



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 January 27, 2021.

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 27, 2021, as prepared and presented by the Tribal Council Secretary.


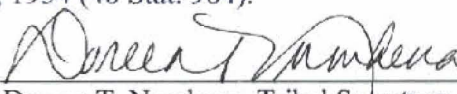
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on January 27, 2021, as prepared and presented by the Tribal Council Secretary

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.

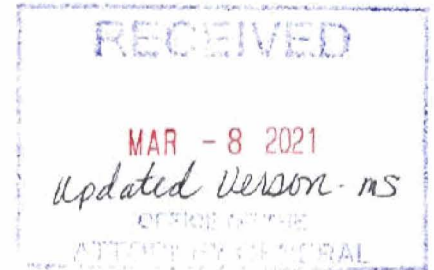
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **FEBRUARY 10, 2021** 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).

	<u>2-16-21</u>		<u>2-16-2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date



White Mountain Apache Tribe
Special Meeting Minutes
January 27, 2021 – 9:00 A.M.
ABHS PAVILION / Teleconference



I. CALL TO ORDER

- A. Meeting was called to order at 9:20 A.M. by Chairwoman Gwendena Lee-Gatewood
- B. Prayer was offered by Aubrey Aday
- C. Roll Call: Chairwoman Gwendena Lee-Gatewood, Jerold Altaha, Alvin Declay, Aubrey Aday, Gary Alchesay, Kasey Velasquez
By Phone: Vice Chairman Jerome Kasey III, Arnold Beach, Travis Tessay, Renaldo Dazen, Alvena Bush
Attorneys: Kealoha Douma, Kimberly Cromwell (by phone)
Others: Deron Peaches

II. UNFINISHED BUSINESS

- A. Police Dept and facilities and Vehicles- Treasurer, Deron Peaches
This item involved discussions of possible funding sources to fund a new police department facilities and vehicles. The Treasurer explained the initial intent of the carbon credits was to invest with Rockefeller for a one hundred-year period for the tribe to gain interest and gains in value and for tribal forestry to maintain the forests. It was noted that the maintaining of the forest project has not begun yet. He had concerns about opening doors to take money from carbon credits and setting precedence. He spoke of an outstanding loan with Housing Authority and would report back to the Council on the progress of repaying that loan. The treasurer sought consultations and advised against funding sources that are not available to the tribe that would further hinder the financial stability of the tribe. Councilmen Jerold Altaha and Travis Tessay and a designated team are to seek grant opportunities, i.e., CTAS, as they are familiar with that grant. There were also discussions of consulting surrounding Counties to see if they can be of any assistance to fund a new facility. The attorney spoke of funds made available by the Biden administration for Law Enforcement. It was also advised to go out to bid for major projects due to Tribe's fiduciary responsibility and due diligence. There were much discussions of concern amongst the Council regarding issues facing the tribe financially and borrowing against money the tribe does not have. The Tribal Council by consensus supports Councilman Altaha in finding grants to fund a new facility. There were no objections from the Council.

- B. EMS Pension Plan / Public Safety Plan, Deron Peaches (TABLED)
The Treasurer explained EOC and DOC have their own BIA funding and that contributions to the plan are not coming from there, it comes from the tribe. It is 25% annually: 5% from employees and 20% comes from the department. He needs to see when that change happened. EMS has a \$750,000 annual cost. It was the Treasurer's recommendation to wait on this item until all information is available. --No action was taken.

C. Juvenile Judge - A.G. KeAloha Douma

The A.G. explained the current term for Juvenile Judge is a four-year term from April 2019 and ends April 2023. The vacancy occurred with the passing of Dorothy Tyler. Two nominations were received. One nominee declined. The other nominee was Vania Gushoney. She is familiar with the court system and operations, and is fluent in both Apache and English languages.

- Motioned by Kasey Velasquez, seconded by Jerold Altaha to appoint Vania Gushoney as Juvenile Judge as recommended. Vote: 11-0-0

III. NEW BUSINESS

A. CARES Act Update Report - Deron Peaches

The Treasurer provided a detailed 2020 CARES Act Title V Funding Budget Sheet and discussed its contents with the Council.

Total:	\$55,268,854
Cares Act Funding:	\$61,356,787
Surplus Deficit:	\$ 6,087,933
Available:	\$ 8,638,865

Aid to Tribal Government: BIA awarded Tribe additional CARES Act funding of \$2,550,932.00
Tribe needs to submit a budget request for the BIA and they can say yea or nay.

Total available is \$8,638,865.

Must spend by the end of year the \$6,087,933

Must spend by 9/30/2023 for the \$2,550,000

Treasurer responded it was a good idea to invest the \$2,550,000 and would look into that, when asked by a council member if the \$2 million could be invested.

The treasurer stated more funding is coming to the tribe.

Other discussions were:

Sunrise Resort employees do not receive Hazard pay.

Silver Creek Mortuary fees and embalming services;

Payout from Cares for Burial Costs was at 147 x \$2,500.

Should Wood cutters continue with harvesting wood? There were concerns about overcutting and saving for future generations.

Treasurer was directed to meet with funeral directors regarding their package fees for services;

Were the college students paid out for financial hardship? The treasurer reported 222 students had received their hardship paychecks.

Tractors for Districts II and III for cultural ties to land by planting for food source and cultivating the corn fields. It is something the whole community could benefit from.

- Motioned by Kasey Velasquez, seconded by Jerold Altaha to purchase a tractor for District II and District III with the Cares Act Funding. Vote: 10-0-1 Motion passed.

Velasquez: District IV, we will talk to the farm people and if I feel we need to get another tractor for District IV, we'll make that request later.

B. Budget Formulation – Deron Peaches

Treasurer the Police Department has requested hazard pay for CPS and Verla. We have numbers for CPS and see if Verla can be included and get a dollar figure on how much it would cost to include them. After much discussion on the matter, the Council took the following action:

- Motioned by Kasey Velasquez, seconded by Alvin Delay to amend resolution 12-2020-292, "Approving Hazard Pay for First Responders During all Subsequent Lockdowns . . ." to eliminate the \$50 an hour feature to now reflect only Law Enforcement and First Responders to get this rate at this time. Vote: 11-0-0 Motion passed.

The only change the Council wished to make on the budget formulation priority listing was to move the Police Department to number one priority under Public Safety and Justice List.

- Motioned by Travis Tessay, seconded by Vice Chairman Kasey to amend BIA Budget Formulation to move the Police Department as Number One in the Public Safety and Justice priority listing. Vote: 11-0-0 Motion passed.

C. Gate Project update Report – Chairwoman Gwendena Lee Gatewood

The Chairwoman provided a thorough written report and before and after photos of newly installed gates on the west side of the reservation. She stated the purpose of the gates was to protect the Natural Resources of the WMAT, and to maintain the reservation boundary fence line by improving existing fences and to prevent unlawful trespass to the reservation. She explained the aluminum gates have no support by cement and that the chains are welded to the gates. She went on to say all the gates are locked except Dry Valley because of residents there. If there are non-tribal members living there, they need to be evicted. The Attorney was directed to check at Dry Valley to make sure no non-tribal members live there. The boundary gate resource group will meet to open these gates simultaneously during hunting season so we take care of the resources here. The Chairwoman stated the east side has not been done due to weather conditions. BIA will need to help the tribe strengthen the fence lines and boundaries need to be identified. Councilman Alchesay requested that the treasurer create a budget for fence repair crew.

D. Litigation Update – (Executive Session) KeAloha Douma

Motioned by Renaldo Dazen, seconded by Kasey Velasquez for executive session at 1:15 P.M.

Attorney Brian Chestnut, gave an update report to the Council regarding the BIA Litigation.

Motioned by Kasey Velasquez, seconded by Alvin Delay to come out of executive session, 1:40 P.M.

- Motioned by Kasey Velsaquez, seconded by Gary Alchesay to approve resolution Authorizing Recommended Litigation Action as written referencing January 9, 2021 memorandum.

Vote: 10-0-0. Motion passed.

IV. ADJOURNMENT

The Chairwoman called for adjournment at 1:44 P.M.

Recorder: Doreen T. Numkena, Tribal Council Secretary