

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


**WHEREAS,** the Tribal Council Secretary, Cyndy Harvey-Burnette, has prepared briefs for the Tribal Council meetings for October 4 & 5, October 10 & 11, October 16 and October 27, 2000 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 as presented with noted changes.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for October 4 & 5, October 10 & 11, October 16 and October 27, 2000, as presented with identified changes.

The foregoing resolution was on November 7, 2000, duly adopted by a vote of SIX for, ZERO against and ONE abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (s), (t) and (u) 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  
Tribal Council meeting/Council Chambers  
Wednesday, October 4, 2000

### COUNCIL MEETING BRIEF

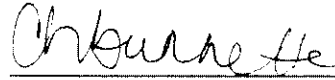
Chairman Massey called the meeting to order at 9:25 a.m. The invocation was offered by Council Member Nez. Roll call indicated all Council present. Reading of the briefs was suspended until later.

1. Isaiah Lee requested Lot A-43 in Hondah. Resolution No. 10-2000-280 adopted for approval of residential lease Lot A-43 for Isaiah Lee. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 7-0-1 abstention.
2. John Bernal of Rural Development presented a check in the amount of \$18,355.00 to Chairman Massey for community building renovations.
3. Mae Burnette requested Lots A-35 & A-36 in Hondah. Resolution No. 10-2000-281 adopted for approval of residential lease Lots A-35 & A-36 for Mae Burnette. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 7-0-1 abstention.
4. Mollie Colelay informed Council of her repeated efforts to obtain a HIP home and that she still desires a home. She was informed of the latest HIP policies and referred to Vice Chairman Endfield for follow up. Mrs. Colelay also questioned status of her late daughter's case. After a lengthy discussion, Resolution No. 10-2000-282 was adopted directing the Tribal Attorney review the federal Tort Claims Act to aid in Mrs. Colelay's request and to assist others in same predicament. Motion: Council Member Craig, second: Council Member Burnette. Vote: 10-0.
5. Franco Nosie, Sr. requested assistance with ten hotel rooms and waiver of Memorial Hall fee for gospel concert and free barbecue. It was suggested that each Council Member pay for one room. Mr. Nosie was advised to check back with Council Members and Memorial Hall fee was waived by one-half.
6. Rhonda Ethelbah requested Executive Session. Motion: Council Member Baha-Walker, second: Council Member Clay. Vote: 10-0. The meeting went into Executive Session at 10:20 a.m. to hear from Rhonda Ethelbah and June Patten. Exit Executive Session motion: Council Member Dehose, second: Council Member Clay. Vote:
7. Resolution No. 10-2000-283 adopted for pay adjustments for Rhonda Ethelbah and June Patten with retro pay to 8/1/00. Motion: Council Member Dehose, second: Council Member Baha-Walker. Vote: 10-0.
8. Council Member Baha-Walker to follow up on Victorio Pope's housing need. Cathy James and Alfonso Tenijieth were also identified as needing housing assistance. A meeting of all housing programs to be scheduled to address the many housing related problems.

9. Sylvia Bones thanked Council for allowing the children to complete the summer endurance camp. Mrs. Bones spoke on the need for parks and recreation areas for the youth.
10. Jackie Altaha on behalf of her daughter, Danielle DeClay, requested financial assistance in the amount of \$2,500 so that Danielle can enter the Miss Indian Teen World Scholarship Pageant. Resolution No. 10-2000-284 adopted approving \$2,500 financial assistance (\$250 from Council Member Clay, \$1,250 split between the Chairman and Vice Chairman and the remaining \$1,000 from Hondah) for Danielle DeClay's participation in the pageant. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 6-0.
11. Elesta Standing Bear expressed her concerns on the local judicial system with regard to child support. The Tribal Attorney explained that the Court Administrator is in the process of submitting proposal on the Court of Appeals for Council's review. Resolution No. 10-2000-285 adopted to direct the BIA to locate funds for the Court of Appeals as soon as possible with a report to the Council within 14 days. Motion: Council Member Craig, second: Council Member Nez. Vote: 8-0.
12. Indian Education Committee Chairperson Harrison Dayaye presented the revised Policies and Procedures. Concerns were shared on importance of impact statement, Council Member term, recording secretary and leniency for students. Resolution No. 10-2000-286 adopted for approval of the IEC Policies and Procedures. Motion: Vice Chairman Endfield, second: Council Member Nez. Vote: 8-0-1 abstention.
13. Resolution No. 10-2000-287 adopted for appointment of Lolita Endfield to the Indian Education Committee with Sylvia Browning as alternate. Motion: Vice Chairman Endfield, second: Council Member Nez. Vote: 8-0.
14. Tribal Education Director Linda DeClay clarified that all Tribal Members who submit required documents on time are assisted through Higher Education. Ms. DeClay provided information on Child Find and informed Council of awareness activities regarding proposition 203.
15. Navajo County Justice of the Peace candidate David Widmaier expressed his thanks for support from the tribe in the primary election. He requested endorsement from the Tribal Council. Resolution No. 10-2000-288 adopted for David Widmaier's endorsement. Motion: Council Member Cody, second: Council Member Clay. Vote: 5-2.
16. Sadie Burnette Coordinator of the Child Care & Development Services program provided information on grant received for the new Chaghache Day Care Center and recommended that Rex Hinshaw of Spragins & Hinshaw Architects be authorized to construct the Day Care Center. Mrs. Burnette was commended for her work. Resolution No. 10-2000-289 adopted for approval of Rex Hinshaw of Spragins and Hinshaw Architects to construct the Day Care Center. Motion: Council Member Clay, second: Vice Chairman Endfield. Vote: 9-0.
17. Carlene Narcho, Tribal Social Service Director, presented information on the family preservation program and on TANF sanctioning regarding Child Support Enforcement requirements. Ms. Narcho also informed Council of \$414,000 deficit which the tribe has to pay to the state, which is now in the process of

- negotiations. TANF eligibility was also covered. Resolution No. 10-2000-290 adopted for 6% cost of living wage adjustments for Tribal Social Services staff. Motion: Council Member Clay, second: Vice Chairman Endfield. Vote: 8-0.
18. Dan Sorenson, HIP Coordinator, explained the new regulations and provided HIP FY 2000 Priority List with priority ranking of all eligible applicants. He was advised to review Mollie Colelay's status and to provide copies of regulations to Council, as well as to inform the public of regulation changes. Resolution No. 10-2000-291 adopted for the HIP FY 2000 selections-five applicants and one alternate. Motion: Council Member Craig, second: Council Member Burnette. Vote: 9-0.
19. The meeting recessed at 6:02 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Tribal Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Thursday, October 5, 2000

### COUNCIL MEETING BRIEFS

The meeting was called to order at 9:26 by Chairman Massey. Roll call indicated a quorum present. Council Member Craig was on travel status while Council Member Cruz attended a FATCO Board meeting. The invocation was offered by Council Member Cody.

1. Navajo County Supervisor Larry Vicario presented two checks in the amounts of \$1,500 each to Chairman Massey for the elderly programs in Whiteriver and Cibecue. Mr. Vicario was thanked for his support of our elderly. Mr. Vicario informed Council that Richard Palmer, Transportation Coordinator, will be considered for appointment to NACOG.
2. Dr. Randall, Superintendent of Whiteriver Unified School District, reported on the status of Seven Mile Elementary School, as well as a report on other construction projects within the school district. She was advised of the need for the school to work with the Indian Education Committee to create a tracking system for students. Concerns were expressed on the freshmen drop out rates and on teacher shortages. The importance of teachers living locally was shared. More information on assessments and enrollment was requested.
3. Health Authority Executive Director Donna Vigil introduced staff and stated that they are here to provide a progress report on the N'dee Health Web. Anthony Declay, Assistant Executive Director, presented information on community participation. Dr. Barry Bialek covered the preliminary survey results and an update on grant application. Council shared their concerns on the long waiting time at I H S, the cancer rate and on elder health care.
4. Rainbow Treatment Center Director Deb Hoag presented a report on substance abuse with a summary of alcohol facts and the four A's of alcoholism. Alcohol education was stressed. A request was made for success rates from Rainbow Center and family involvement in the alcohol treatment process was advised.
5. Pat Lundgren of I H S provided information and statistics on diabetes. Early intervention was stressed. Charlene O'Rourke reported on the Apache Diabetes Wellness Center. Mention was made of Health Authority's assuming responsibility of the Apache Diabetes Wellness Center with budget/staff information forthcoming for Council review.
6. Council Member Dehose reported on the Haskell Board of Regents meeting which she attended. She also shared her concerns on the recent Cibecue Ridge Fire with regard to the fire response and decisions made in the fire management as the Cibecue Ridge is considered a sacred site to the WMAT. Other Council shared their concerns and Ben Nuvamsa, BIA Supt. stated that any studies are welcome as they will identify strengths and weaknesses for future improvements.

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, October 10, 2000

### COUNCIL MEETING BRIEFS


Bob Brauchli and Sylvia Cates, Special Counsel, provided a water rights report in the morning session to Council who were present. Chairman Massey called the meeting to order at 2:50 p.m. when a quorum was present. Council Member Dehose was absent, Council Member Nez was on sick leave, Council Member Cruz was on annual leave and Council Member Craig was on travel status. The invocation was offered by Council Member Baha-Walker.

### TRIBAL ATTORNEY'S REPORT

1. George Hesse, Tribal Attorney, reported on the proposed appointment and assignment of duties for a Tribal Pension Board with an update on Pension administration issues. Errors in employee deductions with regard to retirement and notification to employees of these errors were some concerns. Resolution No. 10-2000-294 adopted for the appointment of the Tribal Treasurer, Tribal Controller, Tribal Human Resources Director, Council Member Craig and Andrew Kinney to the Tribal Pension Benefits Committee. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 6-0.
2. Information on the Police Pension Plan was provided. This plan would guarantee a specified monthly lifetime benefit to retired officers which may be a valuable recruitment and retention benefit for the Police Department. Ben Nuvamsa, BIA Supt. announced that training for local law enforcement agencies will be provided. A request was made for an update of all open cases from law enforcement.
3. Resolution No. 10-2000-295 adopted for the reappointment of Mike Cooley to the Tribal Gaming Commission. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 6-0.
4. Special Counsel Bob Brauchli provided information on the proposed following resolution. Resolution No. 10-2000-296 adopted to authorize and direct attorneys for the Tribe to withdraw the Tribe's July 3, 1996 Motion to Dismiss, with continued monitoring of the Little Colorado Rive and Gila River General Stream Adjudications. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 6-0.
5. Gaming update – advising to complete compact this calendar year to avoid the legislature's involvement in setting the compact terms. Letter to Governor Hull regarding the unfair rejection of Tribe's application for Arizona State Parks Board Historic Preservation Funds was shared with Council.

6. Resolution No. 10-2000-297 adopted for a rent waiver to the Postal Service in exchange for the rehabilitation of the building at Fort Apache in which the Post Office will be located. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 6-0.
7. Information on the Apache Ridge Town homes lease was provided and Resolution No. 10-2000-298 authorized for the Tribe to enter into the lease agreement for CDC and authorization of the limited waiver of the Tribe's sovereign immunity, for the limited purpose of assuring performance of the lease obligations. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 3-1-1 abstention.
8. The Tribal Attorney presented a resolution at the request of Lucy Benally to add her tribal member brother, Erick Steven Benally to lease. George advised that whoever inherits the lease has to be a Tribal Member to be consistent with the Land Code. After discussion, Council Member Baha-Walker made a motion to table this resolution until further information is acquired.
9. An update was provided on the Police Department Dept. of Justice Grant – lack of records on compliance. It was advised to have Grants and Contracts monitor 638 programs for proper accounting.
10. Status of Chief Judge was discussed. It was advised to follow the Judicial Code process towards removal.
11. Information on the Tribal Prosecutor's contract was shared and discussed but no action was taken on the proposed resolution. Possibly to be considered tomorrow.
12. Special Counsel Sylvia Cates updated Council on comments filed with Fish and Wildlife Service regarding report of the Working Group on the Endangered Species Act and Indian Water Rights. A brief update was also presented on the fish farm proposal.
13. BIA Supt. reported that the BIA is still operating on a continuing resolution through October 14, 2000.
14. The meeting recessed at 6:18 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Tribal Council Secretary

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Wednesday, October 11, 2000

### COUNCIL MEETING BRIEFS

The continuation of the meeting was called at 9:17 a.m. by Chairman Massey. Council Member Craig was on travel. The invocation was offered by Vice Chairman Endfield.

1. Tribal member Eva Cosen shared her concerns regarding management at the Canyon Day Store. She was advised that Gerald Alsenay and Raymond Endfield, Jr. would look into these concerns and they will update Council.
2. Council meeting briefs for the months of August and September 2000 were read by the Council Secretary. Resolution No. 10-2000-299 adopted for approval of meeting briefs for August and September 2000. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 7-0.
3. John Bereman, Tribal Engineer, presented the following two resolutions:  
Resolution No. 10-2000-300 adopted to endorse and direct the use of \$240,000 in USDA Rural Development Agency authorized Whiteriver Water System Improvement – Phase II project funds for use in constructing the emergency Canyon Day to Cedar Creek waterline project. Motion: Vice Chairman, second: Council Member Nez. Vote: 7-0.
4. Resolution No. 10-2000-301 adopted for approval of use of \$25,000 of USDA Rural Development Whiteriver Water System Improvements – Phase II project funds to cost share with Northland Pioneer College for the construction of a waterline extension to new campus. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 6-0.
5. Council Member Baha-Walker updated Council on FATCO and Hondah traffic lights and the Quintero Springs Bridge. She further briefed Council on the community meeting regarding the Seven Mile School.
6. Tribal Member Everette Massey of the Canyon Day Livestock Association shared information on the horses taken to Kansas and that current cost to release the animals was \$1,288.00. Council Member Burnette, the Brand Inspector and Mr. Massey are to coordinate the return of the horses. The Assistant Tribal Attorney David Osterfield to involve Game and Fish staff and BIA for the return of the elk. Resolution No. 10-2000-302 adopted authorizing the withdrawal of \$2,500.00 from the Tribal Contribution Fund for the return of the horses with reimbursement of these funds no later than 120 days from today. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 6-0.
7. Tribal Member Troy Bonito shared his housing problems. The Land Office to review his land assignment.
8. Council Member Nez' report included the concerns of Cedar Creek residents to design their future homes themselves. Due to the lack of water in Cedar Creek this past summer, a waiver of water bills for that period for those residents was



White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Monday, October 16, 2000

### COUNCIL MEETING BRIEFS

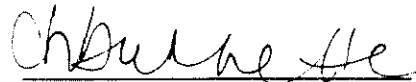
The Special Council meeting on Community Planning and Development was called to order at 1:30 p.m. by Chairman Massey. Roll call indicated a quorum present. Council Member Clay was on travel status and Council Member Nez offered the invocation.

1. Tribal member Rea Goklish requested financial assistance on behalf of her daughter, Lenea Lupe, who attends Chandler-Gilbert Community College. The funds would assist with Lenea's travel expenses to Hawaii as a member of the Chandler-Gilbert Women's Basketball team. Resolution No. 10-2000-304 adopted to assist Lenea Lupe with \$800.00 from the Tribal Recreation Fund. Motion: Council Member Baha-Walker, second: Council Member Nez. Vote: 7-0.
2. Tribal member Erma Pinal shared information on her termination status at FATCO and she was advised to file grievance.
3. Chairman Massey shared pictures he took of control burning which indicated some areas which burnt out of control.
4. Keith Jones, Tribal Engineer, shared remarks on purpose of today's meeting.
5. Faith Beatty-Johnson provided information on the community mapping and Geographic Information Systems (GIS) program. She recommended that Land Office utilize same programs and software she currently uses. She also advised archiving the Land Office documents.
6. The Tribal Attorney George Hesse covered the problems with "wildcat" development. He stressed the need for Tribal control of tribal lands and suggested leases for all concerned. BIA Supt. Ben Nuvamsa stated that HIP regulations need to be consistent with the tribe.
7. Keith Jones and Don Grund, Community Development Specialist, provided an update on the community master planning update. Discussion followed on the Hondah area which was originally set aside for economic development. A meeting with Housing and Land Office was suggested. Regarding the ADOT yard, a special meeting between ADOT, Hondah and Council was advised.
8. John Bereman, Tribal Engineer, informed Council of the water/wastewater infrastructure development reservation-wide. The establishment of a sewer district was recommended.
9. Information on individual home site development was presented by Jimmy Newhall, Field Technician. Mr. Newhall stressed that the Land Office should contact his office before issuing land for better coordination. Ben Nuvamsa, BIA Supt. advised to address jurisdictional, law enforcement and other issues for the rim road area if there are plans of future community in that area. It was recommended that Planning and the Land Office work together and Resolution

No. 10-2000-305 adopted for these two departments to merge, as well as to archive the land records. Motion: Council Member Craig, second: Council Member Burnette. Vote: 8-0.

10. Cheryl Minjarez, Realty Specialist, provided an overview of the realty program. She advised a review of the lease comes due to non-payment of fees by Tribal Members.
11. Transportation Coordinator Richard Palmer covered community transportation needs.
12. Don Grund, Community Development Specialist, covered other community planning and development programs. He stressed community involvement and setting priorities.
13. The meeting adourned at 5:23 p.m.

Sincerely,

  
Cyndy Harvey-Burnette  
Tribal Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Hondah Convention Center  
Friday, October 27, 2000

### COUNCIL MEETING BRIEFS

The Special Joint meeting between the Tribal Council, Housing Authority Board of Commissioners and Housing Authority staff was called at 10:25 a.m. by Gladys Bencomo, Deputy Director, who stated purpose of meeting is to update Council on Housing Authority progress. The Board Chairman Reno Johnson, Sr. offered the invocation. Chairman Massey, Vice Chairman Endfield, Council Members Lupe, Cody, Baha-Walker, Cruz, and Clay were present. Council Members Dehose and Burnette were on travel status. Council Member Nez was on sick leave and Council Member Craig was not present.

1. Victor Velasquez, Housing Executive Director, thanked all for being in attendance and stated that supervisors will present events of past year within Housing Authority.
2. Chairman Massey thanked the Council for being present and commented that Apache Dawn will provide employment and homes. He urged Council to ask questions in today's meeting.
3. Housing Authority staff provided status reports of their respective departments as follows:
  - a. James Cutter – Development
  - b. April Dawahongva – Computer
  - c. Leon Crocker and William Feller - Maintenance
  - d. Minda Lupe – Loan Counselor
  - e. Dorothy Parker/Sherry Goklish – HOC/Occupancy
  - f. David Truax – Procurement
  - g. Joleen Quintero & staff – Collections
  - h. Karen Baylish & staff - Finance
4. Supervisors presented information on staff and job responsibilities.
5. Council Member Cody shared his concerns on housing for Carrizo community. He further stated that the livestock association is willing to offer land near the Carrizo station. He was informed that said sites were already presented to the Land Board.
6. Chairman Massey commented on the pond near China Town housing and advised that Don Grund and Raymus Albert provide a review of this area.
7. Victor presented information on the I H S Info Structure as well as on the units.
8. At lunch Head Start staff presented resolution regarding a refunding grant application in the amount of \$1,331.892 to U.S. Dept. of Health and Human Services to provide developmental services. As Council quorum was lacking, Chairman Massey advised action on the proposed resolution once a quorum is present. He further complimented the Head Start staff for their work.

9. Kino Torino, on behalf of the family of the late Homer Hosay, Jr., shared concerns regarding the final arrangements for Mr. Hosay when the body was not returned as agreed. He asked for Council support.
10. Chairman Massey informed all that the family, himself and other interested Council will be traveling to San Carlos on Monday, October 30, 2000 to address the San Carlos Apache Tribal Council of these concerns. He also stressed support for the family. Letter from Chairman Massey to Chairman Stanley was shared with all.
11. Julie Thompson, Housing consultant, presented information on income & sources, inventory, cash and investments. Highlights of 1999 audit was provided, along with major accomplishments of Apache Dawn and goals for Phase II.
12. AJ Yazzie, Housing consultant, provided IHP goals for FY 1998, 1999 and 2000. Information on the Management Improvement Plan and IHP objectives was also presented.
13. Housing Attorney, John Weideman, provided NAHASDA information and information on the low interest loan through Water Infrastructure Finance Authority. He commended staff on presentations. Mr. Weideman also covered possible economic development which includes manufacture housing and advanced ceramics business. He stated that desire and opportunity equals results.
14. Victor, as part of his closing remarks, encouraged Council visits at Housing.
15. At 3:05 p.m. Chairman Massey called the meeting to order. He shared remarks on Housing Authority. To maximize funds, will utilize in-house contractor and that Indian and Veteran preference are still in effect for positions.
16. Roll call indicated a quorum present. Housing Authority Director requested a waiver of TERO fees for the Apache Dawn construction project. Ultimately, this will result in more funds for Housing Authority for assistance to Tribal Members who are on housing waiting lists. Resolution No. 10-2000-306 adopted for the waiver of TERO fees. Motion: Council Member Cody, second Vice Chairman Endfield. Vote: 5-0-1 abstention.
17. Chairman Massey informed Council of lack of documents regarding projects that Keith Jones was coordinating, as well as environmental assessments that need to be conducted.
18. Council Member Baha-Walker, on behalf of TERO and ADOT, requested special Council meeting. Date was set for November 29, 2000. She also pointed out an error in Resolution No. 10-2000-302 and the Assistant Tribal Attorney to correct the error.
19. Chairman Massey advised Council to travel during the week instead of the weekends for cost savings.
20. Council Member Clay announced that he met with Jack-in-Box personnel and will invite them to a future Council meeting.
21. The meeting adjourned at 3:30 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Tribal Council Secretary