

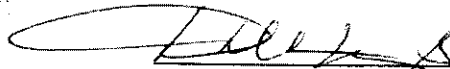
**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council Secretary, Cyndy Harvey-Burnette, has prepared briefs of the Tribal Council meetings for September 10, September 13 & 14 and September 24, 2001, and has presented them to the Tribal Council this date for approval; and

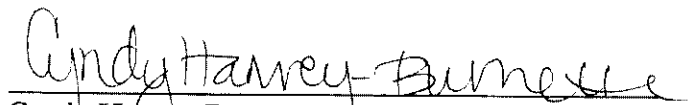
WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs for September 10, September 13 & 14 and September 24, 2001, should be approved as presented.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for September 10, September 13 & 14 and September 24, 2001.

The foregoing resolution was on August 2, 2002, 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
Executive Conference Room
Monday, September 10, 2001

COUNCIL MEETING BRIEFS

Chairman Massey called the special Council meeting to order at 10:15 a.m. A quorum of the Council was present. Council Members Lupe, Nez, Clay and Craig were excused for the morning session to attend a funeral. Housing Authority personnel included: Victor Velasquez-Director, Mike Stover-Architect, Vernona Dazen-Acting Contract Officer, April Dawahongva-Computer Technician, Rick Lewis-Project Manager and Andrew Kinney-Housing Board Member. Others present: John Bereman-Tribal Engineer and John Clark-Admin. Manager.

1. After opening remarks by Chairman Massey, Council was provided with map of Hondah which indicates the current and proposed lagoon sites, as well as proposed housing sites.
2. The Tribal Council was informed that the WMAHA desires to commence construction of the Apache Dawn development ASAP, in order to meet its development schedule, the WMAHA agrees to loan the WMAT \$1.8M for the infrastructure costs.
3. Total project cost and funding information was presented by the architect Mike Stover and George Hesse, Tribal Attorney.
4. After the proposed resolution was read, some Council Members voiced their objections to the waiver of TERO fees as indicated in the resolution. More information on the tribe's finances was requested. Copies of the draft loan agreement was shared with Council.
5. Resolution No. 09-2001-247 adopted to approve development of the first phase of the Hon-Dah sewer and water project for 100 Apache Dawn homes. Motion: Council Member Baha-Walker, 2nd-Vice Chairman Endfield. Vote: 4-0-2 abstentions.
6. Client Business Office Director, Yvonna Redsteer and Traci Keane, RN, presented information on CBO and budget. They requested a budget amendment to fund two Personal Care/Homemaker positions and two vehicles for a total of \$69,524.65. Council was informed that \$297K in deposits was made from May to Sep 2001 for CBO. Resolution No. 09-2001-248 adopted for approval of the above requested budget amendment for Client Business Office. Motion: Vice Chairman Endfield, 2nd-Council Member Burnette. Vote: 6-0.
7. Amy Mignella, Special Counsel, reported in Executive Session from 2:25 to 4:00 p.m. Others present: Leonard Gold, John Bereman, Paige Erickson and John Clark.
8. John Bereman reported of the lightning strike at Miner Flat and costs involved for repairs. Resolution No. 09-2001-249 adopted for approval of IHS MOA to repair

wells at Miner Flat. Motion: Vice Chairman Endfield, 2nd-Council Member Cody. Vote: 7-0.

9. The Tribal Engineer, John Bereman, presented the preliminary master plan for the Hondah/McNary area with review by TPPR. He requested that Council adopt and approve this plan as the master plan. Council expressed many concerns regarding the plan so they are to review the plan and provide comments, along with presentation of plan at community meetings as well.
10. Council Member Craig requested executive session which was held from 4:45 to 5:04 p.m. after which the meeting adjourned.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

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White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting/Chambers
Thursday, September 13, 2001

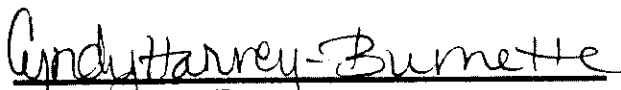
COUNCIL MEETING BRIEFS

The regularly scheduled Council meeting was called to order at 9:25 a.m. by Chairman Massey. The invocation was offered by Council Member Lupe. Roll call indicated a quorum present. Council Members Nez and Craig were on travel status.

1. Tribal member, Patricia (Tortice) Fuller requested that water be provided at her land site located at Amos Ranch. It was advised to re-explore the area with possible development of tribe's own water sources. Housing Authority and IHS to be involved, with IHS to provide an update on this area. An update from Land Office was recommended as well.
2. Harvey Lupe expressed his interest in going into the pool hall or laundromat business in Cibecue. Council offered supporting remarks and he was advised to attend the Arizona Sovereign Lending Workshop scheduled at Hondah next week. Resolution No. 09-2001-250 adopted granting approval for Harvey Lupe to obtain a business license. Motion: Vice Chairman Endfield, 2nd-Council Member Lupe. Vote: 7-0.
3. Rovene Nosie referenced resolution number 07-2001-187 and requested that this resolution be amended to include the amount of \$3,846.77 in order that he receive payment for services rendered to Vic Gordon, general contractor. Mr. Nosie to return later with more information.
4. Erma Burnette, who is medically disabled, informed Council of her housing need and request. HIP information was shared with her and she was further advised that her status will be shared with the HIP Coordinator. HIP update and status from the HIP Coordinator was suggested.
5. Due to unsafe conditions, June Quintero requested that her home be remodeled. She was informed that she is on the waiting list for roof repair.
6. FATCO staff presented information and two resolutions regarding harvesting dead standing spruce which would provide additional income for FATCO. They further requested that Tribal Council rescind the existing ban on such logging. Council Members, Sylvia Cates, Special Counsel and Cynthia Westfall, Sensitive Species Coordinator, shared their concerns that the harvest is not fully consistent with the Mexican Spotted Owl (MSO) Management Plan. It was advised that any revisions to the Tribe's plan should be consistent with the new recovery plan. U.S. Fish & Wildlife Service may be relaxing some of the requirements in the recovery plan, and waiting to revise the Tribal plan will ensure that it is not unnecessarily restrictive. It was recommended to table the resolutions until a site visit is made by all involved.
7. Sunrise General Manager, Marilyn Lovato, provided an update on Sunrise and shared her proposed plans with Council. Information on the Emergency Services Assistance Agreement between the Tribe and Navapache Regional Medical

- Center was shared and Resolution No. 09-2001-251 was adopted for approval of this agreement for medical services at Sunrise Park Resort. Motion: Council Member Cody, 2nd-Council Member Baha-Walker. Vote: 3-0-2 abstentions.
8. A lengthy discussion followed on Mr. Lovato's status as the proposed Property and Facilities Manager with majority of Council against this proposal. Comments and concerns were expressed regarding the manner in which Marilyn was hired. Mrs. Lovato stated that she will resign.
 9. Theresa Nosie, Internal Revenue Agent, provided information on the Office of Indian Tribal Governments, which was established to develop a functional and interactive relationship that acknowledges and respects the unique sovereign status of the Tribes. Information on revenue ruling, tax incentives and free tax services was also shared.
 10. Brian Kirby of Sage Business Solutions and Milfred Cosen, Planning Director, presented a Service Center Feasibility overview. Council was invited to attend the Arizona Sovereign Lending workshop scheduled next week.
 11. Regarding Rovene Nosie, Victor Velasquez, Housing Authority Director, stated that change over documentation is required before payment can be authorized. Resolution No. 09-2001-252 adopted directing the Housing Authority to offer further assistance to Rovene Nosie and 7-Mile Heating & Cooling to resolve its contractual dispute with Vic Gordon construction and to advise Mr. Gordon of this resolution and to reassert their request that Vic Gordon promptly provide all pertinent documents available to resolve this matter. Motion: Council Member Baha-Walker, 2nd-Council Member Cruz. Vote: 6-0.
 12. Updates on BIA Education and special education was provided by Education Line Officer, Kevin Skenadore and Susan Higgins, Education Specialist.
 13. The meeting went into Executive Session from 5:58 to 6:20 p.m. at the request of Abilene Griggs.
 14. Resolution No. 09-2001-253 adopted to rescind Resolution No. 01-2000-02 regarding financial assistance for Roger Griggs, M.D. Motion: Council Member Lupe, 2nd-Council Member Burnette. Vote: 6-0.
 15. The meeting recessed at 6:27 p.m.

Sincerely,


Cindy Harvey-Burnette
Cindy Harvey-Burnette
Council Secretary

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Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Friday, September 14, 2001

COUNCIL MEETING BRIEFS

The continuation of the meeting was called to order at 9:40 a.m. by Chairman Massey. Council Member Baha-Walker was excused and Council Member Clay later joined the meeting. The invocation was offered by Council Member Craig.

1. After opening remarks and announcements by Chairman Massey, John Bereman, Tribal Engineer provided information on the following two resolutions: Resolution No. 09-2001-254 was adopted to enter into a Memorandum of Agreement (MOA) for sanitation facilities for IHS Project PH 01-S05. Motion: Vice Chairman Endfield, 2nd-Council Member Cody. Vote: 5-0.
2. Resolution No. 09-2001-255 adopted to enter into a MOA for sanitation facilities for IHS Project PH 01-B78. Motion: Vice Chairman Endfield, 2nd-Council Member Burnette. Vote: 7-0.
3. Alethia Velasquez and Sharon Jimenez, Diabetes staff, provided information on the Health Smart curriculum, a health program for grades K-4 and diabetes information was shared.
4. Tom Butler, BIA Education, presented a lengthy report on status of school reform in Fort Apache Agency which includes JFK, TR and Cibecue schools.
5. Land Board Director, Raymus Albert, presented Land Board meeting minutes of August 23, 2001. Fred Hubbard, LTC Coordinator, provided update on the land exchange between I H S and the WMAT for the long-term care facility and read resolution. This was followed by discussion on the Hondah Master Plan which lacks public input and scaled maps. Further discussion required with I H S on funding level. Information on Master Plan to be shared with the public via KNNB and the Apache Scout. Resolution No. 09-2001-256 adopted to table #1 of the Land Board meeting minutes but to approve rest of the minutes as presented. Motion: Council Member Craig, 2nd-Vice Chairman Endfield. Vote: 8-0.
6. Raymus Albert to provide copies of Dry Valley subdivision to Council. He shared his concern regarding Jim Amos. Land was given to Mr. Amos, not his descendants. This could present problems in the future.
7. The Tribal Attorney, George Hesse, reported in Executive Session from 5:07 to 5:45 p.m.
8. Resolution No. 09-2001-257 adopted to extend Mike Watson and Michael Kaczmarek's contracts beginning September 30, 2000 and expiring on September 30, 2003. Motion: Council Member Dehose, 2nd-Vice Chairman Endfield. Vote: 7-0.
9. Resolution No. 09-2001-258 adopted for approval of the Empowerment Zone Charter. Motion: Vice Chairman Endfield, 2nd-Council Member Nez. Vote: 6-0-1 abstention.
10. Resolution No. 09-2001-259 adopted to address the tribe's criminal jurisdiction issues and concerns. Motion: Council Member Dehose, 2nd-Council Member Craig. Vote: 7-0.
11. The meeting adjourned at 5:50 p.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

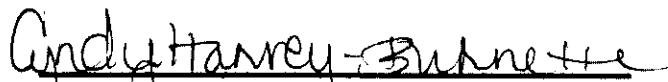
White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Monday, September 24, 2001

COUNCIL MEETING BRIEFS

The emergency Council meeting was called to order by Chairman Massey at 8:55 a.m. Council Members Nez and Clay were absent. The invocation was offered by Robert Lacapa, BIA Forester.

1. Chairman Massey informed Council that Miss Indian World, Kealoha Alo has applied for the position of Museum Director and that she may be selected.
2. Vice Chairman Endfield stated that his travel this week in Mescalero is to plan for next year's timber symposium.
3. Chairman Massey briefed Council of status of Whiteriver Airport project and of funding availability with assistance from Ben Nuvamsa, BIA Superintendent. Funds in the amount of \$338K to be loaned to the tribe from the Forest Management Deductions Trust fund.
4. Richard Palmer, Transportation Coordinator, provided further information on the Whiteriver Airport asphalt, funding from NIFC and costs involved.
5. Paul Declay of Tribal Forestry commented that he has no problem with this loan as long as it is paid back, however, he informed Council that his staff was denied raises this year. He advised that W&ORD should pay costs associated with fisheries that his department pays.
6. Concerns were expressed on lack of follow up and/or review by BIA Superintendent regarding the Whiteriver Airport and the fact that I H S' financial commitment should have been discussed by the Tribal Council for cost savings in the areas of patient transportation.
7. The Assistant Tribal Attorney, David Osterfeld, explained the possibility of FAA funding.
8. With suggested additions to proposed resolution, Resolution No. 09-2001-260 adopted to approve the Whiteriver Airport Project amendment to provide for the full four-inch pavement layer, to accept funding from IHS and to pursue funding from BIA and other federal agencies. Further, to amend the Forest Management Deductions budget to permit use of \$338K, should other outside funding are not available in the time period needed for this project. Motion: Council Member Cody, 2nd-Vice Chairman Endfield. Vote: 6-0-1 abstention.
9. Paul Declay informed Council of arsonist on horseback who has started six fires.
10. Chairman Massey announced that he will pardon Brandy Brawley, who is pregnant and has served time already. Council comments included setting precedence and lack of full report to Council on this matter. Comments were shared on condition of jail facilities.
11. The meeting adjourned at 10:22 a.m.

Sincerely,


Cindy Harvey-Burnette
Council Secretary

Tuesday, September 25, 2001

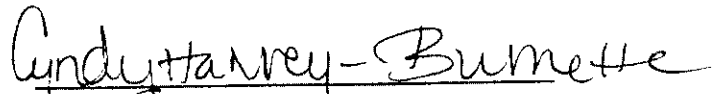
A walk-through resolution was initiated per the request of Franklin Quintero, Project/Facilities Manager.

Chairman Massey, Vice Chairman Endfield, Council Members Dehose, Baha-Walker, Cruz and Burnette were present and signed the resolution.

The following Council Members were not present to sign this resolution due to the following reasons: Council Member Lupe was in Cibecue, Council Member Cody was in the field, Council Member Nez was at I H S and Council Member Craig was on travel status.

Resolution No. 09-2001-261 adopted to authorize a P.L. 93-638 contract between the Tribe and the BIA, Fort Apache Agency for facilities improvement and repair project which the Tribe may desire to perform.

Sincerely,


Cindy Harvey-Burnette
Council Secretary