



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 approval of the attached briefs with supporting meeting minutes prepared from the Tribal Council meetings held on August 4, 2021; and

WHEREAS, the Tribal Council finds it in the best interest of the White Mountain Apache Tribe to approve the briefs with supporting meeting minutes from the Tribal Council meetings held on August 4, 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 briefs with supporting meeting minutes from the Tribal Council meetings held on August 4, 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 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 SEPTEMBER 08, 2021 duly adopted by a vote of EIGHT for, ZERO against, and ZERO abstention 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).


Alvendena Lee-Gatewood, Chairwoman

Date


Doreen T. Numkena, Tribal Secretary

Date



White Mountain Apache Tribe

Regular Meeting Minutes August 4, 2021 – 9:00 A.M. Hon Dah -Teleconference

I. CALL TO ORDER

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

II. REPORTS

A. Attorney's Report – A.G. KeAloha Douma

1. Enactment of Ordinance No. 305, Amending the Business Code of the WMAT

This Ordinance was posted and no comments were received by the Tribal Secretary. This ordinance has to do with business code. We encountered issues of individuals who were repossessing vehicles without a business license or permission to do so. This does give law enforcement authority to impound vehicles should someone violate those in the code.

- Motioned by Arnold Beach seconded by Travis Tessay to approve enactment of Ordinance 305 as presented. Vote: 8-0-0 Motion passed.

2. Approving Posting of Ordinance No. 306, Amending the Health and Safety Code of WMAT

The attorney reviewed the amendments with Tribal Council. It will be posted for ten days in designated places in the communities for public review and comments. The attorney explained everything contained in this was done by way of resolution and now making sure it is codified and further explained it strengthens Tribal Sovereignty.

- Motion by Vice Chairman Jerome Kasey, seconded by Tessay, approving posting of 306 health and safety code of WMAT. Vote: 8-0-0 Motioned passed.

3. Other Legal matters:

Tribal Election Commission. The attorney advised Tribal Council that a new Election Commission needed to be established for the upcoming Tribal Elections. This item will be on the next Regular Council Meeting agenda in September. The first Election Commission meeting will be in October, and will have training in November and start the election process in December. Alternates also need to be named. When asked by a Tribal Council member if the commissioners have to be tribal members she responded, "They do not have to be tribal members". The commission has to be composed of nine members selected by Tribal Council as contained in the Election Code.

Volkswagen Settlement Update: A.G. Douma reported for the fourth round of the VW Settlement the Tribal Council requested for a new fire truck for Fire Dept. and a new bus for Head Start. She reported that is being worked on now.

Broadband: David Fish, MIS Director, reported they are working on obtaining funds for tribal broadband grant and is working with a company to prepare that grant. The company would like approval from the Tribe. The tribe will be teaming up with SCAT to make for a stronger application. That connection will go from Peridot to the Black River to Amos Wash area. A separate grant application is due on September 1.

B. Head Start Monthly Report (Oral Report) - Leola Larzelere:

The Director reported they had virtual summer school going last month and had seven kids participate. She reported the building started giving them problems due to the heavy rains. She reported the Property Manager will have someone from Flagstaff come in to assess the building. They are looking forward to this new school year with an enrollment of 252 children. The Director was concerned there was no place to hold staff orientation next week. There were discussions with the Council on alternative sites such as churches and to do MOA's with them, another council member offered their community building. Other suggestions were using modular buildings that were received by District IV and District II for temporary sites. The attorney will contact Fred Delago and Sue Drenth for insurance and alternative sites usage. It was suggested that Head Start go back to having virtual learning classes. The Director replied the parents want the children back in the classroom. Discussions of disrepair of the building were discussed such as safety and health hazards and other challenges the director and Tribal Council have dealt with and with the Tribe back in good standing with the audits, they could seek grant opportunities to help with this. The Director will be meeting with Grants and Contracts to for further discussions on information requested from them.

III. UNFINISHED BUSINESS

There were no items.

IV. NEW BUSINESS

CONSENT AGENDA: (*Items A,B, C,D)

- Motioned by Vice Chairman Jerome Kasey, seconded by Jerold Altaha to approve consent agenda as presented. Vote: 8-0-0. Motion passed.
- A. Approving the WMA Head Start 2021-2022 Budget, Self Assessment, HS Training Professional Development Plans, School Readiness Goals, Community Assessment and Annual Report – (Head Start Director, Leola Larzelere)
- B. Approving Collaborative Agreement No. PHS-CA-21 Between the Tribe and Phoenix Area Indian Health Service Whiteriver Service Unit -- (I.H.S., Cpt. Brian Campbell)
- C.
 - 1- Approving Acceptance of the Highway Infrastructure Programs – Coronavirus Response and Relief Supplemental Appropriations Act for \$95,199.00 -- (DOT, Tara Chief)
 - 2- Authorizing Division of Transportation to Apply for the FY 2021 Competitive Funding Opportunity: Areas of Persistent Poverty Program Grant through FTA in the Estimated Amount of Between \$100,000 and \$300,000 – (DOT, Tara Chief)
 - 3- Authorizing ADOT Surface Treatment Program FY 2022 Grant for \$901,192 with a \$90,119 Tribal Match -- (DOT, Tara Chief)

D. Authorizing the WMA Housing Authority to Apply for a US Department of Urban Development ICDBG-ARP Grant on Behalf of the WMAT – (WMAHA Attorney, Anthony Lee)

Concerns: Tribal Council discussed concerns regarding DOT yard and equipment and structures left exposed on the construction site and excavated areas filling with rain water, and pipes left uncovered. They discussed concerns about work already done being ruined and destroyed resulting in loss of money. DOT Director, Tara Chief spoke about her concerns about NDCCM Contractors not being paid and the need to have a legal binding contract with the company. She stated they have not been paid due to questions by the Treasurer. She further, stated that she felt that all requirements have been met and the company has not been paid.

(DOT Staff present: Elliot Kindleley, Ida Rose Cosay, Anthony Hill, Lisa Tessler, Velda Massey, Marco Burnette, Vivian Armstrong, Cassie Kenton, Marty Celaya, Carlos Hernandez)

Chairwoman stated she would prefer that all entities be present such as Deron, etc. at the meeting for discussions. A Special Meeting will be scheduled next week. It was announced that the target date for Transit to start up is October 1, 2021.

E. Authorizing A STEM and Workforce Development Partnership Program between the Tribe, Schools, Salt River Project, and Others; Subject to Partnership Agreements to be Developed for this Purpose - (Higher Ed. Coord. – Derrick Leslie)

Motioned by Jerold Altaha, seconded by Alvin Declay to approve resolution as presented:

“Authorizing a STEM and Workforce Development Partnership Program Between the Tribe, Schools, Salt River Project, and Others; Subject to Partnership Agreements to be Developed for this Purpose. Vote: 9-0-0. Motion passed.

Derrick Leslie presented a slide presentation. A copy will be sent to the Tribal Council. The program is to get students to prepare and train for job skills for job opportunities for the construction of the Miner Flat Dam and thereafter.

“Objective: Engage Tribal youth in K-12 STEM (Science, Technology, engineering and Math) education and provide career mentoring to adult learners with an emphasis on water resource management. This will be a coordinated effort among WMAT leadership, local primary, secondary, and post-secondary educational institutions; nonprofit organization, and SRP’s Community Partnerships, Federal affairs, and Water resources groups. Other potential collaborators include the BIA, BOR, and Valley cities.”

F. Proposed 2021-2022 Tribal and Non-Tribal Member Hunting Regulations (G&F Stuart Leon)

After much discussion, it was motioned by Vice Chairman Jerome Kasey and seconded by Jerold Altaha to table these two items for further discussions at a Special Meeting with DOT. There were no objections from the Tribal Council.

Some Points of Discussions were:

Dr. Leon announced public comment period was opened on July 8 for two weeks.

Ron Everingham developed the website for the tribe. He did good job with our modules. He said they are looking forward to going live.

- Game and Fish met with Carlos Valadez of EOC, last week: discussed trophy elk hunt and issues they might have on how to keep staff and hunters safe from the pandemic. We will be meeting with camp bosses and cooks to go over risk analysis. Camp bosses will be

instructed that safety rules be followed. All camp workers will be vaccinated. Ensure that no unscheduled visitors will be accepted in elk camp at any time.

Proposals for member hunt & non-member Hunts Points of Discussions:

- Shift 25 of General White Tail permits to Archery permits
- Draw: meeting with EOC, one application per person.
- One draw per member would be fair.
- Requests for Data.
- Bylaws and Policies for Hunts
- Bear and Lion Hunts and Guides
- Replace non-member Bear & Lion guides with Tribal Members
- Wolf Population v.s. Wild Life population
- Weather effects on wildlife growth
- Challenges of eco system management
- Antler Hunting year round
- Exclude Council from voting if they are hunters

Executive session:

Motioned by Jerold Altaha, seconded by Kasey Velasquez to go into executive session: 2:59 P.M.
Event Wagering – Discussions

Motioned by Vice Chairman Jerome Kasey seconded by Kasey Velasquez to get out of Executive Session: 3:10 P.M.

Motioned by Jerold Altaha, seconded by Kasey Velasquez, to approve resolution: Approving Hon Dah Resort-Casino to Enter into a Non-Disclosure Agreement with MaximBet for Event Wagering. Vote: 10-0-0. Motion passed.

Hon Dah Casino Employees – Premium Pay

Motioned by Jerold Altaha, seconded by Kasey Velasquez to approve Premium pay for Hon Dah employees. Adjust pay to \$12/hr for anyone making less than \$12/hr and add \$1.00 to Supervisor's pay who is making \$12/hr to \$13/hr. Adjust Security employees' pay to \$15/hr from ARPA Funding. Vote: 10-0-0.

IV. ADJOURNMENT

Adjournment: 3:17 P.M.