



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approval of Tribal Council 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 for approval of the attached meeting minutes prepared from the Tribal Council meeting held on February 8, 2017. Vote 6-0-0

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 February 8, 2017, as prepared and presented by the Tribal Council Secretary.

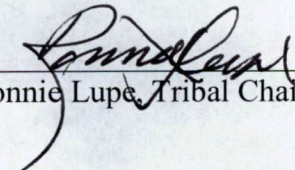
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on February 8, 2017, as prepared and presented by the Tribal Council Secretary

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.

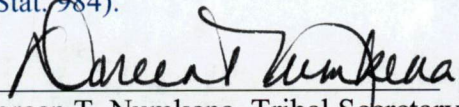
The foregoing resolution was on April 5, 2017 duly adopted by a vote of SIX for and ZERO against with ZERO abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

5/2/17

Date



Doreen T. Numkena, Tribal Secretary

5-2-2017

Date



White Mountain Apache Tribe
February 8, 2017, 9:00 A.M. -Regular Meeting
Executive Conference Room

Minutes

I. CALL TO ORDER:

- A. Call to Order: The meeting was called to order by Chairman Lupe at 9:25 A.M.
- B. Prayer: Prayer was offered by Vice Chairman Velasquez
- C. Roll Call: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Jerold Altaha, Colleen Faden, Ralph Thomas, Floyd Walker, Alvena Bush, Jerome Kasey, (Excused: Everett Massey)
Attorneys: Jim Palmer, Fred Soto, Kimberly Cromwell, Kealoha Douma
- 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, 2016, and January 17, 2017 minutes as presented. Vote: 9-0-2. Motion carried.*

II. REPORTS:

A. Attorney's Report: Jim Palmer updated the council on a meeting to be held today to hear a bill by Senator Flake. Kealoha Douma, Assistant Attorney, passed out information on a proposed bill on gaming compact negotiations. She explained the confidentiality agreement. Information about the negotiations cannot be given. She gave an update on upcoming meetings with regard to Gaming with the Governor's office.

Other: Jim Palmer reported fumes escaping from roof of the education building. There are roof, floor and foundation problems i.e., leaky roof causing mold. Due to health hazards, he recommended they move to the old Adult Ed. building across from Fire Dept. The Environmental staff will be doing some tests and Roberto Sanchez is working on how to get that back in working order. Councilman Jerome Kasey, said the Apache Youth Group will be moving back in to the Adult Ed. building in May.

B. Headstart Report - Director, Leola Larzelere

Ms. Larzelere was not present. There were no written reports submitted for this month.

C. Project Dream Catcher - Katherine Zuga

Nona Ceravi and Katherine Zuga reported the business training program is sponsored by and supported by Thunderbird. There are 17 native women from WMAT, SCAT, to and Hualapai Tribes participating. The program is being offered again this year. They currently have five applications from WMAT. Graduation is on April 10, 2:00 - 4:00 in Glendale.

Colleen Faden is the point of contact for the tribe. She commented this is just for information. No resolution needed to continue with the Program.

D. Apache Culture Center – Bernadette Santa Maria and Ramon Riley

Mr. Riley and Ms. Santa Maria expressed concerns about the Mt. Baldy area and dangers about the dry conditions and bug infestations destroying the pines in that area. They stated there was a resolution passed to get rid of the bug infested area but nothing has been done about that. They are asking for support from the Tribal Council to declare Mt. Baldy a sacred area and to have it listed on the national register of historic preservation. They are working on documenting the sacred significance of Mt. Baldy to the WMAT. A grant was received in 2016 for \$50,000 which is being used for this purpose. Documentation will be done on surveys and inventories, interviews with the Apache and Hopi elders, etc. to include in the application. There were uncertainties about how long that project will take. After the needed information is collected to complete the National Historic Preservation application, it will be submitted at the end of 2018. It will then be decided if this area will be listed as a national historic place. Other information that was given was that Mt. Baldy partially belongs to the WMAT and to the Apache Sitgreaves National Forest as it falls within their boundaries. Ms. Santa Maria and Mr. Riley asked for a subsequent meeting with the council to discuss this further and asked for support of the council at this time in their efforts to have Mt. Baldy listed on the national register for protection and in working with the Forest Service for this purpose.

- After a lengthy information discussion, Attorney Jim Palmer recommended that a letter of support be written by the Chairman. The approved this recommendation by consensus.

III. UNFINISHED BUSINESS

IV. NEW BUSINESS

A. Ft Apache Heritage Foundation 2017-18 Budget – CEO FAHF – Krista Beazley

Approving Reports and Budget for the Fort Apache Heritage Foundation Ms. Beazley presented a written report regarding the preservation and maintenance of the of 24 buildings at Fort Apache with settlement money awarded to Tribe in 1999 for a lawsuit against the BIA for its mismanagement of the property. They have made many improvements to the site and will continue to advocate on the tribe's behalf for the federal government to meet its obligations and responsibilities under the settlement. Ms. Beazley also presented results of the 2016 Audit reports. A Proposed Budget for 2017-2018 was presented for approval.

- Motioned by Jerome Kasey, seconded by Jerold Altaha to approve resolution "Approving Reports and Budget for the Fort Apache Heritage Foundation" as presented. Vote: 9-0-1. Motion passed.

B. Request to Host Native Vision Camp – Francene Hinton

The Johns Hopkins Program is requesting to host the Native Vision Sports and Life Skills Camp on June 15-17, 2017.

- Motioned by Jerome Kasey, seconded by Jerold Altaha to approve resolution "Requesting Tribe Host 2017 Native Vision Camp" as written. Vote: 8-0-1. Motion passed.

C. JH program – Resolutions Amendments & Manuscripts Approval

Manuscript: *“Risk and Protective Factors Associated with Lifetime Sexual Experience Among Rural, Reservation-Based American Indian Youth”* -

- Motioned by Jerold Altaha, seconded by Jerome Kasey to approve resolution: “Authorizing Publication of Certain Manuscript by Johns Hopkins Personnel” as presented. Vote 8-0-1 Motion passed.
- Resolution : Amendment to RSV Study Amendment
Motioned by Jerold Altaha, seconded by Jerome Kasey to approve resolution as presented. Vote: 8-0-1. Motion passed.
- Resolution: Amendment to then Native Vision Year-Round Program
Motioned by Jerold Altaha, seconded by Jerome Kasey to approve amendments to Resolution 10-2009-338 as presented. Vote: 8-0-1. Motion passed.
- Resolution: “Amendment to the Arrowhead Business Group (ABG) Youth Entrepreneurship Study”
Evaluation of an Entrepreneurship Program on Psychosocial, Behavioral Health, Educational and Economic outcomes among American Indian Youth.
Motioned by Jerold Altaha, seconded by Jerome Kasey to approve resolution as presented. Vote: 8-0-1. Motion passed.

D. Sunrise Resort – Casey Douma-- Not Present

(Note: Report given after Lunch Break)

E. Conduct Quality First Evaluation Study – Candida Hunter

Permission for 5 early learning centers to participate in study:

- ✓ Alchesay Beginnings Child Development Center
- ✓ Head Start
- ✓ Cibecue Center
- ✓ McNary Center
- ✓ Seven Mile Elementary School

After careful consideration and discussion of the benefits of this study, the council took the following action:

- Motioned by Jerold Altaha, seconded by Alvena Bush to approve Resolution: “Authorizing Classroom Observation to be Conducted as Part of the Quality First Evaluation Study”.

Vote: 9-0-2. Motion passed.

F. Consider Proposal from FNF Construction, Inc. – Public Works, Al Brooks

Mr. Brooks presented information to the council. He was asking for council support for FNF Construction to bid on road repair to the hospital. The council was not comfortable discussing this matter as it was going out to bid and would put an unfair advantage to this company over the other bidders.

- Motioned by Jerome Kasey, seconded by Ralph Thomas to table this matter. No vote was taken.

Note: after reconvening from lunch break, Jim Palmer informed the council that the Tribe was not a party to the negotiations but that it was between ADOT and FNF. FNF is only offering to fix the rock crusher. "If they get bid, we will not be pressuring anyway to accept their bid offer." It was the consensus of the Council to let Al Brooks do what he needs to do."

Lunch break 12:00 Reconvene 1:40 P.M.

Sunrise Report: Dawnafe Whitesinger

"We had a meeting several months ago and talked about our financial standing. We talked about carbon credits and it would pay down the loan with WMAHA. But it was used for other purposes by tribal council. We are still trying to pay down the note. With the understanding that we talked about taxes, we have been paying 3% tax of revenue to the tribe. Recent tax rate has been changed to 6%. We ask that that go to Housing Authority instead of the tribe until we pay down the loan. Right now we are trying to pay down the loan and pay the taxes and capital loan." After this opening statement by Ms Whitesinger, the Council went into a lengthy discussion about the proposal. Ms. Whitesinger did not have the figures to answer a question by council of how much annually is being paid by Sunrise to pay the loan. She said they owe \$860,000 on the note. They would like to pay down that debt and continue to pay into Capital investments and reinvest those amounts for Sunrise.

A concern of the council was that the 6% tax was put in effect two years ago and as a result the tribe has lost three percent taxes in the last three years from Sunrise.

Board member Rick DiValentino stated they were following directions from the Council to use the tax money being paid to the Tribe to pay back the loan to the Housing Authority. It was clarified by Mr. DiValentino that this directive came from the attorney general not the Council.

There were discussions on the improvements that Snow Bowl is doing and Sunrise losing skiers to Snow Bowl. Sunrise has dilapidated buildings and Sunrise not being able to make improvements due to a hindrance of owing money. Sunrise cannot incur other loans because they owe money. There were also discussions about the Central Tribe needing money and if the tribe can go for six years without being paid taxes from Sunrise.

- Jerome Kasey asked to table this discussion until the attorneys from both sides straighten this out.

Fred Soto and Sunrise Attorney Douma were directed to get together to come up with a proposal and present to the Council at Special Council Meeting.

G. Approval of Enrollment Applications – Phoebe Nez, Family History Officer

- Motioned by Jerold Altaha, seconded by Vice Chairman Velasquez to go into. Exec. Session for tribal enrollment. 2:22 P.M. – Out of Executive session : 2:29 P.M.

Ms. Nez presented 31 names for tribal enrollment which were reviewed and approved by the Enrollment Committee at a meeting on January 30, 2017.

- Motioned by Jerold Altaha, seconded by to approve tribal enrollment of 31 applicants as listed. Vote: 9-0-1. Motion passed.

Ms. Nez presented Relinquishment of Tribal Enrollment for Kayla Beth Kitcheyan.

- Motioned by Jerold Altaha, seconded by Vice Chairman Velasquez to approve relinquishment request for Kayla Beth Kitcheyan. Vote: 9-0-1.

Other: Tribe Courts – Chief Judge

Jim Palmer: Jim gave written Report to council of Investigation findings on Chief Judge, Carol Gatewood.

Only a two copies of the exhibits were available for review.

After considerable discussion, the Council took the following action:

- Motioned by Jerold Altaha, seconded by Jerome Kasey, to start the ten-day notice process and suspend Judge Gatewood with pay until the hearing on February 22, 2017. Vote: 8-1-1
Motion passed.

Back in Executive session: 2:45 PM.

A special meeting was requested for February 14, to discuss issues with Tribal Game and Fish Department. Issues regarding "Pay Pal" and non-deposit of money to 01 Account. There is an investigation on going at this time.

Consensus of the Council:

- Josh Parker indefinitely suspended without pay
- Gregg Dazen indefinitely suspended without pay

Meeting was adjourned at 3:27 P.M.

Recorder: Doreen T. Numkena, Tribal Council Secretary