



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approval of Tribal Council Meeting with Supporting Meeting Minutes)

WHEREAS, pursuant to Article XI, Section 3, of the Constitution of the White Mountain Apache Tribe, the Secretary of the Tribal Council is responsible for keeping and maintaining minutes of all Council meetings; and

WHEREAS, pursuant to Article XIII, Section 5 of the Constitution of the White Mountain Apache Tribe, the order of business requires a reading of the minutes; and

WHEREAS, the Tribal Council Secretary requested approval of the attached meeting minutes prepared from the Tribal Council meeting held on January 25, 2017 and

WHEREAS, the Tribal Council finds it in the best interest of the White Mountain Apache Tribe to approve the meeting minutes from the Tribal Council meetings held on January 25, 2017: as prepared and presented by the Tribal Council Secretary.


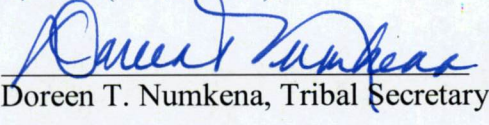
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on January 25, 2017 as prepared and presented by the Tribal Council Secretary

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on March 1, 2017 duly adopted by a vote of ELEVEN for and ZERO against with ONE abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>3/8/17</u>		<u>3/8/2017</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen T. Numkena, Tribal Secretary	Date



White Mountain Apache Tribe

Regular Meeting Minutes

January 25, 2017
Executive Conference Room

I. CALL TO ORDER:

- A. Call to Order: The meeting was called to order at 9:20 A.M. by Chairman Lupe.
- B. Prayer: Prayer was offered by Councilman Jerold Altaha
- C. Roll Call: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Jerold Altaha, Ralph Thomas, Floyd Walker, Alvena Bush, Jerome Kasey, Everett Massey (Excused: Colleen Faden)
Attorneys: Jim Palmer
- D. Approval of Minutes: Meeting Minutes of October 4, 2016, December 5, 2016, January 17, 2017 were presented by the Council Secretary for approval.
 - *Motioned by Jerold Altaha, second by Alvena Bush to approve minutes of October 4, 2016, December 5, 2017, and January 17, 2017 minutes as presented. Vote: 9-0-2. Motion carried.*

II. REPORTS:

A. Attorney's Report

Jim Palmer gave a brief overview of his recent trip to D.C. He and Councilman Jerold Altaha met with Senator Jeff Flake. Sen. Flake's staff asked about and discussed an article which appeared in the AZ Republic about the tribe. They also met with Rep. Gosar and Rep. Tom O'Halloran's staff. They attended the inauguration of Donald Trump on Friday January 20, 2017. The trip went well.

Eddie Lockett, explained and discussed the Confidentiality Agreement. The Agreement will be entered into with the Tribe and the State. To date, thirteen tribes have signed the agreement and amendments with the State. Additional tribes are talking with Governor's Office and it is anticipated they will sign the agreement. Hopi Tribe would like to participate but they must have approval first from Governor's Office.

"The agreement will provide instruction and an understanding of all participants. The confidential agreement will provide understanding with tribes and state communication. Both internally ensured that both parties talk to one another. Not subject to public records. Not a lot of public record will be circulating. Paper trail will be kept to a minimum. Parties refrain from information for social media."

- *Motioned by Vice Chairman Velasquez seconded by Jerome Kasey to approve the confidentiality agreement in terms of the gaming contract and number 12 in terms of injunctive relief. We will not raise sovereignty as a defense. Vote: 10-0-1. Motion carried.*

Other Updates by Mr. Palmer: Medical Marijuana-- Business Plan and policy procedure for medical marijuana in process of vying for license. He shifted paperwork to company to do paperwork. Process is on-going. The project hinges on the license.

B. Head Start Monthly Report: Leola Larzelere

Ms. Larzelere reviewed her written report with the Council. Included in the report were monthly budget reports, grant award, student enrollment report. It was reported their Budget was approved and is good for five but must submit a yearly budget. Grant will extend hours for the children by extending school year. Ms. Larzelere has requested for two new buses. The audit is okay for the next five years. Need corrective action plan for 14-15 audit findings. Michelle Holden has been working with them to address those issues. Head Start is Federally funded but not 638.

Ms. Larzelere would like to have random drug testing on employees as they all work with children. Request for random drug testing were denied previously. Attorney Palmer will check with Personnel with regard to the drug testing.

C. Division of Transportation Quarterly Report – Tara Chief

Tara Chief updated the Council on the Road construction projects: The repaving project from the hospital to Canyon Day is out to bid with ADOT. Construction will start in April depending on the weather. Two pedestrian crossings will be installed, one by Odette's and Oak Street by food vendors. Ms. Chief provided in-depth information about on-going projects in her Department. She's working with San Carlos Tribe with the Transit system. Airport runway identifier lights, etc. Four buses were ordered with an expected delivery date of May 1. Ms. Chief expressed concern about lack of office space. She will have a staff of 8 in April and have outgrown the office space currently being used in the Fire Department. There may be office space available at the Old Fire Management Building. It was determined that the bay area of the old building belongs to BIA. The superintendent stated the BIA had planned to demo that portion, rather than to give a hazardous building to the tribe. The superintendent asked the tribe to send a resolution over to BIA saying the tribe wants that building. Then they will ask for environmental assessments. Uncertain of how long that will take. It might take five years to do that and then finally turn it over.

- *Motioned by Jerome Kasey, Seconded by Jerold Altaha to pass a resolution for the Tribe's interest for the northern part of old fire management building for tribes use. Vote: 8-0-2. Motion passed.*

D. First Things First – Needs and Assets Report – Jessica Beach, Candida Hunter

There are 22 federally recognized tribes in AZ. They have Government-to-Government Relationships with each tribe. The 2016 report was approved by the Board. WMAT Regional partnership council is comprised of 11 volunteer members. Programs currently funded: Family Support, Early Learning, Health Prevention Fund, Quality Preschool and Childcare, Strengthening families and Early Literacy, Preventative Health, Community Awareness, Statewide Evaluation.

Regional Needs and Assets Report: AZ statue requirement--Jessica Beach: Regional Director explained the program for children ages 0-5. They look at living arrangements in the home, statistics relating to Poverty and Income and for economic support for local communities.

Councilman Kasey asked that quarterly reports be provided to the council for their information.

III. UNFINISHED BUSINESS

A. Wolf Project USFWS – Sherry Barrett - Mexican Wolf Recovery Manager

Sherry Barrett reported the wolf program started in 2001 with \$113,000 and have progressed to \$213,000. They are prepared to increase that amount and increase the salary of wolf techs. They have \$100,000 that can be provided this existing year. This could cover collaring the un-collared wolves. The existing Management Plan is old from 2000 and offered to work with tribe to update the Management Plan. They have initiated a helicopter survey and capture program where they can dart and collar wolves as well. Those operations are starting today through Feb 4.

Ms. Barrett stated they are committed to look for additional funding through grants. Receiving that funding would not be immediate as there is uncertainty of what the new administration's budgets cuts will be in Washington.

There were discussions about the Council having already voted and passed a resolution on this issue not to continue with the wolf project. Attorney Palmer recommended this issue be tabled for another time as the Council needs to understand all aspects of the issues before voting on it. There are funding agreements and control and communication issues.

Community members spoke in opposition of the wolf project and asked the Council to uphold the decision they have made against it. Their main concern was the livestock being affected by the wolves. There was a consensus amongst the Council to table this issue for further discussion when Attorney Brauchli can be present. Chairman Lupe asked this be held in abeyance for another meeting.

Lunch Break: 12:35 – 2:05 P.M.

Other: Posthumous Enrollment for 16- Day Old Infant – Attorney Jim Palmer

Motioned by Vice Chairman Velasquez, seconded by Jerold Altaha to approve tribal enrollment of deceased infant, Hailey Marie Ivins. Vote 8-0-2

IV. NEW BUSINESS

A. Approving the Tribal Permanent Land Restoration Scholarship Recipients for the Academic School Year of Spring 2017 – Michael Henry

Motioned by Vice Chairman Velasquez, seconded by Jerold Altaha to approve selected recipients of scholarships for Spring 2017: Jerry Alsenay, Vino Burnette, Jr., Charmayne Lynn Dayaye. Vote: 9-0-1 Motion passed.

B. Renewal of Non-Emergency Medical transportation Contract for Alltsate Med Trans LLC fothe 2017 Contract Year with the WMAT Client Business Office – Shareef Daoud, Owner

There were in-depth discussions regarding the non-renewal of contract which include:

- Mr. Daoud's claim he was not given 30-day written notice of non-renewal per policy;

- HIPPA Law violations by Allstate – however was cleared of violation by Health Board;
- Grievance procedures were not followed by Allstate, instead went straight to the Tribal Council;
- Attorney Cromwell noted there is no requirement for 30-day non-Renewal Notice in the contract;
- Discussion on nature of the HIPPA Violation;
- Policies and procedures being put in place after the fact;
- Director pushing for certain individual to be fired due to personal conflict with Director and individual;
- Tribal Member employees employed by this company assured jobs;
- Shareef commented on Director wanting money deposited to her personal account;

After the discussions, the Chairman directed Director Jessica Rufolfo to renew and issue a new contract to Allstate for 2017. (Note: No resolution required per Jim Palmer)

C. Authorize 2017 CTAS Grant Application and Submission – Sorna Manager – Elmer Lamson
Resolution: Authorizing the Application and Submission for the FY17 Coordinated Tribal Assistance Solicitation

Motioned by Jerome Kasey, seconded by Jerold Altaha to approve resolution for the CTA's Grant application. Vote: 9-0-1. Motion passed.

D. Request Transfer of Office Building to Historic Preservation Prog – Mark Altaha
 Not Presented – Mr. Altaha was not present.

Other: Approval of Apache Alliance Charter – Jim Palmer

Motioned by Jerold Altaha, seconded by Vice Chairman Velasquez to approve the Apache Alliance Charter as written. Vote 9-0-1. Motion carried.

F. Master Plan Carbon Credits – Jim Palmer

Jim Palmer reported to Council about Carbon Credits and explained an information handout on a breakdown of all the money that was received, Outgoing, Transfers, and Total Rockefeller payments given to the Council. Initial sale, first years numbers and first quarterly payment. 10% of monitoring goes to be paid by EKO. The credits have been subject to strenuous review. CC03 + 50 cent per credit equals about \$2 million worth of credits. This is approved. That money will be in accounts within ten days when processed. There are no investments strategies yet. We look to Rockefeller, as experts. We expect smaller income next year. Project two might have been much smaller because of Cedar Fire. Went from 3 million to well in excess of 4 million. That will go to buyers. The tribe is going to have an extra million credits potentially. A million credits was huge. It was the biggest transaction in history. The tribe is a significant player in the market. When we got paid it was the last of cycle and first in the new.

We're in year one, prices are lower than in year 3. As long as we fund enough money for a hundred years, everything else is fair game. The money will be available similar to land restoration. Amend code for project 2.

4:32 executive session:

G. Approval of Enrollment Applications/ Relinquishments – Phoebe Nez

Resolution: Approval to Grant Tribal Membership to 26 applicants. (Approved by Enrollment Committee on December 29, 2016.)

Out of executive Session 4:37

Motioned by Jerold Altaha, seconded by Jerome Kasey to approve Tribal membership for 26 applicants. Vote: 9-0-1 Motion carried.

- Approval to Grant Tribal Relinquishment Request of Autumn Te Shaun Sanchez
Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Autumn Te Shaun. Vote: 10-0-0 Motion carried.
- Approval to Grant Tribal Relinquishment Request of Emilano Carlos Sanchez
Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Emilano Carlos Sanchez. Vote: 10-0-0 Motion carried.
- Approval to Grant Tribal Relinquishment Request of Karl Mark Sanchez
Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Karl Mark Sanchez. Vote: 10-0-0
- Approval to Grant Tribal Relinquishment Request of Vanessa Ann Truax
Motioned by Jerold Altaha, seconded by Jerome Kasey to approve relinquishment request for Vanessa Ann Truax. Vote: 10-0-0 Motion carried.
- Approval to Grant Tribal Relinquishment Request of Diego Christel Yardley
Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Diego Christel Yardley. Vote: 10-0-0 Motion carried.

Motion by Jerome Kasey, to go back into executive. 4:44 P.M.

Motion by Jerome Kasey to get out of executive session. 4:47 P.M.

Approval to Grant Tribal Membership to 26 applicants. (Approved by Enrollment Committee on November 29, 2016.)

- *Motioned by Jerome Kasey, seconded by Jerold Altaha to approve 26 applicants that were approved by the Enrollment committee on November 29, 2016. Vote: 10-0-0. Motion carried.*
- Approval to Grant Tribal Relinquishment Request of Teresa LeRae Begay
Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Teresa LeRae Begay. Vote: 10-0-0 Motion carried.
- Approval to Grant Tribal Relinquishment Request of Katherine Marie Kelly-Walker

Motioned by Jerome Kasey, seconded by Jerold Altaha to approve relinquishment request for Katherine Marie Kelly-Walker Vote: 10-0-0. Motion carried.

E. Approval of Land Board's Recommendation for 11 Applicants (October to December 2016 Applications) - Raymus Albert

The Land Board needs a replacement for Judy Massey and is up to District IV Council to name a replacement. Mr. Albert had concerns with #4 on the list – Leo Thompson, Sr. - Dry Farmland Mr. Leo Thompson wasn't aware this land was going to be given back to the tribe. He fenced it so he could use it. People were complaining about the land. The land is up Bear Canyon Road across from the store. He said it was home site and farmland.

Mr. Beach recommended tabling #4 for further review with the Land Board.

Mr. Albert recommended that maps be used for site approvals.

Motioned by Jerome Kasey, seconded by Arnold Beach to approve 10 land applicants and to table #4 for Leo Thompson, Sr., Farmland for further clarification. Vote: 10-0-0. Motion carried.

Meeting Adjourned: 5:06 P.M.

Recorder: Doreen T. Numkena
Tribal Council Secretary