



# 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 meetings held on May 1, 2019; 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 May 1, 2019, as prepared and presented by the Tribal Council Secretary.

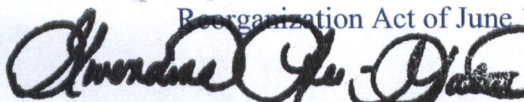
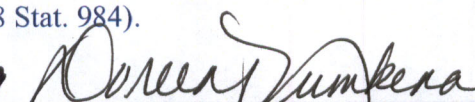
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on May 1, 2019, as prepared and presented by the Tribal Council Secretary

**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 Chairwoman, or in her 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 JUNE 12, 2019 duly adopted by a vote of TEN 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).

 6/17/19  6-17-19  
Gwendena Lee-Gatewood, Chairwoman      Date      Doreen T. Numkena, Tribal Secretary      Date



# White Mountain Apache Tribe

## Regular Meeting Minutes

May 1, 2019 – 9:00 A.M.

Executive Conference Room

### I. CALL TO ORDER:

- A. The meeting was called to order at 9:10 A.M. by Chairwoman Gwendena Lee-Gatewood
- B. Prayer was offered by Alvena Bush
- C. Roll Call: Roll Call: Chairwoman Gwendena Lee-Gatewood, Vice-Chairman Jerome Kasey, Arnold Beach, Travis Tessay, Jerold Altaha, Renaldo Dazen, Alvin Declay, Ralph Thomas, Gary Alchesay, Alvena Bush, Everett Massey  
Attorneys: Kealoha Douma, Kim Cromwell, Amy Mignella
- D. Approval of Minutes: Minutes not presented for approval.

### II. REPORTS

#### A. Attorneys Report:

A.G. Douma reported on a conference call with Ryan Smith lobbyist from Wash., DC regarding rural water system. SRP meeting with AZ delegation in DC and Ryan Smith requests for Chairwoman to go to DC as a follow-up with AZ delegation regarding the enforceability date and other issues regarding police funding and DOC facility. This meeting to be at the end of May or beginning of June. They are supportive of the enforceability date change. Met with Housing Authority Attorney Anthony Lee on housing loan modification. This is for the purpose of their audit. Vice Chairman stated he would join the Chairwoman on the Washington, DC trip.

#### B. Monthly Finance Report – Deron Peaches

To be done in executive session at the end of the meeting agenda.

#### C. Monthly Headstart Report – Director - Leola Larzelere

A written report was submitted by the Director.

### III. UNFINISHED BUSINESS

### IV. NEW BUSINESS

#### A. Concerns Regarding McNary School Principal – Vice Chairman Jerome Kasey

Vice Chairman Kasey opened the discussions and concerns regarding the McNary School Principal by saying he had received a lot of complaints from the community of McNary. He stated he was only the voice for the people on the issues. He noted there were people in the meeting who supported the removal of the principal. He spoke of a petition that was circulated where 120 parents had signed the petition to remove the principal. Some of the complaints were rejection of requests to discuss certain issues at the Board Meetings because they did not want them addressed in the meetings. Further, agendas were prepared and the meetings were then canceled. There have only been two school board meetings since January this year. The Vice also spoke of an article that appeared in the WM Independent where it states the Tribal Council barged into a meeting. It was clarified the Council was there by invitation by the community members and by Leona Hinton, School Board President. It was pointed out by Council Members who were in attendance at that meeting that they were there to support an employee whose rights were allegedly violated. There were concerns about a personnel matter being discussed in Open meeting to which the Board President responded

the individual had wanted it discussed in Open meeting. She also stated the signers of the petition had an option to bring their concerns to the board but they never did. The Board President was not in support of removing the principal without giving her a chance and to see how she is doing. The Principal Evaluation is due in November. Attorney, Tosca Henry, representing Principal Milan, stated she was at this meeting because it was her understanding the Principal was on the agenda for removal. It was stated by the Vice that it was just for concerns and discussions. She spoke of her concerns about the validity of the petitions such as; were the signers provided information about the content on the petition? Were the signers legal guardians? She clarified there are a majority in support of the principal and one in opposition on the Board. She went on to say Principal Milan had worked for McNary for seven years and that this is her second year as principal. The grade school went from an F school to a D school in just one school year and hoping to increase that grade. The Council made some remarks about the issues being discussed. It was the opinion of most of the Council that the matter concerning the McNary Principal belonged to elected Governing Board members of the McNary School and it should be handled by the Board.

- After hearing all of the comments and those offered by the Council, the Chairwoman reverted the handling of the matter back to the Legal Department to work with their attorney to get all of this resolved. There were no objections from the Council floor.

B. Overall Department Boards – Vice Chairman Jerome Kasey

Motion by Travis Tessay, to go into executive Session. Chairwoman asked if there were any objections. There were none. Executive session 10:53

Motioned by Jerold Altaha, seconded by Travis Tessay to come out of executive session. 10:53 A.M.

Resolution: Recommending a Meeting Pay Reduction for ABHS Board and Directing Submission of a Revised Budget:

Motioned by Jerold Atlaha, seconded by Travis Tessay, to accept the resolution as amended and for submission of a revised budget. Vote: 9-0-0 Motioned passed.

*Be It Resolved by the WMA Tribal Council that the Council hereby directs that the ABHS Board should each be compensated at a reasonable rate for attending regular Board Meetings in the amount no more than \$250 for the first 24 hours and an additional \$100 for any amount of meeting time after the initial 24 hours. Meeting pay for emergency or special meetings of the Board should be set at no more than \$100 for the entire meeting.*

C. Authorizing Publication of Certain Manuscripts by IHS Personnel – Dr. Close

○ First Manuscript: Skin & Soft Tissue Infections: Dr. Close reported the number one reason for admission to the Whiteriver Hospital is related to infections and the most common reason is for skin infections. He explained they must find the “whys and the hows” and most common reason for admission of tribal members is the first way to address on a community level and what to do about skin infections, which is the basis for the study. Dr. Close explained the supplementary tables and figures which were provided in the meeting packets. The tables showed data of the number of people being admitted for certain types of skin infections and hospitalizations and transfers for skin infections. Further, he reported this information is helpful as it informs providers of patient’s skin infection history as well how to help them from getting admitted and to use the statistics to apply for grants to use toward population health interventions. He assured the Council this manuscript will not mention the Tribe or location in any way unless the Council wish for him to put in name or location.

○ Second Manuscript: “A fatal case of Rheumatic Carditis in a 12-month old American Indian Infant” Dr. Close explained this was not a research but is called a case report. Thirty percent of the manuscript describes the case with no patient or identifiers. It just explains what happens. This is a case a death of a 12-month old boy that died from Acute Rheumatic Carditis. He explained that is where the body attacks the heart after the child has had a strep infection. This case inspired them to do a protocol study on the

prevalence of Group A basic strep throat in kids under age three. The manuscript describes what Acute Rheumatic Carditis is and why it is important in Native America communities . I.H.S. is advocating that there needs to be new surveillance programs not only for Group A Strep in the very young but for the resurgence. Again, Dr. Close stated there are no identifiers and they got explicit permission from the family to discuss this case. It is their goal to use this evidence to start a surveillance program so that it doesn't happen again.

- Motioned by Travis Tessay, seconded by Everett Massey, to approve resolution, Authorizing Publication of Certain Manuscripts by IHS Personnel as presented. Vote 8-0-1.  
Motion passed.

D. Amendment to PCV-13 Pneumococcal Research Study – JH Program

Angie Lee and Rose Marie Suttle presented the resolution for an amendment on the original PCV-13 Study approved in January 2015. The amendment will allow Dr. Marc Lipsitch and Dr. Taj Azarian to conduct studies for a better understanding of persistent diseases on the reservation.

- Motioned by Jerold Atlaha, seconded by Renado Dazen to approve the amendment to PCV-13 Resolution as presented. Vote: 9-0-0. Motion passed.

E. ~~Resolution of the WMAT Legislative Council~~ Blaine Goklish for J. Rudolfo

Kim Russell - AZ Represent for Health Care. She advocates on behalf tribal health system in regard to health policy. The resolutions are running through AZ Legislative Session and is of an urgent matter as it is in the 11<sup>th</sup> hour. She reported Jessica Rudolfo was appointed by Gov. Ducey for to serve on the President Health Care last year and that her appointment is going through finally. Ms. Russell is presenting four priority policies to the Council.

Support AZ Senate Bill 1355 - AHCCCS ( Dental Services, Native Americans)

Ms. Russell presented and explained this Bill. She explained the bill is to remove dental caps from legislatively imposed dental caps on Medicaid oral health benefits. They are asking for Council support to move this bill forward. It has gone through the Senate and is now in the House. Ms. Russell clarified there is a benefit of \$1,000 per member per year for adults and 1355 is to remove that cap.

- Motioned by Vice Jerome Kasey, seconded by Jerold Altaha, to approve resolution Support AZ Senate Bill 1355 as presented. Vote: 10-0-0. Motion passed.

F. Urging Amendment to ARS 15-1643 (B) to Authorize the Creation of an Area Health Center that Focuses on the Indian Health System - Kim Russell

This would allow the tribes to have a Health Indian Education Center to address the health professional shortage in tribal communities in Arizona.

Motioned by Jerold Altaha seconded by Alvin DeClay to approve resolution. Vote: 10-0-0.  
Motion passed.

G. Urging the Repeal or amendment of Arizona revised statue 36-2985(A) to Protect the Kids Care Program – Kim Russell

Ms. Russell explained that the automatic freeze will happen in October 2019 if federal funding drops below 100 percent. With this Bill they are amending the law which takes out the trigger in state law. This would strike that language so that the director cannot freeze the program. She stated there is support from Gov. Ducey already to keep this moving.

- Motioned by Vice Jerome Kasey, seconded by Jerold Altaha to approve resolution. Vote: 10-0-0 Motion passed.
- H. Urging AHCCS to Extend an Uncapped Dental Benefit for Pregnant Women Eligible for Medicaid SB 1088 – Kim Russell
- Ms. Russell explained there is no comprehensive dental benefit for people who are on Medicaid. For this bill, it would be uncapped benefits for pregnant women who are on Medicaid.
- Motioned by Vice Jerome Kasey, seconded by Jerold Altaha to approve resolution as presented. Vote: 10-0-0. Motion passed.
- I. ~~Approval of Land Board's Recommendations for 15 Applicants – Elva Lomayaktewa~~  
Not presented. No representative from Land Board was in attendance.
- J. Reconnect Funding for USDA Grant Cycle (Deadline May 31)
- Attorney Amy Mignella gave an informational update on Reconnect Funding. She acknowledged Richard Wise who was present at the meeting. She was not able to get enough information to prepare a resolution for today's meeting.
- Attorney Mignella provided a one-page outline which highlights the funding on the Reconnect USDA Funding:
- |                   |               |                    |
|-------------------|---------------|--------------------|
| Grant Cycle       | May 31, 2019  | up to \$25 million |
| Grant/Loan        | June 2019     | \$50 million       |
| Low Interest Loan | July 12, 2019 | \$50 million       |
- Attorney Mignella has been meeting with different communication group employees to try to complete an application by the May 31 deadline. Stating the USDA Grant for the reconnect pilot program is very important for the tribe, Jerold Altaha motioned to authorize Attorney Mignella to apply for a grant, and then recalled his motion after the attorney explained the process needs a certified engineer and must prove that at the point of application and there has been no commitment yet. It was reported tribal services are well below mandated guidelines for support of data services. This is an opportunity to address those services. Rochelle Lacapa of Tom O'Halleran's Office added that Broadband is one of the Senator's top priorities and they are working with other consortiums for Pinetop Lakeside and Show Low areas for broadband expansion and offered to put Attorney in touch with certified engineers to move the project forward.
- K. Apache County Inmate Housing Agreement - Ronnie peaches
- DOC Director, Ronnie Peaches gave an update report on inmates housed in Navajo County, St. Johns and McKinley County. The A.G. office and staff have been working on the agreements and the terms are quite the same. There are notable differences in medical services which he explained. Mr. Peaches reported the agreement is adequate in protecting the tribe and DOC and it will allow them to continue making payments. Attorney Douma explained DOC staff are not paying medical bills because there is no updated agreement in place. The update will allow for Grants and contacts to release the checks. It was clarified that there are two separate agreements with the same language for Navajo County and Apache County and two separate resolutions.
- Motioned by Vice Jerome Kasey seconded by Travis Tessay to approve resolution:  
Approving Agreement with Navajo County for Temporarily Housing of WMAT Inmates.  
Vote: 10-0-0 Motion passed.

- Motioned by Vice Jerome Kasey, seconded by Travis Tessay to approve resolution: Approving Agreement with Apache County for Temporarily Housing WMAT Inmates.  
Vote: 10-0-0 Motion passed.

Ronnie Peaches reported a building specialist came in to assess the DOC building. He described their findings. He reported water had seeped in at certain areas unrestricted for several years which caused the bricks to crack. To the best of the inspector's knowledge, it didn't affect the structural integrity of the building and that it was just the aesthetics. A building is supposed to breath, expand and contract with the seasons but the builders did didn't allow for movement. It was determined that structurally, nothing was wrong with the building and will not collapse. They can begin the work in June and should be finished by the tribal fair. The work can be done with the inmates in the building. Mr. Peaches informed the Council that Ervin Keisman, BIA Regional Director, asked them to provide him a with a letter to that affect and he would forward it to proper authorities. Mr. Peaches hopes to bring the inmates back in a month's time and hoping for adequate funding to do so.

L. Tribal Enrollment/Relinquishments:

Motioned by Vice Jerome Kasey, seconded by Renaldo Dazen to go into executives session: 2:44 P.M.  
The Council reviewed applications for tribal enrollment and relinquishment requests.

Motioned by Jerold Alatha, seconded by Vice Jerome Kasey to come out of executive session.

- Motioned by Jerold Alatha, seconded by Renaldo Dazen to approve 34 tribal enrollment applications as presented. Vote: 10-0-0 Motion passed.
- Motioned by Vice Jerome Kasey, seconded by Renaldo Dazen to approve relinquishment of tribal membership as requested for Eniq Alice Begay. Vote: 8-2-0 Motioned passed
- Motioned by Vice Jerome Kasey, seconded by Jerold Alatha to approve relinquishment of tribal membership as requested for Lynell Faye Bourke. Vote: 8-2-0. Motion passed.

Motioned by Vice Jerome Kasey, seconded by Renaldo Dazen to go into Executive Session - 2:58 P.M.

Monthly Finance Report – Deron Peaches

Deron Peaches presented the financial report in executive session.

Tyler Terion, Wells Fargo Securities – presented in executive session.

Motioned by Vice Jerome Kasey, seconded by Jerold Alatha to come out of executive 3:25 p.m.

Motion by Vice Jerome Kasey, seconded by Jerold Alatha to accept investment plan as presented. Vote: 7-0-3 Motion passed.

V. **ADJOURNMENT**

The Chairwoman called for adjournment at 3:27 P.M.

Recorder: Doreen T. Numkena