

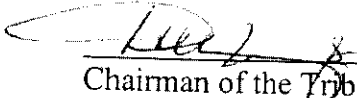
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

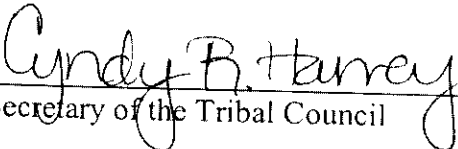
**WHEREAS**, the Tribal Council Secretary, Cyndy R. Harvey, has prepared briefs of the Tribal Council meetings for July 9 through July 12, July 23, July 26 and July 30, 2002 and has presented them to the Tribal Council this date for approval; and

**WHEREAS**, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs for July 9 through July 12, July 23, July 26 and July 30, 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 July 9 through July 12, July 23, July 26 and July 30, 2002.

The foregoing resolution was on November 26, 2002, duly adopted by a vote of SIX 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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

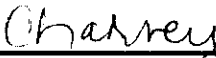
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, July 9, 2002

**COUNCIL MEETING BRIEFS**

The meeting was called to order at 3:20 p.m. by Chairman Massey. The invocation was offered by Council Member Cruz. Vice Chairman Endfield and Council Member Nez were excused due to their travel status.

1. Chairman Massey informed Council that a financial update will be presented this afternoon, followed by request from Reuben Kessay.
2. Mr. Kessay explained his request process, reasons for and information on the modular building. Resolution No. 07-2002-147 adopted for approval to purchase a modular office unit for the Tribal Gaming Office in the amount of \$30,000. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 4-0.
3. The lease financing and the limited waiver of sovereign immunity for the police vehicles was explained by the Tribal Attorney George Hesse and Administrative Manager John Clark. Problems within the Police Department were referenced as well as concerns regarding the acting chief's lack of certification. Some supporting comments on Mr. Steen's behalf were made, however, it was stressed that he is not certified.
4. Resolution No. 07-2002-148 adopted for approval of the lease financing transaction between the Tribe and Wells Fargo Fleet Services, including the limited waiver of the Tribe's sovereign immunity for enforcement for such agreement in the Tribal court. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Cody. Vote: 4-3-1.
5. The Tribal Attorney George Hesse briefed Council on meeting with Show Low and Pinetop-Lakeside City Councils scheduled this evening. This lead to comments on racial discrimination.
6. The meeting recessed at 5:25 p.m.

Sincerely,

  
\_\_\_\_\_  
Cyndy Harvey-Burnette  
Council Secretary

070902br

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Tribal Council Chambers  
Wednesday, July 10, 2002

### COUNCIL MEETING BRIEFS

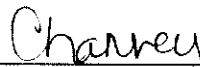
Chairman Massey called the meeting to order at 9:41 a.m. Council Member Nez was excused. The invocation was offered by Council Member Craig.

1. Miss Indian Nations Felicia Hoffman spoke of recent conference she attended where Native American youth donated \$1,513.43 to our tribe as a result of the fires. The check was presented to Tribal Chairman Dallas Massey, Sr. Miss Hoffman to be advised of how funds will be spent.
2. Danny Sedillo requested reinstatement to his position at the TERO Department and back pay. Human Resources Director Gwendena Real Bird advised Council of attempts to assist Mr. Sedillo pertaining to treatment. Some supporting remarks on Danny's behalf were offered, while others favored referring this issue back to Personnel. Resolution No. 07-2002-149 adopted to reinstate Danny Sedillo to his position at TERO and back pay from March 8 to May 8, 2002. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-1-1.
3. Gertie Lupe shared her concerns regarding a position for which her daughter-in-law was not considered. She also expressed her concern about the Police Department, tribal finances and the fires.
4. May Loas made comments related to the recent fires and urged offering prayers of thanks for the rain.
5. Council Member Henry stated that there are many complaints regarding Dewey Lupe.
6. Rainbow City Community President Jonathan Baylish presented his general report and updated Council on the shelter which he opened at the community building. Mr. Baylish was thanked for providing the shelter. He advised of future plans for the community building. He requested the use of the Memorial and Exhibit Halls to conduct fund raising activities. Resolution No. 07-2002-150 adopted to approve the waiver of fees for use of the Memorial and Exhibit Halls to conduct fund raising activities for the Rainbow City community. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 9-0.
7. Council Member Craig requested an amendment to prior resolution on behalf of Jonathan Baylish. Resolution No. 07-2002-151 adopted to amend Resolution No. 05-2002-100 and have Jonathan Baylish return to employment at the Purchasing Department. Motion: Council Member Craig, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 9-0.
8. Orlando Carroll of BIA Forestry presented the purpose and need for the amendment to the Corduroy Creek Timber Sale Contract.
9. Planning's summer intern student Shannon Tate provided information on Intel Computer Clubhouse and the grant. Resolution No. 07-2002-152 adopted

- supporting the proposal for an Intel Computer Clubhouse with funding support from the Intel Corporation and the Bill and Melinda Gates Foundation. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 8-0.
10. Alethia Velasquez and Cathy Eagle of the Diabetes Wellness Center spoke on the benefits of breastfeeding. Resolution No. 07-2002-153 adopted to encourage White Mountain Apache women to exclusively breastfeed each of her children for six months and then continue breastfeeding until at least twelve months of age after the addition of solids. The policies to be implemented for three months trial basis. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0.
  11. Carlos Hernandez, TRS Principal and Tm Butler, Education Specialist, provided an update on school NCA Accreditation and Corrective Action status of TR. They were offered congratulations for their progress and improvements.
  12. Cornelia Clendon, Program Manager and Leola Larzelere, Education Coordinator of Head Start informed Council of teaching credential requirements for staff and presented the following resolution: Resolution No. 07-2002-154 adopted to approve the Professional Development requirements for Head Start staff. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 9-0.
  13. William Hawkins, Solid Waste Manager, informed Council of basis for requesting an increase from \$5.00 to \$10.00 a month for trash service. Although concerns about illegal trash dumping was mentioned and Mr. Hawkins was advised to inform the public about the proposed rate increase, Resolution No. 07-2002-155 was adopted to raise the trash service rate from \$5.00 to \$10.00 a month. Motion: Council Member Henry, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 7-1-1. Council Member Clay advised to inform the public first and to table this issue until the tribe is in a better financial condition.
  14. Jimmy Brownfeather of Utility requested Council support for the purchase of six vehicles from Housing Authority and to increase water and sewer rates. Resolution No. 07-2002-156 adopted to transfer six vehicles (at no cost) to Utility from Housing Authority. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Clay. Vote: 9-0.
  15. Discussion followed regarding the proposed residential water rate increase. Council was favorable to keeping current rates for residential use but to increase for commercial use only. Resolution No. 07-2002-157 adopted to increase the commercial water rate to \$100.00 per month. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Clay. Vote: 7-1-1.
  16. Tom Francis and Evelyn Emory of Public Works provided justification for purchase of crusher, vibrating feeder and loader. Resolution No. 07-2002-158 adopted to approve for the Public Works Department to purchase the above items through a lease finance transaction, for a term not to exceed 36 months. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 6-0.
  17. Al Brooks, Public Works Manager, offered supporting comments on staff and thanked Council for their support.
  18. Chairman Massey welcomed members of the Hopi Tribe who conducted food drive and contributed monetary donations to the WMAT in the wake of the

- Rodeo-Chedeski wildfire. The group was thanked by all members of the Council for their kind contributions.
19. Tribal Enrollment was presented in executive session from 5:10 to 5:20 p.m. Resolution No. 07-2002-159 adopted for enrollment of thirty-four (34) members with the WMAT. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
  20. Resolution No. 07-2002-160 adopted for April Hope Loring's relinquishment from the WMAT. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
  21. Resolution No. 07-2002-161 adopted for the relinquishment from the WMAT for Stacy Dora Loring. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
  22. Resolution No. 07-2002-162 adopted for the enrollment of Tycarsha Truax with the WMAT. Motion: Council Member Clay, 2<sup>nd</sup>Vice Chairman Endfield. Vote: 8-0.
  23. Chairman Massey passed out copies of executive order and provided reasons for the order and asked for Council support. This lead to discussion on finances with John Clark, Administrative Manager and Michelle Austin, Acting Controller, present and contributing to the discussion. Michelle covered the financial statements for the month ending April 30, 2002. It was stated that a complete review of budgets and audit reports should be done first. The lack of cash policies and lack of controls was a concern. Council's recommendations and input needed regarding tribal finances.
  24. The meeting recessed at 6:20 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Thursday, July 11, 2002

### COUNCIL MEETING BRIEFS

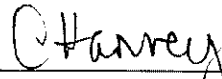
The continuation of the meeting was called to order at 2:21 p.m. by Chairman Massey. The invocation was offered by Council Member Lupe. Vice Chairman Endfield was excused.

1. Ben Nuvamsa, BIA Superintendent introduced members of the BAER team. Jim Styre, Fire Director, will be testifying at hearing on July 23, 2002, therefore, the tribe to provide information and input.
2. John Philbin presented information regarding rehabilitation and the fire effects study. Chairman Massey extended thanks to Mr. Philbin and requested funding for the Whiteriver airport. There were concerns expressed about employment for Cibecue and funds for the Carrizo bridge to address the potential flooding problem.
3. Council, FATCO and BIA personnel discussed recovery of timber mortality through various methods including salvage, helicopter and tractor logging, marking guidelines or other methods to reduce losses. Resolution No. 07-2002-163 adopted to request outside assistance to the Tribe for the purpose of conducting immediate salvage timber operations in order to recover some value from the burned timber areas. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
4. Resolution No. 07-2002-164 adopted to seek U.S. Dept. of Interior funds for the salvage. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 9-0.
5. Dean Hagstrom, BIA Phoenix Regional Office, presented the following resolution: Resolution No. 07-2002-165 adopted to grant access and permission for Bureau and Reclamation staff to complete the required surveying and field exploration program for the following five dams: Bog Tank, Shush Be Tou, Shush Be Zahze, David (Hawley) Lake, and Horseshoe Cienega. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Clay. Vote: 10-0.
6. Collette Altaha, the designated local FEMA Coordinator, reported on FEMA activities. Also present with her were Tim Sanders, the Emergency Management Operation Coordinator and Helbent Frazier, FEMA Tribal Liaison. The main concern was that flooding issue was not included in the declaration, along with the loss of big game. Resolution No. 07-2002-166 adopted to appoint Collette Altaha as the FEMA Coordinator. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 10-0.
7. Queen Committee members Linda Holden, Flora Jensen and Eileen Pike presented the Policies and Procedures Handbook for Miss White Mountain Queen and Princess. After questions/comments, Resolution No. 07-2002-167 adopted to approve the Policies and Procedures Handbook for Miss White Mountain Apache

Queen and Princess. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 10-0.

8. Winston Tortice informed Council of his termination status and requested reinstatement to his former position at the Whiteriver Police Department and back pay. Resolution No. 07-2002-168 adopted to reinstate Winston Tortice to the Whiteriver Police Department and back pay from July 1 through July 12, 2002. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 9-0.
9. The meeting adjourned at 6:07 p.m.

Sincerely,



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Cyndy Harvey-Bunette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Friday, July 12, 200

**COUNCIL MEETING BRIEFS**

Chairman Massey called the meeting to order at 9:30 a.m. Vice Chairman Endfield offered the invocation. All members of the Council were present.

1. Chairman Massey stated that the Tribal Attorney will report this morning and will include Prosecution Unit update.
2. The Tribal Attorney George Hesse introduced Ron McGee, BIA Appeals Officer, who conducted the independent review of Prosecution Unit in executive session from 9:35 a.m. until 12:25 p.m.
3. The Tribal Attorney gave his report from 12:27 until 1:30 p.m.
4. Resolution No. 07-2002-169 adopted for approval of the BAER objectives and the Emergency Stabilization and Rehabilitation (ESR) Plan. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0.
5. Resolution No. 07-2002-170 adopted for approval to utilize accrued annual leave hours to pay off Tribal debts. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 9-0.
6. Resolution No. 07-2002-171 adopted for approval to lift the home cooking fire restriction. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 9-0.
7. The meeting recessed at 1:44 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, July 23, 2002

### COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:46 a.m. Vice Chairman Endfield offered the invocation. Council Member Baha-Walker was excused and Council Member Clay was on travel. BIA and Tribal Forestry staff was also in attendance.

1. Tribal Attorney George Hesse stated that the staff is here to present the BAER plan, position and objectives. Changes to the plan can be requested although the plan needs to be forwarded to National Interagency Fire Center (NIFC) as soon as possible. He also advised to request a higher level of funding for coordinator position.
2. BIA Superintendent Ben Nuvamsa advised contracting the stabilization effort with the Implementation Leader position. Information and qualifications of position was provided.
3. BIA Forestry and Tribal Forestry staff, presented the BAER (Burned Area Emergency Stabilization and Rehabilitation) Plan.
4. Council expressed concerns on cultural losses, employment for tribal members and requested a consideration of tribal opinions and input.
5. Chairman Massey informed Council of his trip to Washington, D.C. trip, possibly tomorrow, to seek congressional appropriation for FATCO salvage. It was suggested that District I and II Council accompany him for stronger support. Status of the tribe's public relation firms was questioned.
6. George Hesse, Tribal Attorney, advised a legal review of the BAER plan before forwarding to NIFC, cautioning on FOIA and compliance issues.
7. Resolution No. 07-2002-173 adopted to request and authorize a P.L. 93-638 Cooperative Agreement between the Tribe and the BIA for the function of Implementation Leader until the Chedeski Rodeo BAER Implementation Plan is completed. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Lupe. Vote: 7-0.
8. George Cordova, candidate for the U.S. House of Representative District One, was introduced by Tio Tachias, consultant. Mr. Cordova addressed Council and requested a resolution of support. Several Council offered reasons for non-endorsement. Resolution No. 07-2002-174 adopted to support and endorse the candidacy of Mr. George Cordova as candidate for Congress in Arizona's Congressional District One. Motion: Council Member Cody, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 3-0-5.
9. FATCO management and Board referenced two resolutions requesting start-up funds for salvage and information regarding this was shared. Resolution No. 07-2002-175 adopted for a request of \$21M in order to initiate FATCO logging and sawmill operations as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
10. Resolution No. 07-2002-176 adopted for a request of \$6.7M in order to initiate FATCO logging and sawmill operations as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
11. FATCO staff was urged to seek funding to back pay employees affected by the fire. Resolution No. 07-2002-177 adopted to back pay affected FATCO employees as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
12. Discussion was held on the need to begin salvaging timber immediately to capture the greatest value before insects and disease render it valueless. Resolution No. 07-2002-178

- adopted for approval of the Rodeo-Chediski Fire Salvage #1 for 8 MMBF and at 6% stumpage rate. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Craig. Vote: 8-0.
13. Resolution No. 07-2002-179 adopted to approve the proposal for BIA staff to solicit bids from off-reservation logging operators for purchasing and logging, provided that the Council shall have final approval of any salvage sale. The Chairman to present this request to the U.S. Congress for emergency funding as a rider to any bill this fiscal year for immediate consideration. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Craig. Vote: 7-0.
  14. Patty Nosie informed Council of events leading up to request today to reinstate agreement between her and former Chief Ray Burnette. The agreement is that she works weekdays with weekends off as a Police Officer. This lead to comments on schedules, officers, Law & Order committee, politics and the need to select Chief as soon as possible. It was mentioned that Ms. Nosie has supporting written documentation for her request. Law & Order Chair Alvino Hawkins offered comments as to leaving politics out and advised that this issue be handled by the Police Department. Resolution No. 07-2002-180 adopted for Patty Nosie to work day shift with weekends off as per agreement with former Chief Burnette. Motion: Council Member Henry, 2<sup>nd</sup>-Council Member Craig. Vote: 7-0.
  15. A meeting with the Police Department was scheduled for July 29, 2002 at 9 a.m. in the Council Chambers.
  16. The Tribal Attorney reported in executive session from 6:39 to 8:04 p.m.
  17. Resolution No. 07-2002-181 adopted directing that the donation from the San Manuel Mission Indian Band be allocated according to the four identified priorities. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 8-0.
  18. Resolution No. 07-2002-182 adopted to authorize revisions to the Cibecue Health Clinic lease. Motion: Council Member Cruz, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-0.
  19. Resolution No. 07-2002-183 adopted to approve the installation and operation of the gaging stations and nine additional Remote Automated Weather Stations in the burned area. Motion: Council Member Cody, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0
  20. Resolution No. 07-2002-184 adopted to authorize grant application for engineering fees incurred during the Whiteriver Airport improvement project in the amount of \$115,001 federal grant funding with a tribal share of \$11,290. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 5-0.
  21. Resolution No. 07-2002-185 to accept increased grant funding for the Whiteriver Airport improvements. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 5-0.
  22. Adjournment was at 8:09 p.m

Sincerely,

*Cyndy Harvey*

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Cyndy Harvey-Burnette  
Council Secretary


White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Friday, July 26, 2002

**COUNCIL MEETING BRIEFS**

Vice Chairman Enfield called the meeting to order at 10:25 a.m. Council Member Clay offered the invocation. Chairman Massey and Council Member Burnette were on travel.

1. Wildlife and Outdoor Recreation Division staff reported in executive session from 10:30 to 12:35 p.m.
2. Resolution No. 07-2002-186 adopted directing the White Mountain Apache Tribe Wildlife and Outdoor Recreation Rangers and the White Mountain Apache Tribe Police Department to continue their investigation into the presence and activities of Ramsford Olmsted and Valinda Jo Elliott within the Fort Apache Indian Reservation. Motion: Council Member Lupe, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
3. The afternoon session was another executive session held from 1:44 to 4:45 p.m. Resolution No. 07-2002-187 adopted to authorize the Chairman to request that the U.S. Attorney General John Ashcroft, and the Tribe's congressional delegation from Arizona and across Indian Country demand; (1) further investigation of the facts surrounding the ignition and abandonment of the Chediski fire, and (2) the appointment of an independent prosecutor to bring the facts surrounding the ignition of the Chediski fire to a federal grand jury. Motion: \_\_, 2<sup>nd</sup>-\_\_. Vote: 8-0.
4. Adjournment was at 4:45 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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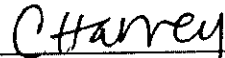
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Culture Center  
Tuesday, July 30, 2002

### COUNCIL MEETING BRIEFS

Chairman Massey called the special Council meeting with the Heritage Program to order at 8:40 a.m. Council Member Lupe offered the invocation. Council Members Cody and Clay were absent.

1. Staff members provided self-introductions followed by discussion of the program mission statement. The preservation of the Apache language was advised to be included.
2. Ramon Riley spoke on his work in the area of repatriation. The importance of sacred items to be returned here was stressed.
3. Due to concerns of fire damage to culture sites on the west end, Gregg Henry provided an update on this.
4. Doreen Gatewood and Berni Santamaria shared information on the Sacred Sites and Cultural Property Rights. They advised input for policy regarding the protection of sites.
5. David Bingell stated that he is currently working on two collections policies. Grant information (awarded and pending) was shared, along with information on the microfilm reader that is needed to read 22-H material.
6. District I Council Members spoke on the preservation of sites on the west end and to seek grants for this purpose. Supporting comments for the Heritage Program were expressed.
7. Berni Santamaria covered the language revitalization & policy. Ms. Santamaria stressed the importance of preserving the Apache language. She requested Council to advocate for the Apache language through their radio reports.
8. Information on public programs and interpretations was presented by Karl Hoerig. He also showed a scrapbook from the 1930's to Council depicting drawings done by Cibecue students.
9. John Welch gave an update on Heritage Program activities. He requested Council assistance in making connections with tribal members and visitors and to support the continuing working relationship with Wildlife & Outdoor Recreation Division. Legal assistance is needed with ordinances for policies. A clarification of roles and responsibilities for the Office of Tourism and the Heritage Program is needed. A request was made for more collaboration with Elderly Services and the elderly.
10. The staff was complimented and thanked for their presentation and their work.
11. The meeting adjourned at 12:50 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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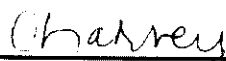
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, July 9, 2002

**COUNCIL MEETING BRIEFS**

The meeting was called to order at 3:20 p.m. by Chairman Massey. The invocation was offered by Council Member Cruz. Vice Chairman Endfield and Council Member Nez were excused due to their travel status.

1. Chairman Massey informed Council that a financial update will be presented this afternoon, followed by request from Reuben Kessay.
2. Mr. Kessay explained his request process, reasons for and information on the modular building. Resolution No. 07-2002-147 adopted for approval to purchase a modular office unit for the Tribal Gaming Office in the amount of \$30,000. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 4-0.
3. The lease financing and the limited waiver of sovereign immunity for the police vehicles was explained by the Tribal Attorney George Hesse and Administrative Manager John Clark. Problems within the Police Department were referenced as well as concerns regarding the acting chief's lack of certification. Some supporting comments on Mr. Steen's behalf were made, however, it was stressed that he is not certified.
4. Resolution No. 07-2002-148 adopted for approval of the lease financing transaction between the Tribe and Wells Fargo Fleet Services, including the limited waiver of the Tribe's sovereign immunity for enforcement for such agreement in the Tribal court. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Cody. Vote: 4-3-1.
5. The Tribal Attorney George Hesse briefed Council on meeting with Show Low and Pinetop-Lakeside City Councils scheduled this evening. This lead to comments on racial discrimination.
6. The meeting recessed at 5:25 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

070902br

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Tribal Council Chambers  
Wednesday, July 10, 2002

### COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:41 a.m. Council Member Nez was excused. The invocation was offered by Council Member Craig.


1. Miss Indian Nations Felicia Hoffman spoke of recent conference she attended where Native American youth donated \$1,513.43 to our tribe as a result of the fires. The check was presented to Tribal Chairman Dallas Massey, Sr. Miss Hoffman to be advised of how funds will be spent.
2. Danny Sedillo requested reinstatement to his position at the TERO Department and back pay. Human Resources Director Gwendena Real Bird advised Council of attempts to assist Mr. Sedillo pertaining to treatment. Some supporting remarks on Danny's behalf were offered, while others favored referring this issue back to Personnel. Resolution No. 07-2002-149 adopted to reinstate Danny Sedillo to his position at TERO and back pay from March 8 to May 8, 2002. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-1-1.
3. Gertie Lupe shared her concerns regarding a position for which her daughter-in-law was not considered. She also expressed her concern about the Police Department, tribal finances and the fires.
4. May Loas made comments related to the recent fires and urged offering prayers of thanks for the rain.
5. Council Member Henry stated that there are many complaints regarding Dewey Lupe.
6. Rainbow City Community President Jonathan Baylish presented his general report and updated Council on the shelter which he opened at the community building. Mr. Baylish was thanked for providing the shelter. He advised of future plans for the community building. He requested the use of the Memorial and Exhibit Halls to conduct fund raising activities. Resolution No. 07-2002-150 adopted to approve the waiver of fees for use of the Memorial and Exhibit Halls to conduct fund raising activities for the Rainbow City community. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 9-0.
7. Council Member Craig requested an amendment to prior resolution on behalf of Jonathan Baylish. Resolution No. 07-2002-151 adopted to amend Resolution No. 05-2002-100 and have Jonathan Baylish return to employment at the Purchasing Department. Motion: Council Member Craig, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 9-0.
8. Orlando Carroll of BIA Forestry presented the purpose and need for the amendment to the Corduroy Creek Timber Sale Contract.
9. Planning's summer intern student Shannon Tate provided information on Intel Computer Clubhouse and the grant. Resolution No. 07-2002-152 adopted

- supporting the proposal for an Intel Computer Clubhouse with funding support from the Intel Corporation and the Bill and Melinda Gates Foundation. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 8-0.
10. Alethia Velasquez and Cathy Eagle of the Diabetes Wellness Center spoke on the benefits of breastfeeding. Resolution No. 07-2002-153 adopted to encourage White Mountain Apache women to exclusively breastfeed each of her children for six months and then continue breastfeeding until at least twelve months of age after the addition of solids. The policies to be implemented for three months trial basis. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0.
  11. Carlos Hernandez, TRS Principal and Tom Butler, Education Specialist, provided an update on school NCA Accreditation and Corrective Action status of TR. They were offered congratulations for their progress and improvements.
  12. Cornelia Clendon, Program Manager and Leola Larzelere, Education Coordinator of Head Start informed Council of teaching credential requirements for staff and presented the following resolution: Resolution No. 07-2002-154 adopted to approve the Professional Development requirements for Head Start staff. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 9-0.
  13. William Hawkins, Solid Waste Manager, informed Council of basis for requesting an increase from \$5.00 to \$10.00 a month for trash service. Although concerns about illegal trash dumping was mentioned and Mr. Hawkins was advised to inform the public about the proposed rate increase, Resolution No. 07-2002-155 was adopted to raise the trash service rate from \$5.00 to \$10.00 a month. Motion: Council Member Henry, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 7-1-1. Council Member Clay advised to inform the public first and to table this issue until the tribe is in a better financial condition.
  14. Jimmy Brownfeather of Utility requested Council support for the purchase of six vehicles from Housing Authority and to increase water and sewer rates. Resolution No. 07-2002-156 adopted to transfer six vehicles (at no cost) to Utility from Housing Authority. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Clay. Vote: 9-0.
  15. Discussion followed regarding the proposed residential water rate increase. Council was favorable to keeping current rates for residential use but to increase for commercial use only. Resolution No. 07-2002-157 adopted to increase the commercial water rate to \$100.00 per month. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Clay. Vote: 7-1-1.
  16. Tom Francis and Evelyn Emory of Public Works provided justification for purchase of crusher, vibrating feeder and loader. Resolution No. 07-2002-158 adopted to approve for the Public Works Department to purchase the above items through a lease finance transaction, for a term not to exceed 36 months. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 6-0.
  17. Al Brooks, Public Works Manager, offered supporting comments on staff and thanked Council for their support.
  18. Chairman Massey welcomed members of the Hopi Tribe who conducted food drive and contributed monetary donations to the WMAT in the wake of the

Rodeo-Chedeski wildfire. The group was thanked by all members of the Council for their kind contributions.

19. Tribal Enrollment was presented in executive session from 5:10 to 5:20 p.m. Resolution No. 07-2002-159 adopted for enrollment of thirty-four (34) members with the WMAT. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
20. Resolution No. 07-2002-160 adopted for April Hope Loring's relinquishment from the WMAT. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
21. Resolution No. 07-2002-161 adopted for the relinquishment from the WMAT for Stacy Dora Loring. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
22. Resolution No. 07-2002-162 adopted for the enrollment of Tycarsha Truax with the WMAT. Motion: Council Member Clay, 2<sup>nd</sup> Vice Chairman Endfield. Vote: 8-0.
23. Chairman Massey passed out copies of executive order and provided reasons for the order and asked for Council support. This led to discussion on finances with John Clark, Administrative Manager and Michelle Austin, Acting Controller, present and contributing to the discussion. Michelle covered the financial statements for the month ending April 30, 2002. It was stated that a complete review of budgets and audit reports should be done first. The lack of cash policies and lack of controls was a concern. Council's recommendations and input needed regarding tribal finances.
24. The meeting recessed at 6:20 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Thursday, July 11, 2002

### COUNCIL MEETING BRIEFS

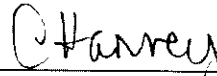
The continuation of the meeting was called to order at 2:21 p.m. by Chairman Massey. The invocation was offered by Council Member Lupe. Vice Chairman Endfield was excused.

1. Ben Nuvamsa, BIA Superintendent introduced members of the BAER team. Jim Styre, Fire Director, will be testifying at hearing on July 23, 2002, therefore, the tribe to provide information and input.
2. John Philbin presented information regarding rehabilitation and the fire effects study. Chairman Massey extended thanks to Mr. Philbin and requested funding for the Whiteriver airport. There were concerns expressed about employment for Cibecue and funds for the Carrizo bridge to address the potential flooding problem.
3. Council, FATCO and BIA personnel discussed recovery of timber mortality through various methods including salvage, helicopter and tractor logging, marking guidelines or other methods to reduce losses. Resolution No. 07-2002-163 adopted to request outside assistance to the Tribe for the purpose of conducting immediate salvage timber operations in order to recover some value from the burned timber areas. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
4. Resolution No. 07-2002-164 adopted to seek U.S. Dept. of Interior funds for the salvage. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 9-0.
5. Dean Hagstrom, BIA Phoenix Regional Office, presented the following resolution: Resolution No. 07-2002-165 adopted to grant access and permission for Bureau and Reclamation staff to complete the required surveying and field exploration program for the following five dams: Bog Tank, Shush Be Tou, Shush Be Zahze, David (Hawley) Lake, and Horseshoe Cienega. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Clay. Vote: 10-0.
6. Collette Altaha, the designated local FEMA Coordinator, reported on FEMA activities. Also present with her were Tim Sanders, the Emergency Management Operation Coordinator and Helbent Frazier, FEMA Tribal Liaison. The main concern was that flooding issue was not included in the declaration, along with the loss of big game. Resolution No. 07-2002-166 adopted to appoint Collette Altaha as the FEMA Coordinator. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 10-0.
7. Queen Committee members Linda Holden, Flora Jensen and Eileen Pike presented the Policies and Procedures Handbook for Miss White Mountain Queen and Princess. After questions/comments, Resolution No. 07-2002-167 adopted to approve the Policies and Procedures Handbook for Miss White Mountain Apache

Queen and Princess. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 10-0.

8. Winston Tortice informed Council of his termination status and requested reinstatement to his former position at the Whiteriver Police Department and back pay. Resolution No. 07-2002-168 adopted to reinstate Winston Tortice to the Whiteriver Police Department and back pay from July 1 through July 12, 2002. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Baha-Walker: Vote: 9-0.
9. The meeting adjourned at 6:07 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

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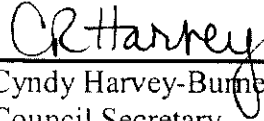
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Friday, July 12, 2002

**COUNCIL MEETING BRIEFS**

Chairman Massey called the meeting to order at 9:30 a.m. Vice Chairman Endfield offered the invocation. All members of the Council were present.

1. Chairman Massey stated that the Tribal Attorney will report this morning and will include Prosecution Unit update.
2. The Tribal Attorney George Hesse introduced Ron McGee, BIA Appeals Officer, who reported in executive session from 9:35 a.m. until 12:25 p.m.
3. The Tribal Attorney gave his report from 12:27 until 1:30 p.m.
4. Resolution No. 07-2002-169 adopted for approval of the BAER objectives and the Emergency Stabilization and Rehabilitation (ESR) Plan. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0.
5. Resolution No. 07-2002-170 adopted for approval to utilize accrued annual leave hours to pay off Tribal debts. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 9-0.
6. Resolution No. 07-2002-171 adopted for approval to lift the home cooking fire restriction. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 9-0.
7. The meeting recessed at 1:44 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, July 23, 2002

### COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:46 a.m. Vice Chairman Endfield offered the invocation. Council Member Baha-Walker was excused and Council Member Clay was on travel. BIA and Tribal Forestry staff was also in attendance.

1. Tribal Attorney George Hesse stated that the staff is here to present the BAER plan, position and objectives. Changes to the plan can be requested although the plan needs to be forwarded to National Interagency Fire Center (NIFC) as soon as possible. He also advised to request a higher level of funding for coordinator position.
2. BIA Superintendent Ben Nuvamsa advised contracting the stabilization effort with the Implementation Leader position. Information and qualifications of position was provided.
3. BIA Forestry and Tribal Forestry staff, presented the BAER (Burned Area Emergency Stabilization and Rehabilitation) Plan.
4. Council expressed concerns on cultural losses, employment for tribal members and requested a consideration of tribal opinions and input.
5. Chairman Massey informed Council of his trip to Washington, D.C. trip, possibly tomorrow, to seek congressional appropriation for FATCO salvage. It was suggested that District I and II Council accompany him for stronger support. Status of the tribe's public relation firms was questioned.
6. George Hesse, Tribal Attorney, advised a legal review of the BAER plan before forwarding to NIFC, cautioning on FOIA and compliance issues.
7. Resolution No. 07-2002-173 adopted to request and authorize a P.L. 93-638 Cooperative Agreement between the Tribe and the BIA for the function of Implementation Leader until the Chedeski Rodeo BAER Implementation Plan is completed. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Lupe. Vote: 7-0.
8. George Cordova, candidate for the U.S. House of Representative District One, was introduced by Tio Tachias, consultant. Mr. Cordova addressed Council and requested a resolution of support. Several Council offered reasons for non-endorsement. Resolution No. 07-2002-174 adopted to support and endorse the candidacy of Mr. George Cordova as candidate for Congress in Arizona's Congressional District One. Motion: Council Member Cody, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 3-0-5.
9. FATCO management and Board referenced two resolutions requesting start-up funds for salvage and information regarding this was shared. Resolution No. 07-2002-175 adopted for a request of \$21M in order to initiate FATCO logging and sawmill operations as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
10. Resolution No. 07-2002-176 adopted for a request of \$6.7M in order to initiate FATCO logging and sawmill operations as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
11. FATCO staff was urged to seek funding to back pay employees affected by the fire. Resolution No. 07-2002-177 adopted to back pay affected FATCO employees as soon as possible. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
12. Discussion was held on the need to begin salvaging timber immediately to capture the greatest value before insects and disease render it valueless. Resolution No. 07-2002-178

- adopted for approval of the Rodeo-Chediski Fire Salvage #1 for 8 MMBF and at 6% stumpage rate. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Craig. Vote: 8-0.
13. Resolution No. 07-2002-179 adopted to approve the proposal for BIA staff to solicit bids from off-reservation logging operators for purchasing and logging, provided that the Council shall have final approval of any salvage sale. The Chairman to present this request to the U.S. Congress for emergency funding as a rider to any bill this fiscal year for immediate consideration. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Craig. Vote: 7-0.
  14. Patty Nosie informed Council of events leading up to request today to reinstate agreement between her and former Chief Ray Burnette. The agreement is that she works weekdays with weekends off as a Police Officer. This led to comments on schedules, officers, Law & Order committee, politics and the need to select Chief as soon as possible. It was mentioned that Ms. Nosie has supporting written documentation for her request. Law & Order Chair Alvino Hawkins offered comments as to leaving politics out and advised that this issue be handled by the Police Department. Resolution No. 07-2002-180 adopted for Patty Nosie to work day shift with weekends off as per agreement with former Chief Burnette. Motion: Council Member Henry, 2<sup>nd</sup>-Council Member Craig. Vote: 7-0.
  15. A meeting with the Police Department was scheduled for July 29, 2002 at 9 a.m. in the Council Chambers.
  16. The Tribal Attorney reported in executive session from 6:39 to 8:04 p.m.
  17. Resolution No. 07-2002-181 adopted directing that the donation from the San Manuel Mission Indian Band be allocated according to the four identified priorities. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Craig. Vote: 8-0.
  18. Resolution No. 07-2002-182 adopted to authorize revisions to the Cibecue Health Clinic lease. Motion: Council Member Cruz, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-0.
  19. Resolution No. 07-2002-183 adopted to approve the installation and operation of the gaging stations and nine additional Remote Automated Weather Stations in the burned area. Motion: Council Member Cody, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
  20. Resolution No. 07-2002-184 adopted to authorize grant application for engineering fees incurred during the Whiteriver Airport improvement project in the amount of \$115,001 federal grant funding with a tribal share of \$11,290. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 5-0.
  21. Resolution No. 07-2002-185 to accept increased grant funding for the Whiteriver Airport improvements. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cruz. Vote: 5-0.
  22. Adjournment was at 8:09 p.m

Sincerely,

*Cydney Harvey-Burnette*

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Cydney Harvey-Burnette  
Council Secretary

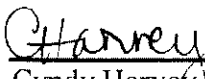
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Friday, July 26, 2002

**COUNCIL MEETING BRIEFS**

Vice Chairman Enfield called the meeting to order at 10:25 a.m. Council Member Clay offered the invocation. Chairman Massey and Council Member Burnette were on travel.

1. Wildlife and Outdoor Recreation Division staff reported in executive session from 10:30 a.m. to 12:35 p.m.
2. Resolution No. 07-2002-186 adopted directing the White Mountain Apache Tribe Wildlife and Outdoor Recreation Rangers and the White Mountain Apache Tribe Police Department to continue their investigation into the presence and activities of Ramsford Olmsted and Valinda Jo Elliott within the Fort Apache Indian Reservation. Motion: Council Member Lupe, 2<sup>nd</sup>-Council Member Nez. Vote: 8-0.
3. The afternoon session was another executive session held from 1:44 to 4:45 p.m. Resolution No. 07-2002-187 adopted to authorize the Chairman to request that the U.S. Attorney General John Ashcroft, and the Tribe's congressional delegation from Arizona and across Indian Country demand; (1) further investigation of the facts surrounding the ignition and abandonment of the Chediski fire, and (2) the appointment of an independent prosecutor to bring the facts surrounding the ignition of the Chediski fire to a federal grand jury. Motion: \_\_\_\_\_, 2<sup>nd</sup>-\_\_\_\_\_. Vote: 8-0.
4. Adjournment was at 4:45 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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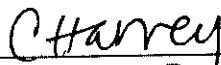
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Culture Center  
Tuesday, July 30, 2002

### COUNCIL MEETING BRIEFS

Chairman Massey called the special Council meeting with the Heritage Program to order at 8:40 a.m. Council Member Lupe offered the invocation. Council Members Cody and Clay were absent.

1. Staff members provided self-introductions followed by discussion of the program mission statement. The preservation of the Apache language was advised to be included.
2. Ramon Riley spoke on his work in the area of repatriation. The importance of sacred items to be returned here was stressed.
3. Due to concerns of fire damage to culture sites on the west end, Gregg Henry provided an update on this.
4. Doreen Gatewood and Berni Santamaria shared information on the Sacred Sites and Cultural Property Rights. They advised input for policy regarding the protection of sites.
5. David Bingell stated that he is currently working on two collections policies. Grant information (awarded and pending) was shared, along with information on the microfilm reader that is needed to read 22-H material.
6. District I Council Members spoke on the preservation of sites on the west end and to seek grants for this purpose. Supporting comments for the Heritage Program were expressed.
7. Berni Santamaria covered the language revitalization & policy. Ms. Santamaria stressed the importance of preserving the Apache language. She requested Council to advocate for the Apache language through their radio reports.
8. Information on public programs and interpretations was presented by Karl Hoerig. He also showed a scrapbook from the 1930's to Council depicting drawings done by Cibecue students.
9. John Welch gave an update on Heritage Program activities. He requested Council assistance in making connections with tribal members and visitors and to support the continuing working relationship with Wildlife & Outdoor Recreation Division. Legal assistance is needed with ordinances for policies. A clarification of roles and responsibilities for the Office of Tourism and the Heritage Program is needed. A request was made for more collaboration with Elderly Services and the elderly.
10. The staff was complimented and thanked for their presentation and their work.
11. The meeting adjourned at 12:50 p.m.

Sincerely,

  
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Cindy Harvey-Burnette  
Council Secretary