

**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 January 2, January 9 and January 24, 2002 and has presented them to the Tribal Council this date for approval; and

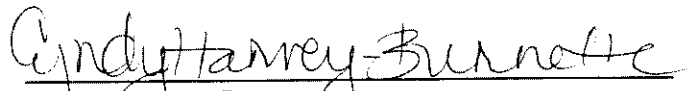
WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs for January 2, January 9 and January 24, 2002, should be approved as presented.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for January 2, January 9 and January 24, 2002.

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

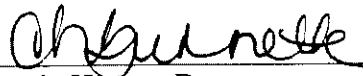
White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Wednesday, January 2, 2002

COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 10:30 a.m. All members of the Tribal Council and Election Commission members were present. The invocation was offered by Council Member Baha-Walker.

1. Gladys Bencomo, Election Commission Chairperson, read the proposed certification resolution.
2. Council shared their concerns on the following:
 1. Calling candidates regarding petition status – all should have received courtesy call.
 2. Unclear status of December 24, 2001 – whether office open to accept petitions.
3. Members of the commission explained the petition review process.
4. A review of the Election Code and the Tribal Constitution was recommended.
5. Resolution No. 01-2002-01 adopted for certification of candidates for the 2002 WMAT Election. Motion: Vice Chairman Endfield, 2nd-Council Member Cody. Vote: 10-0.
6. Council was advised of upcoming important meetings regarding the gaming compact.
7. The meeting adjourned at 11:25 a.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

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White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting/Council Chambers
Wednesday, January 9, 2002

COUNCIL MEETING BRIEFS

The meeting was called to order at 9:25 a.m. by Chairman Massey. The invocation was offered by Council Member Cruz. Council Members Dehose and Baha-Walker were excused.

1. Tribal member Carol George asked approval to designate March 15, 2002 designated as a reservation-wide prayer walk day. The prayers will assist with the healing process related to the local alcoholism problem. Resolution No. 01-2002-02 adopted to designate March 15, 2002 as the reservation-wide prayer walk day. Motion: Vice Chairman Endfield, 2nd-Council Member Clay. Vote: 8-0.
2. Jackie Altaha, on behalf of her daughter, Danielle Declay, Miss Indian Teen World, requested the following:
 - a. the tribe to assist with items needed for upcoming pageant and to make sure that Danielle receives what the pageant owes her in scholarships.
 - b. Council was advised that if they wish to present an appreciation gift to Danielle, they could do so.
 - c. Ms. Altaha further requested the use of the Hondah facilities to hold an appreciation dinner and dance on Danielle's behalf.
 - d. A van was also requested to transport seven family members to Utah. She offered thanks to Council for their support of her daughter.
3. Ms. Altaha was advised that the Tribal Attorney will look into (a) for her. Chairman Massey will offer a gift from his office and Jackie is to submit a written statement for use of Hondah. Jackie to check with Flora Jensen on the vehicle request. Ms. Altaha was advised to check with other crown dance groups to get a lower fee.
4. Concerns on the Tribal Court Judge was shared by Avis Antonio. Council Member Clay to assist her. It was advised to have meeting with Judges.
5. Miles Davis shared information on home that burnt and requested donations of food and clothing. Mr. Davis enrollment application with the WMAT is pending Council approval.
6. Richard Watkins of Cellular One presented a status update. There is a need for tower upgrades at Seven Mile, Cedar Creek and Cibecue. Resolution No. 01-2002-03 adopted for new towers at Cedar Creek and Seven Mile and a repeater in Cibecue to improve reception with the involvement of the TPPR. Motion: Council Member Nez, 2nd-Council Member Cody. Vote: 7-0.
7. Tim Gatewood of W&ORD introduced the new Chief Biologist, Alex Puglise, who shared personal and professional information. Tim then covered the six major Outdoor Recreation Regulation Changes for 2002. A lengthy discussion followed on the need for stronger restrictions for the Salt Banks area. Paul

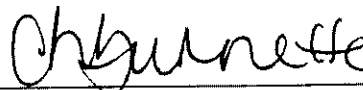
Declay of Tribal Forestry stated that this concern is included in the revisions to the Natural Resource Code. The public to be informed of special permit requirements and fishing fees. Resolution No. 01-2002-04 adopted to approve the 2002 Outdoor Recreation Regulations. Motion: Council Member Nez, 2nd-Council Member Craig. Vote: 7-0.

8. John Clark, Business Manager, introduced Dean Kirkland and Connie Kristensen of Granite Investment, who presented an overview of their company, as well as background information on themselves. The Tribal Treasurer, Cathy Tate, offered information on the tribe's permanent investment trust account. Council was advised that the recommendation is to have Granite invest a portion of funds in the permanent investment trust account for a higher return on investment. After Council's input, the recommendation is to have the Tribal Treasurer conduct a report on current status of the permanent fund, to check with other investment firms and provide information on how much prior brokers were paid. She is also to report on performance gains and losses from Wells Fargo on this account.
9. Marie Quay and grandson, Robert Glenn Lupe, requested financial assistance so he can complete his education at Apollo College and to assist him in finding employment. Chairman Massey to assist Mr. Lupe with employment. Marie's other concern involved a request to remodel her home due to roofing problems. Council Member Nez to assist Marie with loan application through the Revolving Credit Program.
10. John Clark, Business Manager, Gwendena Real Bird, Human Resources Director and Cliff Wright, SRT, provided information regarding the worker's compensation program being more cost effective over the long term as a self-funded program. Resolution No. 01-2002-05 adopted to authorize the Tribe to adopt a self-funded worker's compensation program for Tribal employees, as consistent with Tribal law, with excess loss coverage in the amount of \$1M, and that it approves the selection of SRTA to serve as the third party administrator of the plan. Motion: Council Member Clay, 2nd-Vice Chairman Endfield. Vote: 7-0.
11. The Forest Management Deductions Expenditure Plan for FY 2001-2002 was presented by Paul Declay, Tribal Forest Manager. Resolution No. 01-2002-06 adopted to approve the Forest Management Deduction Expenditure Plan for FY 2001-2002. Motion: Vice Chairman Endfield, 2nd-Council Member Clay. Vote: 6-0.
12. Molly Pitts, Woodland Forester, Paul Declay, Tribal Forest Manager and Robert Lacapa, BIA Forest Manager, all offered comments on contracting the function of issuing Forest Products Permits. Resolution No. 01-2002-07 adopted for approval to authorize a P.L. 93-638 Contract between the Tribe and the BIA, Fort Apache Agency for the function of issuing Forest Product Permits and that all the program support funding tied to this function will be made available to the Tribe pursuant to this 638 Contract. Motion: Vice Chairman Endfield, 2nd-Council Member Clay. Vote: 6-0.
13. Robert Lacapa, Paul Declay and Sylvia Cates to provide recommendations regarding concerns in cutting timber near the Rattlesnake Point area.

14. Fred Hubbard of Health Authority presented information on the Professional Service Agreement (PSA) between the Health Authority and Kenneth White, Jr. The services will assist the WMAT with its responsibility of developing a comprehensive health web designed to ensure that tribal members are receiving superior, coordinated medical services. Resolution No. 01-2002-08 adopted for approval of the Professional Service Agreement between Health Authority and Kenneth White, Jr. Motion: Vice Chairman Endfield, 2nd-Council Member Cody. Vote: 7-0.
15. Christine Smith requested that her spouse who is in jail and who has served two-thirds of his sentence be released to support his family. The Assistant Tribal Attorney advised that the defendant seek help through the Legal Aid. Council Member Nez to assist Mrs. Smith in call placement to Legal Aid and report to Council of status.
16. Executive Session was held from 4:20 to 4:30 p.m. for presentation of Tribal Enrollment. Resolution No. 01-2002-09 adopted for enrollment of twenty-nine applicants with the WMAT. Motion: Vice Chairman Endfield, 2nd-Council Member Clay. Vote: 7-0.
17. Resolution No. 01-2002-10 adopted approving the relinquishment request of Crystal Margo (Loring) Alderete. Motion: Council Member Cody, 2nd-Council Member Clay. Vote: 7-0.
18. Resolution No. 01-2002-11 adopted for the enrollment of Miles Davis with the WMAT. Motion: Council Member Clay, 2nd-Council Member Cruz. Vote: 6-0.
19. Resolution No. 01-2002-12 adopted for the enrollment of Olivia Lou (Rope) Nelee with the WMAT. Motion: Council Member Clay, 2nd-Council Member Burnette. Vote: 6-0.
20. Council Member Craig presented the following two resolutions: Resolution No. 01-2002-13 adopted for approval to seek funding for McNary and North Fork Community Buildings: Motion: Council Member Craig, 2nd-Vice Chairman Endfield. Vote: 7-0.
21. Resolution No. 01-2002-14 adopted for approval for Native Vision to hold its third annual sports camp on the White Mountain Apache Reservation. Motion: Council Member Craig, 2nd-Council Member Nez. Vote: 8-0.
22. Council Member Nez reported the lack of radio reception at Carrizo and Cedar Creek. She advised that KNNB Manager should seek funds for this purpose. Transportation is needed for the JFK School trip to Six Flags. Ms. Nez was advised to check with Mr. Skenadore, BIA ELO, due to liability concerns. The residents of Carrizo complain of having to pay their water bills when the water is black at times. Phoebe to check with Utility Manager about this. She reported that a bridge is needed in Carrizo near the Assembly of God Church. Glorianna Dayaye, Tribal Services Officer, to check on this matter as the area is on the BIA roads system.
23. Council Member Nez further reported that Rosie Foster's home needs inside plumbing or new septic tank. Ms. Nez was advised that cost estimates on new septic tank and leech line is needed and to inform the Utility Manager.

24. Information on the North Fork Convenience Store grand opening was shared. Council Member Craig reported that resolution is needed to grant the Diamond Creek land to Georgina (Stover) Hastings. The fence around the current community building to be used by the community and the swing set to be moved to the North Fork Convenience Store area. Resolution No. 01-2002-15 adopted granting approval to Georgina (Stover) Hastings the land site of the former Diamond Creek Community Building area. Motion: Council Member Craig, 2nd- Council Member Burnette. Vote: 8-0.
25. Council Member Burnette stated that a tribal flag is needed for placement below the American Flag outside the Executive Building.
26. The meeting adjourned at 4:55 p.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

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Friday, January 18, 2002

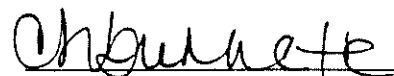
WALK-THROUGH RESOLUTION WAS INITIATED PER THE REQUEST OF THE TRIBAL SOCIAL SERVICES DIRECTOR, CARLENE NARCHO.

Chairman Massey, Vice Chairman Endfield, Council Members Cody, Cruz, Clay and Burnette were present and signed the resolution.

The following Council Members were unavailable to sign this resolution: Council Members Lupe, Dehose, Nez, Baha-Walker and Craig.

Resolution No. 01-2002-18 adopted to authorize the continued burial assistance of \$1,500 to the family of a deceased indigent tribal member to defray burial expense for eligible indigent members of the Tribe.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Thursday, January 24, 2002


COUNCIL MEETING BRIEFS

Chairman Massey called the special Council meeting to order at 9:20 a.m. with a quorum present. The invocation was offered by Council Member Lupe. Vice Chairman Enfield, Council Members Dehose and Craig later joined the meeting. Judge Hinton, Glenda Ethelbah, Vincent Craig, Chief Burnette, Alvino Hawkins and Rufus Johnson were also present, with Judges Fall, Armstrong and Hastings later joining the meeting.

1. Chairman Massey remarked that the purpose of today's meeting is to address the many complaints and concerns from tribal members regarding the Tribal Court.
2. Council Member Clay spoke at length about the many problems and/or complaints about the justice system he hears as a Council Member and as a Law & Order Committee member. He further advised training for officers and to seek grant funds for a new court building.
3. Council Member Nez requested clarification on Daniel Smith status.
4. Council Member Cody stated that there is room for improvements and judges need to evaluate each case carefully before sentencing.
5. Council Member Burnette replied that he refers people to the Law & Order Committee and that Council should not interfere. Many things will be heard and said due to the current political season.
6. Council Member Baha-Walker requested information on motions and commented that the court is understaffed for amount of cases. She commented that a new court building is needed and she stressed importance of security. She advised that court fines be referred back to Tribal Court.
7. The Court Administrator Vincent Craig provided information on the process when a person is convicted via a chart. He stated that three courtrooms are needed. The current computer processes only criminal cases when civil cases also need to be entered. Council was provided statistics regarding cases. Information on Court of Appeals was shared, along with the need for a Chief Justice. Position may be included in FY'02 budget.
8. Council Member Lupe commented on violation of rights, discrepancies in terms served and bond amounts. The visiting judges was another concern along with treatment of jailed individuals who complain of lack of medical attention, plus they claim they do not receive enough food. Council should not interfere.
9. Council Member Clay asked if restitution is being tracked. Other concerns: outdated warrants, bootlegging problem, truancy-families still receive assistance when children not in school, loss of police reports, murderers/rapists still need to be apprehended.
10. Council Member Craig thanked judges and staff for their attendance today. She advised to use KNNB to inform the public. Court staff are understaffed and underpaid. Many warrants issued yet perpetrators not being picked up. The court needs more funds for improvements and a new building is needed.

11. Council Member Cruz commented that the court and the Law & Order Committee continues to face same problems as years before. He advised to review other court and jail systems and to begin planning now for new facilities.
12. Vice Chairman Endfield offered supporting comments on the Law & Order Committee and on judges. He further advised a stronger judicial code and to visit other courts.
13. Safety Director Alvino Hawkins covered current problems within the police department and offered supporting comments on staff. He believes stricter laws are needed.
14. Chairman Massey assured judges that they are not singled out. He stressed that cases are all different and the judges try to be fair.
15. Judge Fall referenced court needs and identified problems while Judge Armstrong expressed his concern on unfamiliarity with some cases assigned to him. He also touched on hardships faced by judges.
16. The afternoon session began with Judge Hinton who informed Council of her duties and sentencing. She stressed safety for staff and public and the need for a new court building.
17. Judge Hastings explained her process of sentencing juveniles and expressed her concerns regarding prosecution sentencing discrepancies.
18. Brent Leonhard, Tribal Prosecutor, stated that different sentencing should occur as the court differs from Prosecution in their recommendations.
19. Council Member Dehose stated that new building is needed, therefore, to seek grants for this purpose. The Judges and the public need privacy which is lacking now in current building. She also referenced traditional court that people are entitled to. More staff is needed at court. She offered thanks to staff and Judges.
20. Assistant Tribal Attorney David Osterfeld brought up the following: lack of notices of hearings, rulings made in the absence of both parties, inconsistent sentences and conflicting judgments. Some recommendations are to provide training for judges and a true separation of powers between the courts and governing body, retention elections and drafting of criminal penalties.
21. Court staff and Law and Order Committee were thanked for participating in today's meeting.
22. Resolution No. 01-2002-16 adopted for approval to commit to grant a lease of available and suitable land necessary for the development of low income housing units which satisfy funding requirements for low income housing tax credits and Rural Development in Cibecue, Arizona. Motion: Council Member Clay, 2nd-Council Member Nez. Vote: 5-0
23. Resolution No. 01-2002-17 adopted for approval of Addendum to Lease with the White Mountain Apache Housing Authority for the Third Phase of the Apache Dawn Project, which consists of 25 homes within the Seven Mile community. Motion: Council Member Cody, 2nd-Council Member Cruz. Vote: 5-0-1 abstention.
24. The meeting adjourned at 3:00 p.m.

Sincerely,



Cyndy Harvey-Burnette
Council Secretary