

**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 May 7, May 10, May 14, May 17, May 24 and May 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 May 7, May 10, May 14, May 17, May 24 and May 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 May 7, May 10, May 14, May 17, May 24 and May 30, 2001.

The foregoing resolution was on November 14, 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).


Frank J. Massey ACTING
Dallas Massey, A.
Chairman of the Tribal Council

Cyndy Harvey-Burnette
Cyndy Harvey-Burnette
Secretary of the Tribal Council

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Monday, May 7, 2001

COUNCIL MEETING BRIEFS

The meeting was called to order at 3:30 p.m. by Chairman Massey with a quorum present. Vice Chairman Endfield and Council Members Dehose and Craig were on travel status.

1. Richard Palmer, Transportation Coordinator, provided updates on Whiteriver traffic lights, Hagen Hill and on the financial situation of the Whiteriver airport project.
2. Resolution No. 05-2001-116 adopted for the WMAT to request from Indian Health Service (M&M funds) a total amount of \$608,000 to complete the Whiteriver airport. Motion: Council Member Baha-Walker, second: Council Member Cody. Vote: 6-0.
3. Council Member Baha-Walker updated Council on project position vacancies and on the blasting at Bear Canyon.
4. Carla Alchesay-Nachu, Service Unit Director, referenced above resolution and advised that this will impact on direct patient services and that ethical decisions will have to be made in the areas of transplants. The nursing home facility land issue is still unresolved. Ms. Alchesay-Nachu informed Council of possibility of Pueblo Norte closure and its impacts.
5. Council Member Baha-Walker reported on the health condition and financial need of Tiffany Riley and her family. After discussion, it was advised to assist the family financially in \$200 increments for a total of \$1,000.
6. Council Member Cody advised a widening of the road from Carrizo junction to Cedar Creek for safety purposes. Streetlights for the Canyon Day store and posting of elk signs from Whiteriver to Hondah were suggested.
7. Council Member Clay gave a brief update on gaming meeting that he attended. He advised a strong focus on tribal member benefits from casino revenues.
8. Public Information Office Chadeen Palmer announced that the blasting on US 60 has been completed. Copies of letter to Gayle Norton, Secretary of the Interior from Neal McCaleb, Oklahoma Secretary of Transportation were provided to Council, along with copies of Indian Country General News Update dated May 4, 2001.
9. Adjournment was at 4:25 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Tribal Council Chambers
Thursday, May 10, 2001

COUNCIL MEETING BRIEFS

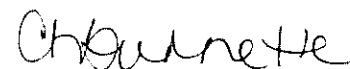
The meeting was called to order at 9:30 a.m. by Chairman Massey with a quorum of the Council present. Vice Chairman Endfied, Council Members Dehose and Craig were on travel status. Paul Ethelbah offered the invocation.

TRIBAL MEMBERS

1. Robyn Parker and parents requested tribal sponsorship for her invitation and participation in the USA Junior Nationals Championship Sports Festival from July 23-29, 2001 in Atlanta, Georgia. Ms. Parker was offered congratulations and words of encouragement from the Council. Resolution No. 05-2001-117 adopted to approve tribal sponsorship for Ms. Parker by established tribal student travel financial assistance guidelines. Motion: Council Member Cody, second: Council Member Nez. Vote: 7-0.
2. Twenty-two tribal members (Nelson/Paul Ethelbah, Roy Colelay, Herbert Tate, Vino Burnette, McCoy Loas, John Allen, Lloyd Massey, Alvin Declay, Virgilene Velasquez for the late Richard Velasquez, Sylvia Browning, Marjorie Grimes, Dena Massey, Dorothy Walker, Magdalena Martinez, Jennie Burnette, Effie Wright for the late Raymond Wright, Maybelline Mason, Delphine Quay and Glenda Massey) shared information regarding their terminations in 1990 and asked for reimbursement due to losses suffered. A majority of Council Members offered supporting remarks and Resolution No. 05-2001-118 adopted for the formation of a special committee to investigate the claims of improper terminations of the above persons with report to Council no later than June 11, 2001. Motion: Council Member Nez, second: Council Member Baha-Walker. Vote: 6-0-1 abstention.
3. The afternoon session was called to order at 4:08 p.m. Louise Sanchez requested position reinstatement and annual leave payment after she updated Council of her personal situation. She was advised to return tomorrow.
4. FATCO Board Chair Reno Johnson, Sr. introduced Wilkie Gregg who provided a proposal on cable logging of dead spruce snags which included FATCO house log profits with revenue history. Sylvia Cates, Legal Counsel, advised a review of proposal by Legal Dept. and Cynthia Westfall, Sensitive Species Coordinator. Discussion followed on concerns about violation of the Mexican Spotted Owl plan as it may result in a lawsuit, therefore, the resolution was tabled for further review.
5. Milfred Cosen, Director of Planning, explained grant application to US Forest Service Community Assistance Program for the FATCO Pole Peeler operation and Resolution No. 05-2001-119 was adopted supporting this grant application

- submittal. Motion: Council Member Cody, second: Council Member Baha-Walker. Vote: 6-0.
6. Tom Johnson of BIA Forestry presented a synopsis of the Hondah Timber Sale. Resolution No. 05-2001-120 adopted for approval of the Hondah Timber Sale. Motion: Council Member Clay, second: Council Member Nez. Vote: 6-0.
 7. Tribal Member Terry Hill informed Council of coaching little league but he referenced the lack of equipment. He was referred to the Diabetes program.
 8. John Clark, Administrative Manager, shared information on Tio Tachias of Coalition for "Arizonans for Consumer Choice and Fair Competition" who, along with the Tribal Attorney presented redistricting for congressional districts and Arizona coalition information. Jeff Marisola provided a brief history on the formulation of Quest and US West. Resolution No. 05-2001-121 adopted to support the efforts of the Arizonans for Consumer Choice and Fair Competition in seeking fair and open free market competition for telecommunication services within the State of Arizona, and in particular rural Arizona. Motion: Council Member Baha-Walker, second: Council Member Nez. Vote: 6-0.
 9. Gillespie Childs, Jr., President of Carrizo Community & Vice President Lavenia Ross requested that the community members be allowed to sell food items and soda near the Carrizo store. Resolution No. 05-2001-122 adopted to allow Carrizo community members to sell food and soda near Carrizo store. Motion: Council Member Nez, second: Council Member Cody. Vote: 6-0.
 10. KNNB Board member Winona Lupe advised Council of inactive board membership and recommended the following to serve: Becky Ethelbah, Gertie Lupe and Trudy Zospah. Kathleen Norton and Kino Torino were recommended by Council. Resolution No. 05-2001-123 adopted for the appointment of the five individuals to serve on the KNNB Board. Motion: Council Member Cody, second: Council Member Clay. Vote: 6-0.
 11. Glenda Massey expressed her interest in leasing the Horseshoe Pizza now that the Watts have moved on. Resolution No. 05-2001-124 adopted for approval for Ms. Massey to lease Horseshoe Pizza. Motion: Council Member Baha-Walker, second: Council Member Clay. Vote: 6-0.
 12. Linda Burnette, Wilbur Gushoney, Bruce Burnette and Ray Antonio & their families pointed out the errors regarding their case and asked for return of bond payment. They were advised to have the Legal and Police Departments review this matter.
 13. The meeting recessed at 7:50 p.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Monday, May 14, 2001

COUNCIL MEETING BRIEFS

The continuation of the Council meeting was called at 10:20 a.m. by Chairman Massey with a quorum present. Council Member Dehose was on annual leave and Lupe was absent. The invocation was offered by Council Member Cody.

1. Director of Planning Milfred Cosen introduced Bob and Brian Kirby of Sage Business Solutions, who presented a status update on the White Mountain Apache Service Center. Concerns were shared on the \$18,000 requested to begin the feasibility study. Resolution No. 05-2001-125 adopted to obligate \$18,000 to proceed with feasibility study. Motion: Vice Chairman Endfield, second: Council Member Cody. Vote: 5-0-2 abstentions.
2. Milfred Cosen, Director of Planning, and Victor Velasquez, Housing Director reported on the benefits of seeking an Empowerment Zone designation within the reservation. Resolution No. 05-2001-126 adopted for Mr. Cosen and Mr. Velasquez to coordinate the development of the required community strategic plan and the completion of the Empowerment Zone designation application. Motion: Vice Chairman Endfield, second: Council Member Baha-Walker. Vote: 7-0.
3. Resolution No. 05-2001-127 adopted to support Revolving Credit Program application to the U.S. Dept. of Agriculture Rural Development Intermediary Re-lending Program that will provide a \$200,000 grant for the Revolving Credit Program to lend to Tribal Members for small businesses and tribal enterprises. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 7-0.
4. Victor Velasquez, Housing Executive Director presented the following resolution: Resolution No. 05-2001-128 adopted to approve the addition of 22 sites located in the McNary Community, to be included in the Addendum to Lease with the WMA Housing Authority under Phase Two of the Apache Dawn Project. Motion: Council Member Baha-Walker, second: Vice Chairman Endfield. Vote: 5-0-2 abstentions. Council Member Cody commented on the need for homes in Carrizo and was told that this is being looked into.
5. Josh Parker of W&ORD requested Council approval for a temporary permit to film a 6-minute promo on the annual fish camp. Resolution No. 05-2001-129 adopted for approval of this request. Motion: Council Member Cody, second: Vice Chairman Endfield. Vote: 8-0.
6. Byron McNeil, Planning Grants & Contracts Manager, presented grant budget information for the Hon Dah-McNary Public Safety Complex and Cibecue Community Building. Resolution No. 05-2001-130 adopted expenditure of funds for insurance and liability coverage on proposed buildings, land availability and cash and in-kind contributions to enable the buildings to be completed. Motion: Council Member Clay, second: Council Member Craig. Vote: 8-0.

7. A luncheon meeting followed with the staff of Johns Hopkins Program. Scott Katz, Field Director, presented information on Johns Hopkins work and on the various types of vaccines. Travis Francis and Novalene Goklish shared information on the Fathers and Sharing Our Strength programs, which is now known as the Family Strengthening Program. The Johns Hopkins staff was complimented for their work with young families.
8. The meeting recessed at 1:10 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
Thursday, May 17, 2001


COUNCIL MEETING BRIEFS

Chairman Massey called the continuation of Council meeting to order at 1:55 p.m. with a quorum present. Council Member Nez was excused. Vice Chairman Endfield later joined the meeting. Gertie Lupe offered the invocation.

1. Naomi, Gertie & Eliza Lupe shared the conflicts they encountered with the Whiteriver School District in their fund raising efforts on behalf of Naomi who was selected for the Junior Nationals.
2. John Clark, Administrative Manager, briefly explained the lease for the Chief Alchesay Activity Center and stated that there is no charge for student fund raising activities.
3. Ross Susan offered supporting remarks on behalf of Keith Nachu who is incarcerated. Roxie Nachu, mother of Keith Nachu, referenced errors on court documents and she requested that he be allowed work release from jail. The Council offered supporting comments on behalf of the Nachu family. Council Member Craig remarked on the problems the Tribal Court faces and she offered an apology to the family. The Assistant Tribal Attorney advised that Ms. Nachu work with Legal Aid.
4. John Clark, Administrative Manager, introduced Luke Mulligan, the attorney who will investigate Sunrise.
5. Lucy Benally requested that her father's name (Guy Benally) be added to her brother Eric's land assignment for a Navajo relocation home. Discussion followed on other similar situations and of other upcoming requests. It was advised that a policy be developed to address similar concerns. Resolution No. 05-2001-131 adopted to add Guy Benally's name to Eric Benally's land assignment. Motion: Council Member Lupe, second: Council Member Cody. Vote: 9-0.
6. Mr. & Mrs. Darrell Gordon shared their experience and concerns about outside contractors and requested assistance in locating Darrell a permanent job. Mr. Gordon is to see Chairman Massey on Monday. It was suggested to review advertising practices of all Tribal Enterprises and Programs as some do not advertise their positions.
7. Sudie Nolan of Newman & Associates brought invitations and parking passes for Council for the Fort Apache Reunion.
8. Wilma Taylor shared her frustrations regarding the Police Department, Tribal Court and Prosecution and further requested the release of her son-in-law. The Assistant Tribal Attorney and Legal Department Office Manager to meet with her to properly explain the legal process.

9. Linda DeClay and Elena Antonio of Tribal Education and Joel Eittreim of NPC provided MOU information between the tribe and NPC. Resolution No. 05-2001-132 adopted to enter into a MOU between NPC and WMAT, Tribal Education Management to assist Tribal Members in obtaining their GED. Motion: Vice Chairman Endfield, second: Council Member Baha-Walker. Vote: 7-0.
On the issue of youth camps, Ms. DeClay was advised that the children return to camps this year as improvements were conducted at both camps.
10. Fred Von Bonin, Maury Williams, Jerry Drury, Robert Lacapa of BIA Forestry and Paul DeClay, Tribal Forestry presented an update on the forest management plan. Community input was provided and cultural aspect built into all cultural sites. It was advised to provide same information to the Water Rights team and to present prior resolutions that impact the forest management plan. Priority of forest certification was stated.
11. The Assistant Tribal Attorney David Osterfeld gave an update on the Head Start grant appeal history, status and recommendation.
12. George Hesse, Tribal Attorney and Sylvia Cates, Special Counsel, advised that the services of a professional historian for the Tribe's water rights claims is needed. Resolution No. 05-2001-133 adopted to approve Professional Service Agreement for retention of Nicklason Research Associates, professional historians, to conduct historical and archival research in furtherance of the Tribe's water rights claims. Motion: Council Member Dehose, second: Council Member Burnette. Vote: 7-0.
13. Resolution No. 05-2001-134 adopted for Robert Brauchli, Special Counsel's contract. Motion: Council Member Clay, second: Council Member Cody. Vote: 7-0.
14. The Tribal Attorney briefed Council on lawsuit regarding mismanagement at Fort Apache.
15. Glorianna Dayaye, BIA Indian Service Officer, provided information on the tribe's lease with the BIA for the Land Operations site. Resolution No. 05-2001-135 adopted to transfer property to the tribe and to cancel the Land Operations lease. Motion: Council Member Craig, second: Council Member Burnette. Vote: 7-0.
16. Council Member Craig provided information on the following resolution and grant involved. Resolution No. 05-2001-136 adopted for application of a Court Enhancement grant for renovations of social services building to allow for an additional courtroom, to create the Baha-now-dehl-beh, and to make the Journal of Elders an active participant in the court process. Motion: Council Member Cody, second: Council Member Craig. Vote: 7-0.
17. Council Member Burnette requested flagpole for tribal building.
18. The meeting recessed at 6:20 p.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Thursday, May 24, 2001

COUNCIL MEETING BRIEFS

The special Council meeting with Tribal Social Services was called to order by Chairman Massey at 9:40 a.m. with a quorum present. Council Member Nez was on travel status. Council Member Lupe was on annual leave. The invocation was offered by Council Member Cruz.

1. Director of Social Services Carlene Narcho introduced Sheron Watchman, Tribal Intergovernmental Liaison and John Bushman, Director of Tribal Operations, DHHS, Washington, D.C.
2. Carlene advised the need for the Tribe's participation in the Inter-Tribal Council of Arizona's meetings and discussions on a state and national level with regard to the re-authorization of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996.
3. The high unemployment rate and increasing population growth was referenced in obtaining assistance from BIA and I H S. Ms. Watchman stated her understanding of tribe's needs and gave assurance of working on TANF deficit.
4. Carlene summarized proposed resolution and informed Council of increasing case loads based on 1994 data. Resolution No. 05-2001-137 adopted for the Tribe to be represented by the Southwest Tribal TANF Coalition with ITCA to voice its concerns, opinions and suggestions on the re-authorization of PRWORA. Motion: Vice Chairman Endfield, second: Council Member Cody. Vote: 5-0.
5. Finance and Budget Committee Chairperson Ermon Colelay explained the scheduled budget process and commended the committee. They reviewed FATCO's proposed budget.
6. FATCO Board Chairperson Reno Johnson, Sr. introduced Board Members and FATCO General Manager. He remarked impacts on FATCO losses include lumber market and the weather along with the challenge of keeping a forty (40) year old sawmill in operation. He advised operating FATCO as a business.
7. FATCO General Manager Maria Classay introduced staff, informed Council of today's presentation and urged asking questions. Due to FATCO's continued losses and the high costs of improvements, a reduction of ratio royalty was suggested.
8. FATCO capital expense recap for 2000/2001 year was provided. Plant Superintendents provided brochure on maintenance & repair of FATCO sawmill equipment which focused on mill improvements.
9. Tom Beck commented that the budget figures are realistic and the capital projects can be matched up with ten-year forestry plan. The improvement of product quality was referenced. He stated that loan is available for boiler and dry kilns.

10. The Assistant Attorney David Osterfeld provided information on Prevention of Significant Deterioration (PSD). Hayden Anderson, FATCO Sales Department, shared department goal which is to sell what the mill produces at highest possible price.
11. FATCO Board Members Herbert Tate, Patrick Cruz and Chuck Peone offered their comments and concerns.
12. FATCO's capital plan in the amount of \$2.8M was presented by Controller, Mike Humphrey.
13. Cost analysis figures were requested on direct selling. If decreases in annual allowable cut, it was advised to inform the people in advance and to provide options to employees. The importance of staff wage adjustments was shared. FATCO Board and staff were thanked for their presentation of FATCO's budget.
14. Milfred Cosen, Director of Planning, briefed Council on funding assistance through HUD which will allow the Education Department and Housing Authority collaborative partnership to improve vocational and technical education assistance to Tribal Members, to assist young Apache adults to complete their high school education, and to provide job opportunities in the construction trades. Resolution No. 05-2001-138 adopted to support the submittal of an application to HUD to develop the WMA Youth Build Program. Motion: Council Member Craig, second: Council Member Cody. Vote: 5-0.
15. The meeting recessed at 5:35 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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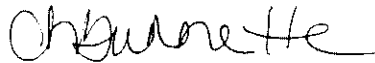
White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Wednesday, May 30, 2001

COUNCIL MEETING BRIEFS

The meeting was called to order at 9:45 a.m. by Chairman Massey. A quorum of the Tribal Council was present although Council Member Dehose was on travel status and Council Member Nez was on annual leave. The invocation was offered by Council Member Burnette.

1. Maria Classay, FATCO General Manager, provided introductions of Board and staff. FATCO budget is a realistic one indicating a deficit again. A review of stumpage rate was stressed. No raises included but will attempt wage adjustment. Council was urged to review capital request carefully.
2. FATCO Controller Mike Humphrey presented a quick review on losses, challenges FATCO faces, uncontrollable variables, staff report, FATCO FY 01-02 Phased Budget, "Gee Whiz" options and FATCO mill production.
3. Central Tribe cuts were referenced along with capital requests from other enterprises. Overstaffing at FATCO was referenced along with other proposed cuts. Discussion followed on \$3.0 reserve status.
4. Reno Johnson, Sr., FATCO Board Chair, advised that many families are depending on FATCO. He also advised to approve capital request along with wage adjustments and for Tribal Council to support FATCO. FATCO staff and board were thanked for their presentation.
5. Some comments were shared on reverting to prior Council salary and allowing meeting compensation.
6. The meeting went into Executive Session from 4:40 to 7:30 p.m. with the Pension Attorney, Robert Yoder.
7. The meeting adjourned at 7:30 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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