tomorrow for the Tribal Council. The exit meeting with Type I Team is scheduled for 10 a.m. Wednesday, June 16th and the BAER Team meeting on same day at 6 p.m. The fire critique to be held on Thursday, June 17th at 10 a.m.
13. Omar Villa, FATCO General Manager, reported on FATCO involvement and on lost revenues with plans to schedule personnel to make up this lost. Chadeen Palmer updated Council that housing units were located for the Francis, Kelewood and James families. She further reported that furniture were also donated. Mrs. Palmer stated that families who have smoke damaged homes will need housing as well and will result in bumping people off the waiting list.
14. It was recommended that Robert Lacapa be the contact person to work with the Task Force Chairperson and report information to the Tribal Council.
15. Concerns were expressed regarding the Diamond Creek Camp meeting as the fire was contained, not controlled. Council Member Nez made the motion to close the camp meeting due to fire danger and Council Member Craig seconded the motion but both withdrew their motion. The camp meeting area was not reported safe for occupancy on KNNB. Council Members Craig, Nez and Baha-Walker accompanied by Forestry personnel, volunteered to inform people as it was identified that people were not properly notified.
16. The meeting adjourned at 3:11 p.m.

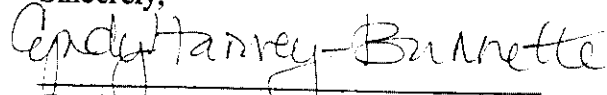
Sincerely,

Cyndy Harvey-Burnette

WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Tribal Council Water Rights training
Hon-Dah Convention Center
Wednesday, June 23, 1999

BRIEFS

1. The special Council training session on Tribal Water Rights with Professor Charles Wilkinson was called to order at 9:15 a.m. by Chairman Massey with all members of the Tribal Council present, with the exception of Council Member Declay who was absent. Council Member Baha-Walker offered the invocation. Others in attendance were: Sylvia Cates, Laurel Lacher, Ben Nuvamsa, Bob Brauchli, Robert Lacapa, David Osterfield, Cindy Burnett and Crystal Chee.
2. The Tribal Attorney introduced Charles Wilkinson, the Moses Lasky Professor at the University of Colorado. Professor Wilkinson stated that objective of today's meeting is to examine the nature of the Tribe's rights to gain legal and political information that will be useful in making critical decisions regarding the water issues facing the Tribe.
3. Professor Wilkinson presented information on The Winters Doctrine and how it relates to state law, Western Water Law, Litigating Indian Water Rights, the McCarran Amendment and adjudication and Indian Water Settlements. He also presented strategies for the protection of White Mountain Apache Tribal water.
4. Professor Wilkinson stressed that the tribe has to identify White Mountain Apache tribal water objectives and be determined to protect these objectives. He also stressed the development of a plan for the future of tribal water strategies. Further, Professor Wilkinson advised a close relationship with Dept. of Justice (DOJ) attorney, the tribe to control events and be assertive in their policies regarding ground water. He stressed watershed protection, Miner Flat Dam and securing more data on ground water interference.
5. Statements of concerns from Council included: adequate data, statistics and inventory related to water issues on the reservation, in-stream flows, state and DOJ representation concerns, risks in litigation, resolving the ground water concerns and procurement of all water rights related documents. A request of an outline on the benefits of the Winters Doctrine & McCarran Amendment was also expressed.
6. Ben Nuvamsa recommended a meeting of forces towards resolution that would be satisfactory to the White Mountain Apache Tribe. He also stated that the Tribal Attorney meet with DOJ on concerns regarding claims submitted by trustees and he further stressed the need for data for the underground pumping.
7. The training session adjourned at 4:20 p.m.

Sincerely,


Cyndy Harvey-Burnette
Tribal Council Secretary

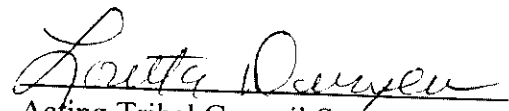
WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Special Council Meeting
Bureau of Reclamation
Tribal Executive Conference Room
Thursday, June 24, 1999

BRIEFS

1. Chairman Massey called the special Council meeting to order at 2:00 p.m. with a quorum present. Tribal Council Secretary, Cyndy Harvey-Burnette was on annual leave. Council Member DeClay gave the invocation.
2. Keith Jones, Environmental Planner presented information on investigation of future dam and reservoir sites on the reservation. He introduced Bureau of Reclamation Representatives of Central Arizona Project: Kevin Black, Program Manager, Richard Dent, Manager for Native American Affairs and Mike Pryor, Chief of Engineering of Phoenix and addressed the Tribal Council as to how they have assisted tribes with water related projects.
3. Richard Dent, Manager of Native American Affairs, addressed the Council regarding his work on major dam structures.
4. Kevin Black, Program Manager, addressed the Council on the 638 Contract Budget. The White Mountain Apache Tribe needs water management plan, engineering organization, and feasibility study to be presented to Congress. Appraisal feasibility will also be conducted. The dam builders are funded under the 638 contract at the Phoenix Area Office. The dam builders will conduct a surrounding check on the reservation before they begin the project.
5. Resolution No. 06-99-140 was adopted. The motion was made by Council Member Tate and seconded by Council Member DeHose, to proceed on dam and reservoir projects that the Council would like developed at Miner Flat Dam. The resolution passed with a vote of 8-0.
6. Chairman Massey addressed the Tribal Council regarding the time frame for planning, construction projects, environmental and cost considerations. He stressed the need for more dam developments to utilize our water.
7. The Bureau of Reclamation representatives addressed the \$75,000.00 in the Appraisal Investigation Program to the Tribal Council. Western New Mexico and Navajo reservations were funded \$300,000.00 and funds were use for water supply, power production and open conduce operation. The White Mountain Apache Tribe needs to increase the funds from \$75,000.00 to \$300,000.00 Tribal Attorney George Hesse to write to the Congressional Delegates and ask for \$300,000.00 as \$75,000.00 is not sufficient to cover the costs.

8. Resolution No. 06-99-141 was adopted to increase funding to \$300,000.00 to the Congressional Delegates to build a dam at Miner Flat. The motion was made by Council Member Dehose and seconded by Council Member Clay. The resolution passed with a vote of 8-0.
9. The meeting adjourned at 4:15 p.m.

Respectfully submitted;


Acting Tribal Council Secretary

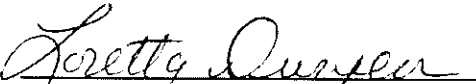
WHITE MOUNTAIN APACHE TRIBE
Fort Apache Indian Reservation
Whiteriver, Arizona
Special Council Meeting
Crews & Associates
Tribal Executive Conference Room
Friday, June 25, 1999

BRIEFS

1. Chairman Massey called the Special Council meeting to order at 2:20 p.m. with a quorum present. Tribal Council Secretary, Cyndy Harvey-Burnette was on annual leave. Council Member Clay gave the invocation.
3. Milford Cosen shared a project of refinancing and bond financing of the existing debt with Wells Fargo. He provided the final document that was requested and a draft resolution that will authorize Crews and Associates to go forward and place the bonds, and with the approval, within three weeks or mid July, the Tribe would have the actual funds. The transaction not to exceed \$20,000,000. He went through basic overview with the Councils. He introduced the individuals from Crews and Associates and Law Firms. Jorge Albala, Tribe's bond Counsel, John McNally who is the underwriter from Washington for Crews and Associates, Jim Brown and John Banks from Crews and Associates who are directly involved with the transaction.
4. Cathy Tate, Tribal Treasurer did a general description, the overall of the refinancing with Crews and Associates and presented the figures to the Councils.
5. Jaci Ulmer, Tribal Controller addressed the Council about the latest calculation of total annual payment and presented a memorandum with figures to the Councils.
6. John McNally, read the draft resolution to the Council and each Council Member received a copy, along with a copy of the Indenture of Trust booklet.
7. Jorge Albala, addressed to the Council about the bond fund. There will be a debt service account in the bond fund under which low money will be paid for the bond fund holders, and there will also be a reserve account. The reserve account will be funded up-front with the 2.1 million and that money will be set aside for reserve in case there is any problem paying the lien holder back. Additional bonds were also discussed from the Indenture of Trust booklet.
8. Chairman Massey addressed his concerns to the Tribal Council of the existing debt with Wells Fargo and each Council discussed their concerns about the refinancing with Crews and Associates.

9. Resolution No. 06-99-142 was adopted for a loan of \$20,000.000 with Crews and Associates. The motion was made by Council Member Tate and seconded by Council Member DeClay. The Resolution passed with a vote of 5-4 and 1 abstention.
10. The meeting adjourned at 5:15 p.m.

Respectfully submitted;


Acting Tribal Council Secretary