

Resolution No. 03-95-075

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council Secretary has prepared briefs of Tribal Council meeting minutes for February 01 & 02, 1995; and

WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that they should be approved without change.

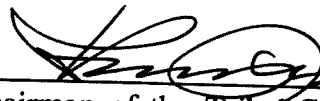
BETT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the briefs of Tribal Council meetings on February 01 & 02, 1995, as presented.

The foregoing resolution was on March 01, 1995, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (i) and (s) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

MAR 29 1995

**FORT APACHE INDIAN AGENCY
WHITE MOUNTAIN, ARIZONA**



Chairman of the Tribal Council



Secretary of the Tribal Council

White Mountain Apache Tribe
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Tribal Council Chambers
February 01, 1995, Wednesday

B R I E F S

1. Chairman Lupe called the meeting to order at 9:21 a.m.
2. Invocation was offered by Councilmember Slim Quay.
3. Roll call was conducted by the Tribal Council Secretary.
4. Resolution No. 02-95-020 was adopted approving Council meeting briefs for January 4th & 12, 1995 as presented.
5. Tribal member, Novak Armstrong and family members advised the Tribal Council that they have prepared for a one-night wake for a deceased family member who is a tribal member of the San Carlos Apache Tribe, however, circumstance have changed and now the family from San Carlos will not allow the one-night wake here in Whiteriver. Therefore, the Armstrong's are requesting some assistance from the Tribal Council. After discussion, Tribal Council advised the Armstrong's to come to some agreement with the family.
6. Tribal member, Sylvia Tessay-Beach advised the Tribal Council that her ex-husband who is a Tribal Police Officer, Arnold Beach has been harassing her family using his position. She continued that Mr. Beach has also defamed and slandered her, which is affecting her employment. She has tried to resolve this in Tribal Court but has not been able to file any charges. After discussion, Tribal Council adopted Resolution No. 02-94-021 directing that Chief Kane, Officer Beach & Burnette come before the Council to explain charges of police misconduct; further that Chief Kane contact Navajo County Sheriff Butler to conduct an independent investigation of Officer Beach's conduct and status of complaints made by Ms. Beach.
7. Tribal member, Roy Colelay addressed the Tribal Council on behalf of Francis Rustin advising the Tribal Council of Mr. Rustin's loyal and dedicated services to the Tribe and requested Tribal Council direct that Mr. Rustin be hired as a full-time tribal employee effective this date. Resolution No. 02-95-022 was adopted granting request.

8. Resolution No. 02-95-023 was adopted authorizing Dr. Jennie Joe from the University of Arizona's Native American Research and Training Center and the Tribal Education Department to initiate the Apache Children's Potential Project.
9. Mr. Gordon Krutz former coordinator of Indian Programs at the University of Arizona, acting on behalf of Paul Skinner requested Tribal Council support of the SELF program. Resolution No. 02-95-024 was adopted endorsing and supporting the SELF program and directs the Tribal Education and Health Board to select participants for the program.
10. Tribal member, Georgie Danford advised the Tribal Council that she is homeless and has applied for a HIP house but has not been selected. Resolution No. 02-95-025 was adopted placing Georgie Danford on the HIP priority list.
11. Resolution No. 02-95-026 was adopted authorizing preparation and submission of a FY95 Native American Graves Preservation and Repatriation Act grant application to the National Parks Service which will fund joint efforts by tribes to develop a process for identifying holdings in museums.
12. Resolution No. 02-95-027 was adopted authorizing appropriate applications be submitted to the Eagle Fund to consider providing operating funding for the Fort Apache Historic Park operations.
13. Resolution No. 02-95-028 was adopted authorizing submission of a grant application to Administration for Native Americans (ANA) which would allow the Tribe to develop and operate an Apache television station.
14. Resolution No. 02-95-029 was adopted assigning vacant lots at Hondah Homesites to the White Mountain Apache Community Development Corporation (CDC).
15. The meeting recessed for lunch at 11:49 a.m. and reconvened at 1:40 p.m.
16. Steve Campbell and Linda Kelly presented a proposal to the Tribal Council to establish a satellite Cooperative Extension office in Whiteriver. After discussion, Resolution No. 02-95-030 was adopted approving the establishment as requested which would provide educational programs relevant to the needs of the Tribe; further appointing Councilmember Margaret Walker as chair of the Tribal Extension Advisory Committee.

17. Tribal member, Nathan Clendon and Pastor Martin of the Whiteriver Assembly of God Church returned to the Tribal Council with their proposed church lease. After considerable discussion, Resolution No. 02-95-031 was adopted approving the Whiteriver Assembly of God Church lease with a minor revision and further approving a uniform lease for all denomination in the future.
18. Tim Kessay presented the Tribal Council with the Carrizo Livestock Association Charter and Bylaws for their approval. Resolution No. 02-95-032 was adopted granting approval.
19. Tribal member, Joe Harvey also presented the Tribal Council with a copy of the North Fork Livestock Association Charter and Bylaws. Resolution No. 02-95-033 was adopted granting approval.
20. Tribal member, Lowell Altaha presented the Cedar Creek Livestock Association Charter and Bylaws for Tribal Council approval. After review, Mr. Altaha was directed to address Francis Antonio's position as Acting Stockman and Board Vice-President and return to the Tribal Council on Thursday.
21. Associate Judge Kino Kane and Juvenile Court Judge Durango Fall requested assistance from the Tribal Planning and Engineering Department in locating a larger building to house all of the judicial offices. Resolution No. 02-95-034 was adopted granting the request.
22. Another request to allow use of tribal court fines to purchase a tribal court vehicle and other supplies was denied.
23. Chief of Police, Andrew Kane, Police Officer Arnold Beach and Lieutenant Raymond Burnette addressed the Tribal Council regarding Ms. Sylvia Tessay-Beach's complaints earlier this morning.
24. Chief Kane explained that Ms. Beach distorted alot of the information she presented to the Tribal Council this morning.
25. Lieutenant Burnette explained that Ms. Beach did attempt to file complaints against Officer Beach but she was not able to substantiate her complaints, therefore, she could not file any complaints.
26. Officer Beach apologized to the Tribal Council and denied Sylvia's complaints, explaining in detail his daily schedule.

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27. Tribal Council concluded that Resolution No. 02-95-021 will end further discussion regarding Chief Kane, Officer Beach and Lieutenant Burnette.
28. The meeting adjourned at 5:34 p.m. The meeting will reconvene the following day at 9:00 a.m. in the Tribal Council Chambers.

Respectfully submitted:


Tribal Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Tribal Council Chambers
February 02, 1995, Thursday

B R I E F S

1. Day two of the Regular Council meeting reconvened at 9:25 a.m. with Chairman Ronnie Lupe presiding.
2. Councilmember Herbert Tate informed the Tribal Council that the Armstrong family will not be having a wake for their deceased family member, but they are having a memorial dinner this evening at 5 p.m.
3. Cedar Creek Livestock Association President Billy Kane explained to the Tribal Council why Francis Antonio is their Acting Stockman and Board Vice-President. Tribal Council advised Mr. Kane to resolve the two positions and return to the Tribal Council.
4. Resolution No. 02-95-035 was adopted authorizing a MOA for installation and improvement of sanitation facilities for 6 HUD quadplexes and 28 other new and renovated homes.
5. McNary Community President Fernando Carroll requested information from the Tribal Council regarding the development of rental units in McNary for casino employees, while McNary residents are still living in condemned housing. Chairman Lupe responded that McNary was an ideal site for the units and agreed to keep Mr. Carroll informed of future plans.
6. Resolution No. 02-95-036 was adopted authorizing a MOA for installation and improvement of sanitation facilities for four (4) HIP homes.
7. Resolution No. 02-95-037 was adopted authorizing a MOA to connect homes with failed drainfields to community sewers or installation of new drainfields.
8. Resolution No. 02-95-038 was adopted authorizing a MOA in furtherance of developing potable water resources at Minor Flat.
9. Vice Chairman Lafe Altaha announced that Mr. William Veeder is requesting to scheduled a Tribal Council meeting on February 15, 1995. Mr. Altaha also suggested that KNNB should be aired strictly in the apache language, his suggestion was supported by Councilmember Margaret Walker. Charlie O'Hara, KNNB Board Chairman, will issued a memo to that affect.

10. Tribal member and McNary Community President Fernando Carroll along with Gladys Bencomo, Caroline Moody, Emerson Craig, and Matthew Hinton addressed the Tribal Council with a complaint that they were not adequately represented on the Tribal Council therefore, they are requesting Tribal Council assurance that one of the two new District IV representative be from their area. The tribal members continued with complaints of high unemployment and lack of housing in McNary.
11. Councilmember Johnny Endfield responded to the complaints stating that the Election Commission has been directed to add two councilmembers to the 1996 election in District IV. Mr. Endfield explained that there are approximately 3,000 registered voters in District IV for the three councilmembers to represent, while other district councilmembers represent only about 500 each.
12. Councilmember Judy Dehose stated that the resolution establishing two council positions in District does not guarantee McNary representation on the Council, therefore, she would like to make a motion to rescind the resolution and direct the Election Commission to redistrict before the next election.
13. Councilmember Herbert Tate said that District IV should make that decision since it's not fair to them to represent over 3,000 voters, but with five councilmembers they will be equally represented. He suggested that the boundary needs to be changed, but even that doesn't guarantee a representative for McNary because representation will be at large.
14. Tribal Attorney, Robert Brauchli advised that the Election Commission is collecting data, and to change the boundary would require an amendment to the Constitution. Mr. Brauchli suggested sub-districts within District IV.
15. Tribal member, Gladys Bencomo commented that McNary has no representative while other communities are strongly represented, and they are truly concerned for the future of their children.
16. After discussion, Councilmember Judy Dehose revised her motion to direct the Tribal Attorney to research for the Election Commission the possibility of sub-districting District IV before the 1996 election which would assure McNary a representative, second by Vice Chairman Lafe Altaha. Resolution No. 02-95-039 was adopted.
- 17.- Resolution No. 02-95-040 was adopted appointing Gladys Bencomo to the Tribal Election Commission.

18. Resolution No. 02-95-041 was adopted approving use of the McNary Land Claims for tribal members to go skiing at Sunrise.
19. Resolution No. 02-95-042 was adopted establishing a formal relationship amongst the Tribes in Utah, Colorado, Arizona and New Mexico supporting its efforts to improve education for all White Mountain Apache students.
20. Resolution No. 02-95-043 was adopted requesting Fort Apache Agency Superintendent Ben Nuvamsa and BIA FMCC hold the classroom trailers designated for Theodore Roosevelt School in abeyance pending a decision by the Tribal Council in regards to the future of TRS and a site for said trailers.
21. Tribal Education Director, Wesley Bonito informed the Council that Mr. John Wahnee is being transferred from this agency and requested a strong letter of support for Mr. Wahnee.
22. Resolution No. 02-95-044 was adopted opposing sacrificing agency level education operations as part of any BIA streamlining plans, further giving notice that the White Mountain Apache Tribe wishes to "Stand Alone" by having its own Education Agency/APE to provide technical assistance for the three BIA funded schools located on the Fort Apache Indian Reservation.
23. Resolution No. 02-95-045 was adopted authorizing the publication of the manuscript in respect to baby bottle tooth decay study prepared by Dr. Stewart Holmes.
24. The meeting recessed for lunch at 12:07 p.m and reconvened at 1:40 p.m.
25. Chief of Police, Andrew Kane presented a general report to the Tribal Council.
26. Resolution No. 02-95-046 was adopted approving the street address system as the official street address system of the Fort Apache Indian Reservation and that necessary funding be sought to implement the system.
27. Fort Apache Agency Superintendent, Ben Nuvamsa presented a general report to the Tribal Council.
28. Resolution No. 02-95-047 was adopted requesting Superintendent Nuvamsa to provide an explanation by the next Tribal Council meeting why funding for the new foot bridge at Seven Mile Junior has not been received or why construction has not been initiated despite prior Tribal Council resolutions.

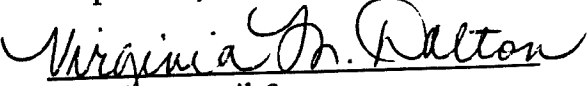
29. Resolution No. 02-95-048 was adopted approving Land Board meeting minutes of January 13, 1995 as presented by Raymus Albert.
30. Resolution No. 02-95-049 was adopted authorizing the Elderly Services to apply for one 16b vehicle providing that the required Tribal match not exceed \$10,000 and that operational cost be provided in the Elderly Service budget.
31. Resolution No. 02-95-050 was adopted removing Ken Lott and Randall Massey, Jr. from the Tribal Overall Economic Development Committee and adding Romeo Dazen, Margaret Walker, Pat Cruz, Roger Leslie and Mike Cooley to the committee.
32. Resolution No. 02-95-051 was adopted to pursue funding for the continuation of the Tribal Natural Resources Department.
33. Resolution No. 02-95-052 was adopted approving submission of a grant proposal by Environmental Planning Office to EPA to develop a tribal wetlands plan which shall be integrated with ongoing planning efforts into the comprehensive Ecosystem Management Plan and Watershed Plans.
34. Resolution No. 02-95-053 was adopted granting tribal membership to Marie Angelle Lupe.
35. Resolution No. 02-95-054 was adopted granting tribal membership to Betholyne Olivia White.
36. Resolution No. 02-95-055 was adopted granting tribal membership to Jessica Penn.
37. Resolution No. 02-95-056 was adopted granting tribal membership to Melissa Sue Riley.
38. Resolution No. 02-95-057 was adopted granting tribal membership to Elliot Keith Pusher.
39. Resolution No. 02-95-058 was adopted granting tribal membership to Ronald Cordova.
40. Resolution No. 02-95-059 was adopted granting tribal membership to Norwyn Nos'
41. Resolution No. 02-95-060 was adopted granting tribal membership to 241 applica recommended by the Tribal Enrollment Committee.

42. Resolution No. 02-95-061 was adopted granting a sunrise dance request to Rosemary Quintero, September 15-17, 1995 at Diamond Creek.
43. Resolution No. 02-95-062 was adopted granting a sunrise dance request to Wilford & Verna (Dahkoshay) Tessler and Tommy & Phoebe Dahkoshay Thomas, Arizona 14-16, 1995 at the Old Fairgrounds.
44. Resolution No. 02-95-063 was adopted granting a sunrise dance request to Elmer & Mayhome (Adley) Rolland, May 26-28, 1995 at Turkey Creek.
45. Resolution No. 02-95-064 was adopted granting a sunrise dance request to Rosalita Walker, June 2-4, 1995 at the Old Fairgrounds.
46. Resolution No. 02-95-065 was adopted granting a sunrise dance request to Roger & Abilene (Burnette) Griggs, July 7-9, 1995 at the Old Fairgrounds.
47. Resolution No. 02-95-066 was adopted granting a sunrise dance request to Gibson & Gloria (Ivins) Pinal, July 14-16, 1995 at Diamond Creek.
48. Resolution No. 02-95-067 was adopted granting a sunrise dance request to Abner & Galena (Tessay) Machuse, August 4-6, 1995 at Cibecue.
49. Resolution No. 02-95-068 was adopted granting a sunrise dance request to Georgia Harvey, August 25-27, 1995 at the Old Fairgrounds.
50. Resolution No. 02-95-069 was adopted granting a sunrise dance request to Mabelene Seymour, September 1-3, 1995 at the Old Fairgrounds.
51. Resolution No. 02-95-070 was adopted granting a sunrise dance request to Verlin & Waynella (Colelay) Suttle, September 8-10, 1995 at the Old Fairgrounds.
52. Resolution No. 02-95-071 was adopted granting a sunrise dance request to Iralene (Tortice) Coombs, September 22-24, 1995 at Fort Apache.
53. Tribal Attorney Robert Brauchli gave his general report, announcing that Mr. Veeder will meet with the Tribal Council on February 22nd rather than on the 15th. Mr. Brauchli also discussed a budget adjustment for the Tribal Prosecutor.
54. Resolution No. 02-95-072 was adopted approving an addendum to Elmer Clarks contract using Natural Resource funds.

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55. The meeting recessed at 4:30 p.m. and will reconvene February 10, 1995 at 9:00 a.m. in the Tribal Council Chambers.

Respectfully submitted:


Tribal Council Secretary