



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving July 6, 2022 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 meeting minutes prepared from the Tribal Council meetings held on July 6, 2022, 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 July 6, 2022, 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 July 6, 2022, 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 14, 2022 duly adopted by a vote of NINE for, ZERO against, and ZERO abstentions 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey B. Velasquez
Kasey Velasquez, Tribal Chairman

12/01/22
Date

Vaneysa Johnson
Vaneysa Johnson, Tribal Secretary

12/02/22
Date



TRIBAL COUNCIL MEETING MINUTES

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July 6, 2022 – 9:00 A.M.

HonDah Conference Room

I. CALL TO ORDER

- A. The meeting was called to order at 9:04 A.M. by Tribal Chairman Velasquez
- B. Prayer was offered by Verna Westover
- C. Roll Call: Chairman - Kasey Velasquez, Vice Chairman - Jerome Kasey, Arnold Beach, Jerold Altaha, Renaldo Dazen, Aubrey Aday, Annette Tenijieth, Gary Alchesay, Mariddie Craig, Verna Westover. Excused: Travis Tessay. Attorney's: Anthony Lee, Matthew McReynolds.
- D. Approval of Minutes:
 - Approval of Minutes for May 23, 2022
Motion by Renaldo Dazen, seconded by Vice Chairman Jerome Kasey.
Vote: 9-0-0. Motion passed.
 - Approval of Minutes for May 27, 2022
Motion by Vice Chairman Jerome Kasey, seconded by Renaldo Dazen
Vote: 9-0-0. Motion passed.
 - Approval of Minutes for June 1, 2022
Motion by Verna Westover, seconded by Mariddie Craig
Vote: 9-0-0. Motion passed.
Resolution was presented by Tribal Council Secretary to approve, Approving Burial Assistance of \$2,500.00 for Nathan Tessay
Motion by Renaldo Dazen, seconded by Aubrey Aday
Vote: 9-0-0. Motion passed.

II. REPORTS

- A. Attorney's Report – Anthony Lee
 - 638 Contracts – Proposed Modifications
 - Resolution was presented to approve, Approving Modifications to Several of the Tribe's Public Law 93-638 Contracts with the Bureau of Indian Affairs.
Motion by Vice Chairman Jerome Kasey, seconded by Renaldo Dazen.
Vote: 10-0-0. Motion passed.

Ann Button stated that they have a concern and have not seen the Welfare Assistance Grant Resolution; they would like to see the White Mountain Apache Tribe take this grant over. So the White Mountain Apache Tribe can issue out there, own general and burial assistance. This would eliminate the encoding at the BIA and having the Superintendent approving it. She said they would like to give that responsibility to the Tribe, she also said that they are very concerned because the Tribe needs to do something with the FY2021 funds. She said they are trying to offer this addition to the Social Service Contract so the Tribe can operate their own Welfare Assistance Grant Funds. Ann said they have not seen a Resolution and the FY 2021 expires in



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September, they usually have a shut down in the 2nd week of September due to the end of the fiscal year. She stated if the Tribe decides to take this over, that all checks will be done by the Tribe. WAG funds all depends on the Social Service report, she said the FY2021 funds is \$400,000+. If they don't obligate the funds by the 2nd week of September, the Tribe will lose those funds. So if the funds are not transferred there would be some stipulations against the Tribe because they did not use these funds.

Council woman Craig said when she was at Vital Records the BIA said that Vital Records would take over the CIB's. Come to find out they need all these things and with no staff, are we really going to take on this responsibility? She said that it was brought back before the Council and was decided that they would not take it over. Is the same thing happening here? She voiced that she did not trust this situation.

Attorney General Anthony Lee stated that this Resolution did pass and awaiting signature. Ann said to attach the Statement of Work to the resolution; Marlinda Clendon was working on the Statement of Work.

Councilman Gary Alchesay stated his concerns and asked if Marlinda Clendon of Social Service was informed of this? He said this can only be done unless they sit and talk about this.

Ms. Button said they need to negotiate and sit with the Attorney General and Director of Social Services regarding the need function that is going to be added to Social Services Contract. She also said that the WAG FY 2022 has not been released because the Tribe has not done anything with this fund today.

Chairman Kasey Velasquez requested that the Attorney General meet with BIA and Deron to expedite this as soon as possible because it is regarding money.

- Bureau of Trust Funds Administration – Authorized Signers
 - Bureau of Trust Funds Administration – Authorized Signers Resolution was presented to approve, Authorizing Chairman, Vice-Chairman, and Tribal Treasurer as Signers on the Tribe's Behalf Motion by Mariddie Craig, seconded by Jerold Altaha
Vote: 10-0-0. Motion passed.



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➤ Other

- Attorney General presented Resolution to approve, Approving a Challenge Cost Agreement between the Tribe and the USDA, Forest Service Coronado National Forest
Motion by Jerold Altaha, seconded Vice Chairman Jerome Kasey
Vote: 10-0-0. Motion passed.

Chairman Velasquez asked Attorney General if he had received any information on the removal of the feral horses from National Forest - Jonathan Brooks. They will be gathering all the feral horses and are asking if that would be the property of the White Mountain Apache Tribe? Chairman Velasquez asked if Attorney General would look into that.

B. Head Start: Written Report – Leola Larzelere, Head Start Director
A written report was submitted.

C. Tribal Finances – Tribal Chairman Kasey Velasquez

Chairman Velasquez said that the Tribal Council along with Tribal Council Secretary - Vaneysa Johnson, Attorney General – Anthony Lee and Tribal Treasurer – Deron Peaches will all be traveling to Phoenix from July 12, 2022 through July 14, 2022. This will be a meeting on the finance of the Tribe. Also Chairman Velasquez said that on July 21, 2022 we were invited by the San Carlos Apache Tribe for a field trip of their Indian Health Services. They will share with us on how they incorporated the 638 contract for their Indian Health Services. July 22, 2022 will be the AIGA meeting.

III. UNFINISHED BUSINESS

Councilman Aubrey Aday motioned to approve a Resolution to Excluding Twin Rivers Towing from Conducting Business on the Fort Apache Indian Reservation, seconded by Councilwoman Annette Tenijieth.

Councilman Aday said that the Tribal members are being taken advantage of and we have to help them. Chairman Velasquez said if we need to have a special council on this situation, we can do this. He also said that he would rather have the companies come in and defend themselves. Councilman Aday asked the Tribal Council on their thoughts on this issue? Councilwoman Tenijieth gave an example on an incident that happened during the weekend. The person with his name on the vehicle was not allowed to gather his information so his vehicle can be released nor was he allowed to gather clothing from the vehicle. This man (meaning the Twin Rivers Towing Owner) should not be doing this to the Tribal members. She stated that she will not allow anyone to do this to me or anyone else. She also said she does not want a special council meeting she would like this done today. Councilman Alchesay also gave



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examples of how Twin Rivers Towing are take vehicles and reporting it abandoned. Vice Chairman also stated that he has heard of this problem with Twin Rivers Towing, he mentioned Tribal Sovereignty. He said that no one should be going around treating our people with disrespect. No company can be on our reservation repossessing, even when they are delinquent because of our Tribal Sovereignty. He said he had called Twin Rivers Towing for some Tribal Members to get answers. John Teneyck's wife was so disrespectful on the phone Mrs. Teneyck had degrading things to say to me on the phone and did not care if I was the Vice Chairman. Vice Chairman Kasey said he will not accept anyone taking to him like this and nor will he accept this towing company to talk to tribal member this way. Vice Chairman reminded the Council that there is a motion and second on the table. Councilman Jerold Altaha said that this individual on the resolution has been a topic of discussion in prior Council meetings but the Tribe need to file charges against this individual on behalf of the tribal members. Tribal Treasure Deron Peaches stated that this company has no business license with the White Mountain Apache Tribe.

Councilman Arnold Beach said that this started 6 years ago and referred to resolution 12-2016-220. He said a business license was given to John and a vote was made 9-0 in December of 2016. This resolution was signed in March of 2017 he stated that during that discussion John came before the Tribal Council requesting to be the middle person between the finance company and the buyer because the finance company were trying to get payment from the people of the White Mountain Apache Reservation. He said that they agreed for John to be that middle person. He was just to get payment and if the individual wanted their vehicle picked up he can go pick it up, that was all he was suppose to do. Councilman Beach said that the resolution that came out was not what was discussed that day. That everything written was not how they wanted it written. He said according to Tribal Treasure Deron Peaches this individual business license expired March of 2022, which means he has no business on this Reservation. Councilman Beach said what Councilman Altaha stated on government code 5-4 of exclusion of a Non-Tribal member, this towing company is not a person it is a company. All they wanted was exclude the company not the person.

After much discussion Councilman Aubrey Aday decided to TABLE this resolution, Councilwoman Annette Tenijieth also agreed. Chairman Kasey Velasquez's stated that this issue will be discussed at the meeting in Phoenix.

IV. NEW BUSINESS

- A. Introduction Dawnafe Whitesinger, Navajo Board Chairwoman. She said she serves as the County Supervisor for District 5 which is the White Mountain Apache Tribe and part of Lakeside. She said there is a partnership in transportation issues with the White Mountain Apache Tribe she worked with Tara Chief and Cassie Kenton-Garcia from DOT. She also said they have worked with BIA and Cedar Creek the flood zone. Dawnafe said that flood zone in Cedar Creek they provided an engineer to come up with a plan. She



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said there are a lot of opportunities similar to that. She introduced Miles Begay – He is the Tribal Transportation Liaison. Mr. Begay said that he has worked closely with the DOT and BIA transportation departments, with public roads. He said he can support the tribe in whatever that is needed when possible.

Ms. Whitesinger introduced Mike Sample as the Navajo County Recorder. Mr. Sample said he is the Navajo County Recorder and what he does is go out and make sure everyone is registered to vote. And also in charge of early voters and provides drop boxes to be placed in Whiteriver and CBQ. He also provides information on voting. Ms. Whitesinger said the Recorder's Office is very important and that everyone's vote is protected.

Dawnafe Whitesinger introduced Brad Carlyon Attorney for Navajo County; she said Brad helps to serve the public and be responsible citizens. Mr. Carlyon said that he does not just work on the Judicial system of Navajo County; it is also the Sheriff's Department, Probation, and Judicial Judges. Brad said they are trying to keep people out of the criminal justice system that are not a threat to the public. Mr. Carlyon said that 70% of the individuals in jail suffer from mental health or have a substance abuse problem. On the mental health side there is a 988 number now that is provided that individuals can call. This will get a professional out to these individuals to assist and eliminate the Police to be called and having the individual go to jail. He also talked about the substance abuse individuals that can be taken to a mental health program. That can hold them up to 23 hours to convince them to get help regarding their substance abuse issues. He said they are changing the way these individuals are treated in the justice system. Mr. Carlyon said for many of them they have a diversion which means they will be getting assistance for substance abuse and mental health if they need it. He said if they successfully complete it their charges will disappear. Brad said another side of his scope of work is the civil side, much like the Attorney General. He stated that all contracts have to be evaluated through his office as the Attorney for Navajo County.

Attorney Carlyon invited anyone from the Tribal Council to attend Arizona Town Hall meeting, they deal with issues of State wide importance. He said in the past 5 years they have been doing local meetings. This year's topic is mental health, substance abuse and homelessness. This meeting will be happening in Show Low sometime in August. He said they provide information that will help the Tribe with information on the concerns you are having.

Dawnafe Whitesinger introduced Pinetop – Lakeside Stephanie Mayor. Stephanie said that partnership is very important with the White Mountain Apache Tribe. She said about 3 years ago they have had a joint meeting and if that is something the Tribal Council would like to continue, she can have that set up.



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CONSENT AGENDA – Motion for Approval by Jerold Altaha, seconded by Arnold Beach

- C. Authorizing the Tribe's Environmental Protection Office to Apply for the U.S. Environmental Program Agency's FY 2022 Tribal Solid Waste Grant in the Amount of \$100,000.00
- D. Approving Issuance of Renewed Five-Year Grazing Permits
- E.
 - Approving Master Lease to the White Mountain Apache Housing Authority for One Step Beyond Affordable Housing Project
 - Approving Master Lease to the White Mountain Apache Housing Authority for Dark Shadows Affordable Housing Project
 - Authorizing a Master Lease to the White Mountain Apache Housing Authority for 4.05 Acre Emergency Trailer Site Project
- F. Authorizing White Mountain Apache Housing Authority to Apply for the 2022 US Department of Agriculture Housing Preservation Grant
- G. Approving Intergovernmental Agreement between the White Mountain Apache Tribe Client Business Office and the Arizona Health Care Cost Containment System and Limited Waiver of Sovereign Immunity for the Same
- J. Approving Data Sharing Agreement Between the Tribe's Temporary Assistance for Needy Families Program and the Arizona Department of Economic Security

Vote: 8-0-1. Motion passed.

Chairman Velasquez called for lunch at 12:15 PM to 1:34 PM.

Chairman Velasquez called back in session at 1:34 PM.

- B. Introduction of Berry Yoyhoeoma Missing and Murdered Unit
Berry introduced himself and said that about 3 to 4 years ago he worked with the Fort Apache Agency Supervisor Criminal Investigations. Then he was detailed out and he said was in charge of the Southwest Region and was then transferred to Northeast Region in South Dakota. After a couple of months he was transferred to the Missing and Murdered Division and he said he has been with them for a little over a year now. He said he has been wanting to come and speak to the Tribal Council and he finally had an opportunity with the Rainbow Treatment Center



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Conference. Mr. Yoyhoeoma said in the last 5 years there was a Grassroots Group that were collecting data of a large number of missing and murdered women from their area. He said they approached Congress with their data and a Senator pushed it forward. He said which led to the President to create an Executive Order for the Missing and Murdered Program. He said that when BIA and Justice Services stepped forward and said they would take over that task. He said it started off as being called the Cold Case Unit, Missing and Murdered Woman and finally to the Missing and Murdered Unit which was not just women, males as well. He said the numbers showed that there were more males than females in Indian Country. So they decided to rename it to Missing and Murdered Indigenous People. He said in 2019 there was a budget created to hire agents and he was hired, he said his responsibility is from the California to the southern seaboard. The North region is everything north is his responsibility. They have 2 analysts and 4 technicians to go into the field to process evidence. He said they have developed standard operations on how the agents are to create data so the agents have something to look at. Mr. Yoyhoeoma said the Missing and Murdered Unit have a platform on how they receive information, one is through email, 1-800 number, 411 texts, and from the field information. He said that being here at Fort Apache for 3 to 4 years he knows that there are cases here but there was nothing from Fort Apache. He said when he was here they were required to turn in CDR (Crime Data Reports), he said he was turning them in. But somewhere these reports were being duplicated and recommended the Tribe turn in these reports. Berry said he knows that they were turned in but he doesn't know where they went. He said he wanted to start working on cases here on the Fort Apache Reservation. Mr. Yoyhoeoma referred to the NMUS (National Missing Unidentified Records System) it is a free system where you can enter information on a family member that is missing or murdered. He said this is one of the first platforms that the agents are using every time they receive a referral. They can also submit a DNA into this system, so it is on file. He said they also use photo mapping or geofencing for individuals using cell phones for their last location. He said one agent solved a 25 year old case. He said they are planning an intake event in August, to take information from the public on any one missing or murdered here on the Fort Apache Reservation.

- H. Requesting approving Resolution Agreement with CatClaw Contractors, Inc. presented by Colbert Burnette
Motioned by Vice Chairman Jerome Kasey, seconded by Jerold Altaha
Approving Agreement with CatClaw Contractors, Inc. for Removal of 20 Disused Water Tanks in the Amount of \$202,755.00
Vote: 9-0-0. Motion passed.
- I. Requesting Approving Resolution Land Applications for 42 Applicants presented by the Land Office Secretary, Lumiko Lee
Approving Land Board's Recommendations Regarding Land Applications for 42 Applications

This resolution was TABLED due to incorrect information on some of the Land Assignments and the list



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of land applications was not correct.

Councilman Beach introduced Patricia Henry said she has come before the Tribal Council to request assistance for a light pole to be installed at her residence. She stated that the light pole cost is \$1,300.00. She continued to say that there is a traveling trailer on her land. She also stated that they are homeless and all they need is lights. Vice Chairman Jerome Kasey asked if the ARPA fund is the home against the weather. Tribal Treasure Deron Peaches agreed that the Weatherization project is to protect the home against the weather. Patricia said that they have to dig the hole themselves, Councilman Alchesay said the maybe ABHS and Rainbow Treatment Center can work together to dig the hole. Vice Chairman Jerome Kasey requested that Patricia come to his office at 8:30AM and he will assist her.

V. EXECUTIVE SESSION

Arnold Beach motioned to go into Executive Session, seconded by Gary Alchesay.

- A. Rural Water System Legislation
- B. Public Works
- C. Tribal Enrollment Applications (18)/Relinquishments

Gary Alchesay motioned to come out of Executive Session, seconded by Renaldo Dazen

Motioned by Gary Alchesay, seconded by Renaldo Dazen

Granting Tribal Membership to 18 Applicants

Vote: 8-0-0. Motion passed.

CONSENT AGENDA for Relinquishments

Motioned by Jerold Altaha, seconded by Renaldo Dazen

Granting Tribal Relinquishment request of Kimberly Rae Caddo

Granting Tribal Relinquishment Request of Christine Elizabeth Beach

Granting Tribal Relinquishment Request of Celeste Alyssa Cosay

Vote: 7-1-0. Motion passed.

Chairman Velasquez said he recommends Curtis Suttle to replace William Hawkins as the Housing Board Member.

Motioned by Renaldo Dazen, seconded by Jerold Altaha

Vote: 6-0-2. Motion passed.

VI. ADJOURNMENT - The Chairman called for adjournment at 7:06 P.M.