



Resolution No. 07-2001-218

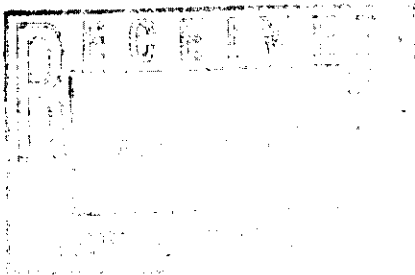
**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**


WHEREAS, the Tribal Council Secretary, Cyndy Harvey-Burnette, has prepared briefs of the Tribal Council meetings for April 4-5, April 16 and April 30, 2001 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 for April 4-5, April 16 and April 30, 2001, should be approved as presented.

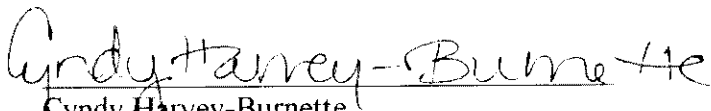
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for April 4-5, April 16 and April 30, 2001.

The foregoing resolution was on July 30, 2001, duly adopted by a vote of SEVEN 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 (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).





Dallas Massey, Sr.
Chairman of the Tribal Council



Cyndy Harvey-Burnette
Secretary of the Tribal Council

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Tribal Council Chambers
Wednesday, April 4, 2001

COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:25 a.m. The invocation was offered by Pastor Evelyn James and followed by roll call. Vice Chairman Endfield was on travel status.

TRIBAL MEMBER BUSINESS

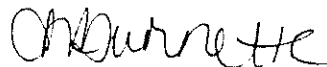
1. Abilene Griggs requested financial assistance for Marcus Burnette, Crystal and Raquel Griggs. The three students were selected for their academic achievements and community service and are to travel to Hawaii to attend national conference. Resolution No. 04-2001-84 adopted to direct the Tribal Treasurer to assist with this request. Motion: Council Member Baha-Walker, second: Council Member Craig. Vote: 9-0.
2. Jacqueline Altaha on behalf of JFK school requested financial assistance and/or waiver of Memorial Hall for student's annual trip to Disneyland. Resolution No. 04-2001-85 adopted for waiver of one-half of costs for the use of the Memorial Hall for JFK. Motion: Council Member Cody, second: Council Member Dehose. Vote: 9-0.
3. Pam Lupe requested a business license for a clothing and shoe retail business and Resolution No. 04-2001-86 adopted approving her request. Motion: Council Member Baha-Walker, second: Council Member Clay. Vote: 8-0.
4. Council Member Baha-Walker motioned to go into Executive Session with a second from Council Member Clay. Vote: 9-0. Executive Session was held from 9:51 to 10:53 a.m. on behalf of Milson Cromwell. Al Brooks, Public Works Director, was also present.
5. Rita Taylor requested financial assistance for daughter Denise Taylor who will be competing for the Miss Indian World title. Total request was \$1,161. Resolution No. 04-2001-87 adopted to assist Denise Taylor for purpose stated. Motion: Council Member Nez, second: Council Member Clay. Vote: 9-0.
6. LouEllen Greasewood and Victorio Pope shared their concerns about Sunrise and Ms. Greasewood requested that the abandonment of position be removed from her personnel records. Raymond Endfield, Director of Enterprises and Mark Heberer, Sunrise Business Manager offered their input on staff and Sunrise. After a lengthy discussion on the problems at Sunrise, it was advised that Ray provide a written report of his findings to Council. It was suggested that a meeting be held to discuss Sunrise issues only.
7. Kelly Gregg, non-tribal member, requested financial assistance for tribal member son Dewey Johnson Gregg who will be traveling to Alaska with the Gregg family.

Funds will go towards purchasing new clothes for Dewey. Council Members who are able to will assist her son.

AGENDA ITEMS

8. Noel Benoist, partner of Jimmy Hastings, provided personal information on himself and a financial update on the Great Chiefs Auto Mall. The Assistant Tribal Attorney to follow up financial information and on error on the loan documents referencing the WMAT. Mr. Benoist to return tomorrow for follow up.
9. The Assistant Tribal Attorney provided a follow up report on Milson Cromwell. Resolution No. 04-2001-88 adopted directing the Legal Department to draft letter to Public Works Director to give priority to Mr. Cromwell for any vacancies within the department. Motion: Council Member Baha-Walker, second: Council Member Clay. Vote: 7-0.
10. Consultant Larry Ethelbah presented information on grant. Price variances on Public Works materials and off-reservation businesses was discussed. Resolution No. 04-2001-89 adopted for the Tribal Engineering Department to submit a proposal to the BIA Division of Energy and Mineral Resources for a two-year project to provide detailed assessment of mineral deposits on the F.A.I.R. Motion: Council Member Baha-Walker, second: Council Member Burnette. Vote: 6-0.
11. Resolution No. 04-2001-90 adopted for approval of a 25-year residential lease of Lot A-42 in Hondah to tribal member Larry Ethelbah. Motion: Council Member Cody, second: Council Member Burnette. Vote: 6-0.
12. Transportation Coordinator Richard Palmer provided an update of road projects from year 2000 to present and proposed projects from year 2002 through 2005. Mr. Palmer stated that employees are needed but that TERO Director is not always available to assist. Another problem referenced is the lack of skilled employees.
13. The meeting recessed at 4:55 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Tribal Council Chambers
Thursday, April 5, 2001

COUNCIL MEETING BRIEFS

The continuation of the Council meeting was called to order at 9:25 a.m. by Chairman Massey with a quorum present. Council Member Craig was on travel status. The invocation was offered by Council Member Cody.

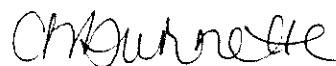
1. Paul DeClay Tribal Forestry Manager provided update on drug testing. Council advised strong enforcement of drug testing, stiffer fines and/or punishment for drug offenders, to test Managers and supervisors as well and use consistency in testing. Mr. DeClay stated that due to the Cibecue Ridge Fire, the need for involvement of individual in suppression activities was identified. Resolution No. 04-2001-91 adopted to authorize the Tribal Forestry Manager to designate a Fire Advisor within Tribal Forestry Department to provide fire activity information to the Tribal Council. Motion: Vice Chairman Endfield, second: Council Member Cody. Vote: 9-0.
2. Information on three positions to be contracted through the BIA was shared by Paul DeClay.
3. Jim Youtz and Leon Metts of BIA Forestry updated Council on Flagstaff and Espinola field trips. Wilkie Gregg of FATCO commented on helicopter logging and urged Council to attend field trip and stated that more info on this type of logging will be provided at a later date.
4. Molly Pitts of Tribal Forestry requested an extension of the draft Tribal Smoke Management Plan to January 2002 and Resolution No. 04-2001-92 adopted for approval of this request to minimize smoke impacts from prescribed burns. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 8-1.
5. Apache Enterprise Director Gerald Alsenay requested approval to transfer Hawley Lake assets to Wildlife & Outdoor Recreation Division. Resolution No. 04-2001-93 adopted approving this request. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 7-1.
6. FATCO update was provided by General Manager Maria Classay. FATCO Board Members and Bob Try of Beck Group were present. Jose Yadao, Safety & Environmental Specialist and William Malone, Air Quality Specialist participated in discussion on air quality. Brief background information on Prevention of Significant Deterioration (PSD) was presented by the Tribal Attorney George Hesse. Discussion followed on EPA title IV permit. Resolution No. 04-2001-94 adopted for approval of an EPA Title V Permit for FATCO. Motion: Council Member Nez, second: Vice Chairman Endfield. Vote: 9-0.
7. Anthony DeClay Health Authority Assistant Director and Debra Hoag of Rainbow Treatment Center Director presented information on the IPS grant to implement the Outcomes Management system for clients of Rainbow Center.

- Debra also shared information on family day. Resolution No. 04-2001-95 adopted for approval for the Rainbow Center Director to pursue the Tribal Management Grant/Program Evaluation Component from DHHS. Motion: Council Member Clay, second: Vice Chairman Endfield. Vote: 9-0.
8. Resolution No. 04-2001-96 adopted approving N'dee Health Webb, under the direction of the Tribal Health Authority, to assume responsibility and program accountability for Inter Agency Coordinating Committee (IACC). Motion: Council Member Dehose, second: Vice Chairman Endfield. Vote: 9-0.
 9. Tio Tachias of ATM Connections provided information on the Arizona Redistricting Commission. The Tribal Attorney advised further review and the involvement of Guitierrez firm.
 10. Executive Session was held from 2:10 to 2:20 p.m. for the Tribal Attorney's update on Mr. Noel Benoist.
 11. At 2:37 p.m. the Tribal Council were invited to the Whiteriver Head Start to hear closing remarks from the 10-member Federal Compliance Review team. The members made positive comments about Head Start's review and expressed appreciation of hospitality that was extended to them. Staff and team were offered words of gratitude from the Tribal Council.
 12. Executive Session was held from 3:15 to 3:30 p.m. for presentation of Tribal Enrollment.
 13. Resolution No. 04-2001-97 adopted for enrollment of fifty (50) individuals with the White Mountain Apache Tribe. Motion: Vice Chairman Endfield, second: Council Member Nez. Vote: 8-0.
 14. Resolution No. 04-2001-98 adopted for the enrollment of Melissa Willey with the WMAT. Motion: Council Member Nez, second: Vice Chairman Endfield. Vote: 8-0.
 15. Resolution No. 04-2001-99 adopted for the approval of the relinquishment request from the WMAT for Bruce Lee Shaw. Motion: Council Member Cody, second: Vice Chairman Endfield. Vote: 8-0.
 16. Resolution No. 04-2001-100 adopted for the approval of the relinquishment request from the WMAT for Stewart Lee Shaw. Motion: Council Member Cody, second: Vice Chairman Endfield. Vote: 8-0.
 17. The Tribal Attorney reported in Executive Session from 3:30 to 3:49 p.m.
 18. Realty Specialist Cheryl Minjarez presented the following three resolutions:
Resolution No. 04-2001-101 adopted approving lease to Davina Malone Parker for Lot A-64 in the Hondah Homesite Community. Motion: Vice Chairman Endfield, second: Council Member Nez. Vote: 6-0.
 19. Resolution No. 04-2001-102 adopted approving lease to Scott Tenijieth for Lot A-75 in the Hondah Homesite Community. Motion: Vice Chairman Endfield, second: Council Member Cody. Vote: 6-0.
 20. Resolution No. 04-2001-103 adopted approving Lot A-98 and half of Lot A-96 to Diane Parker Vigil and half of Lot A-96 to Wayland and Kandi Burnette in the Hondah Homesite Community. Motion: Council Member Nez, second: Council Member Clay. Vote: 8-0.

21. Discussion followed on requests by non-tribal member spouses to be placed on leases. The Tribal Attorney clarified that there are provisions in these leases that cover for natural life of tribal members.
22. Ruby Altaha, Acting Revolving Credit Director commented that board member should possess business/financial background and she presented the following: Resolution No. 04-2001-104 adopted for the appointment of Sadie Burnette to the Revolving Credit Committee. Motion: Council Member Dehose, second: Council Member Clay. Vote: 7-0.
23. Chairman Massey announced that Sadie Burnette has been appointed to oversee all early childhood programs within the tribe.
24. Chairman Massey relayed to Council the financial request from Dewey Lupe, Jr. in the amount of \$800 for children's travel to Springfield, MA. The children to accompany parents and sister Bethany Lupe who is a contestant in the National Hoop Shoot Contest. Resolution No. 04-2001-105 adopted for approval of \$800 for travel for Lupe girls travel to Springfield, MA to accompany parents and sister Bethany Lupe who is a contestant in the National Hoop Shoot Contest. This resolution also includes reimbursement to Council Member Cruz' travel to the Great Lakes last fall for daughter's graduation in the amount of \$807. Motion: Council Member Baha-Walker, second: Council Member Lupe. Vote: 7-1.
25. Council Member Nez reported on financial request from Eagle Numkena in the amount of \$761.56 to purchase tools and equipment for new job. This request was referred to Tribal Education Department. Franco Nosie's request of \$1,000 was also mentioned. Council Member Nez shared request by the Frank Larzelere family to utilize Nagle Ranch in June for a wedding. This request was approved by W&ORD. Resolution No. 04-2001-106 adopted granting approval to the Larzelere family to use Nagle Ranch for a June wedding. Motion: Council Member Cody, second: Council Member Nez. Vote: 8-0.
26. Council Member Nez further requested that transportation is needed for Sherman High School parents. It was advised that the Tribal Education Director check with the BIA Education Line Officer for funds for this purpose. Regarding the muddy roads in Cedar Creek, Phoebe is to check with BIA Branch of Roads. An update on home visits was provided. Carrizo library is in need of books and furniture.
27. Discussion followed on Jaci Ulmer and Chris Shellabarger. Both to be terminated per Chairman Massey.
28. The meeting recessed at 4:58 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
Monday, April 16, 2001

COUNCIL MEETING BRIEFS

Chairman Massey called the continuation of Council meeting to order at 9:25 a.m. with a quorum present. Council Member Clay was excused. The invocation was offered by Council Member Cruz.

1. Information on Domestic Violence Awareness and Family Harmony Day to be held on May 12, 2001 at Hon-Dah was given by Mark Saylor.
2. Robert Lacapa of BIA Forestry updated Council on the Special Firefighter Retirement Program and the Maximum Entry Age for Firefighters. Drug testing efforts was also presented. Discussion followed on potential and actual impacts and advantages and disadvantages of the Firefighter Retirement Program. Resolution No. 04-2001-107 adopted to convey concerns from the WMAT regarding the Maximum Entry Age for Firefighters policy. Motion: Council Member Craig, second: Council Member Baha-Walker. Vote: 9-0.
3. Human Resources Director Gwendena Realbird introduced Pension staff and attorney. The Pension Committee was also recognized. The Pension Administrator and attorney covered summary of proposed changes to the WMAT Retirement Savings and 401(k) Plan. Council stressed education to Tribal Members of proposed changes while others favored more review time. Resolution No. 04-2001-108 adopted to approve #1 & #9 of proposed changes to the WMAT Retirement Savings and 401(k) Plan and to inform public of changes. Motion: Council Member Walker, second: Council Member Craig. Vote: 4-1-3 abstentions.
4. Discussion followed on previous and current investment brokers.
5. Pension Coordinator Cheyanne Burnette stated that the public is informed of retirement issues at the twice-yearly open enrollment meetings but that turnout is low. She referenced lack of communication.
6. Paige Erickson, Environmental Planner, provided information on WMAT's 3rd annual sports camp for persons with disabilities to be co-sponsored with Pinetop-Lakeside. Camp to be held tentatively on July 14, 2001. This year it will be held in the Pinetop-Lakeside area to reach entire White Mountain region and the town has offered use of their public facilities for the camp.
7. The Tribal Attorney began his report in Executive Session at 2:55 p.m. but was interrupted by a presentation to Council of blankets from Mike Cooley of H-Market in appreciation of supporting resolution passed regarding the great seal blankets.
8. Council Member Craig informed Council of meeting scheduled on April 30, 2001 with Don Davis, PAO Director. Agenda items to include M&M funds, nursing home and future community clinics.

9. The Tribal Attorney's report continued in Executive Session until 4:25 p.m.
10. Resolution No. 04-2001-109 adopted to reaffirm terminations of both the Tribal Controller and the Sunrise General Manager with independent audit of the Controller's office and the contracts entered into for and on behalf of Sunrise Park Resort with audit results reported to the Tribal Council. Further, to reduce the reported state of tension created by the reported temporary residence of one or both of the two former employees at the Hon Dah RV Park, that consistent with Tribal law, the former employees be directed to move to a location off the reservation. Motion: Council Member Lupe, second: Council Member Dehose. Vote: 8-0.
11. Chairman Massey announced continuing problems with Police Department cops grant and on funding problems at Head Start.
12. Paige Erickson, Environmental Planner, informed the Tribal Council of funding available through the BIA, Office of Trust Responsibilities' Integrated Resource Management Program (IRMP) to assist tribes in developing long-range, strategic level plans that direct the comprehensive management of the tribes' natural resources. The Tribal Attorney expressed FOIA concerns and he advised that grant amount be included. Resolution No. 04-2001-110 adopted to approve application to BIA IRMP for a project titled "The WMAT's Integrated Resource Management Plan". Motion: Council Member Nez, second: Council Member Baha-Walker. Vote: 8-0.
13. Consultant Larry Ethelbah advised Council of the need to use explosives for development of the Bear Canyon Materials site for aggregate and fill material sources for current construction projects. Resolution No. 04-2001-111 adopted to approve use of explosives to develop the Bear Canyon Materials site with work to be conducted by a state and federally licensed contractor. Motion: Council Member Baha-Walker, second: Council Member Nez. Vote: 8-0.
14. The meeting adjourned at 5:10 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Monday, April 30, 2001

COUNCIL MEETING BRIEFS

Chairman Massey called the special Council meeting regarding the FY 1999-2000 audit to order at 9:25 a.m. with a quorum present. Council Member Burnette offered the invocation. Vice Chairman Endfield attended meeting with BIA Superintendent and Council Member Clay was on travel status. Others present: Hugh Lee, Michelle Austin, John Clark, Terry Quest, Glorianna Dayaye and Edward Mouse.

1. After Chairman Massey's opening remarks about today's meeting, Transportation Coordinator Richard Palmer presented the following resolution: Resolution No. 04-2001-112 adopted to grant temporary construction easement to ADOT for constructing road improvements in Salt River Canyon. Motion: Council Member Baha-Walker, second: Council Member Cody. Vote: 5-0.
2. Introductions of Rogoff, Erickson, Diamond & Walker (REDW) personnel was followed by Glenn Post and Steve Erickson's review of the tribe's April 30, 2000 financial statements. Council expressed concern on noncompliance with Federal program laws and regulations as related to "loaning" of funds and who has authority to approve such "loans". Head Start building problem was shared and a re-evaluation of the tribe's medical insurance benefits was advised.
3. Revenues, expenditures/expenses and changes in fund balance for the WMAT was presented.
4. Miss Indian World Kealoha Alo was presented to the Council where she expressed thanks to them for their support.
5. Glenn Post presented improved controls within the WMAT.
6. Tribal and BIA Forestry personnel provided update on scheduled field trips with the Tribal Council.
7. The afternoon session began at 2:43 p.m. with the following present: Don Davis and Anne Susan of Phoenix Area, Whiteriver I H S Governing Board members, Health Authority personnel and the Tribal Health Board members.
8. Chairman Massey welcomed everyone, followed by introductions of all present.
9. Council Member and Health Board Chairperson Mariddie Craig thanked all for being present. She referenced many health related concerns, future plans and recognized Health Board's long service of contributions, as well as the awards received by Dr. Yost and Carla Alchesay-Nachu.
10. Health Board members Trudy Zospah, Julia Burnette and Audrey Cosen shared their health concerns.
11. Dr. Don Davis spoke about the availability of the many health care services locally as compared to other hospitals. The tribe's successes were referenced. He urged to make war on diabetes and to be successful. The need to complete the airport was stressed. He advised the tribe's involvement in I H S's budget review

and to set priorities and make plans. The tribe was complimented for their commitment to doing an excellent job. Carla Alchesay-Nachu and Anne Susan were recognized for their achievements. Mr. Davis advised improved communications between Tribal Council, Health Board and I H S. Tribal representation at I H S Governing Board meetings was recommended. I H S collections status was referenced. He stressed the importance of tribal representation at meetings and on committees for the I H S budget formulation process, as well as visits with congressional leaders.

12. Anne Susan, PAO, Planning, provided information from the program improvement document regarding staffing numbers and quarters.
13. Council Member Dehose expressed her concerns on tribal member employment for the Cibecue community.
14. Mr. Davis was thanked for his visit today.
15. Resolution No. 04-2001-113 adopted for the Health Authority Director to pursue funding through the HRSA Community Access Program. Motion: Vice Chairman Endfield, second: Council Member Craig. Vote: 8-0.
16. Resolution No. 04-2001-114 adopted for continuing the tribal budget for 60 days. Motion: Vice Chairman Endfield, second: Council Member Craig. Vote: 8-0.
17. Council Member Craig urged Council's assistance in informing high school students to apply for scholarship through Native Vision.
18. Vice Chairman Endfield suggested the tribe hold a barbecue in appreciation and farewell for Native Vision. Resolution No. 04-2001-115 adopted for approval of a barbecue for Native Vision and to be coordinated by Miss Indian World, Kealoha Alo. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 8-0.
19. Adjournment was at 4:55 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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