

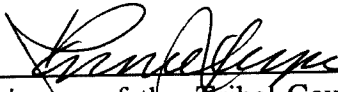
**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council Secretary has prepared briefs of Tribal Council meeting minutes for August 02 and 03, 1995.

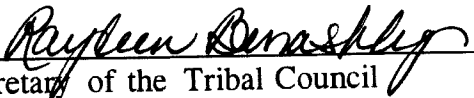
WHEREAS, after reading the briefs to the Tribal Council, the Tribal Council concludes that they should be approved without change.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the briefs of Tribal Council meetings on August 02 & 03, 1995, as presented.

The foregoing resolution was on September 27, 1995, duly adopted by a vote of seven 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).


Chairman of the Tribal Council

ACTING


Secretary of the Tribal Council

OCT 04 1995

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

B R I E F S

1. Chairman Lupe called the meeting at 9:21 a.m. with the following members of the Tribal Council present: Chairman Ronnie Lupe, Vice Chairman Lafe Altaha, Councilmembers Judy DeHose, Romeo Dazen, Slim Quay, Alvin Declay, Margaret Walker, Frank Endfield, Jr., Marvin Ethelbah and Herbert Tate. Councilmember Nashley Tessay, Sr. joined the meeting in progress.
2. Invocation was offered by Councilmember Slim Quay.
3. Roll call was conducted by the Tribal Council Secretary. Resolution No. 08-95-239 was adopted approving Council meeting briefs for June 6, 7, 8, 9, 16 and July 6, 1995 as presented. Briefs for an Executive Council meeting held on June 12, 1995 was distributed later in the meeting.
4. Tribal member, Kino Kane addressed the Tribal Council requesting assistance with blading approximately 75 yards of roadway in his homesite area. Mr. Kane also presented information on his participation in the proposed development of the Cedar Creek landfill.
5. Tribal member, Caroline Moody requested reassignment of a house located in McNary to her sister. Ms. Moody advises the Tribal Council that this house which has been assigned to Chadeen Kitcheyan remains unoccupied. Chairman Lupe advised that his office will notify David Kitcheyan.
6. Tribal member, Lavonne Kane requested Tribal Council approval to pay per capita to her daughter, Mildred Massey, who was inadvertently left off the 22-D Land Claims settlement. Resolution No. 08-95-240 was adopted granting request.
7. Resolution No. 08-95-241 was adopted granting tribal member, Loretta Brock authorization to negotiate purchase of Hondah Homesite A-49.
8. Tabitha Johnson, Miss Indian Ceremonial addressed the Tribal Council reporting on her year long activities during her reign and presented a pendleton blanket to Councilmember Margaret Walker.

9. Tribal member, Sylvia (Alekey) Bones requesting Tribal Council assistance to provide some pre-school funding for over-income children. After discussion, Mrs. Bones was advised that the Tribal Council will discuss this concern with the Headstart Director.
10. Tribal member, Georgiana Colelay was granted authorization to negotiate purchase of Hondah Homesite A-76 by Resolution No. 08-95-242.
11. Resolution No. 08-95-243 was adopted granting tribal member, Scottie Tenijieth authorization to negotiate purchase of Hondah Homesite A-74.
12. Norma Toggie, East Fork Community Treasurer advised the Tribal Council on the proper procedures for utilization of land claims fund for East Fork as commonly practiced. Ms. Toggie claims that members of the community are concerned of Councilmember Alvin Declay's request to purchase softball equipment for adults and not for children. After discussion, Councilmember Declay was advised to confer with community members.
13. Resolution No. 08-95-244 was adopted granting tribal member, Melvin Aday authorization to negotiate purchase of Hondah Homesite A-76.
14. Tribal member, Stanley White and several members addressed the Tribal Council requesting consideration for a salary increase for the Skidders. After considerable discussion, Tribal Council concluded that FATCO and TERO should be called in to provide some insight.
15. The meeting recessed for lunch at 12:00 p.m. and reconvened at 1:41 p.m. in the Executive Conference room with a quorum present.
16. Tribal member, Gerald Riley addressed the Tribal Council requesting a 10% salary increase for himself, he advises that he has been a seasonal employee of Farm Co-op for the last 14 years. Chairman Lupe advises that there are other employees with similar situation and will investigate his status.
17. McNary Community Acting President, Gladys Bencomo addressed the Tribal Council advising that the community residents clearly understand the danger presented by the McNary mill and their general consensus to clean up the McNary mill area as soon as possible. Mrs. Bencomo relayed community members emphasize that local labor be utilized in all phases of the proposed clean up. Again, community members are in concurrence of the proposed Wetland Project and consideration should be to hire locals. In addition, community residents request authorization to utilize \$8,640.00 for renovation of the community basketball court with electricity. In conclusion, residents are requesting Fire and Police protection, requesting that the Tribe enter into an

agreement with the Pinetop-Lakeside departments. Ms. Bencomo requested a balance for the McNary Land Claims account.

18. Tribal member, Matthew Hinton requested use of building materials from the McNary mill so that he may construct a workshop for himself. Mr. Hinton provided photos of the two buildings he's requesting.
19. Resolution No. 08-95-245 was adopted directing Russell Henry to meet with logging contractors and operators on the issue of pay increases; and that any pay increases to the contractor should benefit the operators.
20. Resolution No. 08-95-246 was adopted granting McNary Community's request to utilize \$8,640 from their Land Claims for construction of a lighted basketball court; directing that the Tribal Treasurer and Dallas Massey report the status of all 22-D accounts at the next regular Council meeting; that Tribal Legal Department and Tribal Fire Department pursue a mutual help agreement with Pinetop Fire Department; authorizing Matthew Hinton to remove two small buildings from the McNary Sawmill for his personal use.
21. Sunrise Park General Manager, Pat Cruz advised the Tribal Council that the Yan chairlifts must be repaired before ski season begins. Resolution No. 08-95-247 was adopted authorizing \$189,000 for emergency repairs for the Yan chairlift, said funds to be added to the 95/96 capital budget for Sunrise.
22. Russell Henry, FATCO Forester addressed the Tribal Council regarding Earl Logging employees. Mr. Henry explained that salary increases must be negotiate between employees and contractors, but with Tribal Council support and assistance from TERO some figures can be developed, after which Mr. Henry will report back to the Tribal Council at their next regularly schedule meeting.
23. Doris Clark, Navajo County Recorders Office presented information to the Tribal Council regarding upcoming special elections, emphasizing a need for voter participation from reservations.
24. Tribal member, Billy Kane on behalf of Cedar Creek Community residents presented the following conditions regarding the proposed "G" Wash landfill:
 - * That the Tribe continue funding for the Cedar Creek Livestock Association;
 - * The road to Cedar Flats be graveled;
 - * That the road to the stockmans quarters be paved;
 - * That local residents are hired during the construction of the landfill;
 - * That fire and sewer system be provided to the residents; and
 - * That fencing materials be provided to the Livestock Association.

Chairman Lupe responded that the requests will be evaluated and considered with resources and programs currently available.

25. Tribal Fair & Rodeo Manager, Jerry Gloshey, Jr. reported plans for the upcoming Tribal fair and rodeo. Resolution No. 08-95-248 was adopted directing the Tribal Treasurer to transfer \$15,000 to the Tribal Fair & Rodeo Committee for the leasing of rodeo stock for the 1995 Tribal Fair and Rodeo.
26. Resolution No. 08-95-249 was adopted urging Senator McCain to introduce amendments to the Appropriations Bill to effect the following requested changes: that the BIA's FY95 funding level be restored, that the natural resource programs and trust responsibility functions remain within the BIA and that the so-called "means testing" and resultant funding cuts for gaming tribes be eliminated.
27. Tribal member, Mary Ann Tessay addressed the Tribal Council regarding the yearly water shortage in Canyon Day inquiring about the Tribe's plan to resolve their dilemma; further that the Tribe needs to do something about the stench from the sewer ponds. Ms. Tessay was advised by Charlie O'Hara that Canyon Day remains Number One on the priority list and should expect some relief in about 6 months to one year. Councilmember Tate advised that Keith Jones has already been alerted regarding the sewer ponds. Mr. Tate also suggested that Utility Authority should patrol the use of water on the southside of Canyon Day, those residents are not conserving causing the northside of Canyon Day to remain out of water.
28. The meeting recessed at 4:35 p.m. and will continue the following day at 9:00 a.m. in the Executive Conference Room.

Respectfully submitted:


Tribal Council Secretary

White Mountain Apache Tribe
Fort Apache Indian Reservation
Whiteriver, Arizona
Regular Council Meeting
Executive Conference Room
August 03, 1995, Thursday

B R I E F S

1. Day two of the Regular Council meeting reconvened at 9:15 a.m. with a full quorum present.
2. Tribal Attorney presented his general report on the following: Resolution No. 08-95-250 was adopted approving posting of the proposed revised Solid Waste Ordinance which provides for the regulation of solid waste and landfills.
3. Resolution No. 08-95-251 was adopted requesting "tribal authorization" for the development and recognition of Tribal Water Quality Standards for the surface waters of the Fort Apache Indian Reservation.
4. After discussion on environmental concerns regarding hazardous materials at the McNary Mill, Resolution No. 08-95-252 was adopted directing the Tribal Attorney and the Tribal Environmental Department to schedule a special council meeting to hear proposals from interested demolition companies.
5. Resolution No. 08-95-253 was adopted directing the Tribal Council Secretary to post the proposed Leasehold Mortgage Ordinance amending Chapter Seven of the Housing and Construction Code.
6. Resolution No. 08-95-254 was adopted approving addendum #4 to Elmer Clarks consulting contract in the amount of \$15,000.00.
7. Resolution No. 08-95-255 was adopted approving posting of the proposed Tribal Tort Claim Act amending Chapter 3 of the Judicial Code for ten day in each district.
8. Resolution No. 08-95-256 was adopted enacting Ordinance No. 201, amending Chapter 3 of the Criminal Code entitled Close Pursuit.
9. Members of the Tribal Council were encouraged to attend a meeting with Joe Lodge on Tuesday, August 8, 1995 at Sunrise Park Resort.
10. Resolution No. 08-95-257 was adopted accepting an invitation from the U.S. Attorney's Office to the Tribal Police Departments participation in "Safe Trails" program where local tribal criminal investigators will be trained with the FBI at Quantico, Virginia.

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11. Resolution No. 08-95-258 was adopted directing that any individual intending to use tour services on the Fort Apache Indian Reservation shall first pay the necessary fee and acquire a Tribal Tourism Permit; the Office of Tribal Tourism is directed to implement a uniform permitting and fee collection system for tour services.
12. Resolution No. 08-95-259 was adopted approving a land assignment near the RV Park to Bellas Beatty.
13. Resolution No. 08-95-260 was adopted approving a grant application to the Arizona Water Protection Fund Commission for the restoration of Gooseberry Creek, Cibecue Creek and Lofer Cienega Creek riparian area.
14. Recommendations for use of the 20% of 22-H claims settlement was distributed for consideration. Tribal Attorney announced that Water Rights Attorney, Mr. William Veeder will meet with the Tribal Council on Thursday, August 10, 1995 to give a detailed presentation on his brief.
15. The meeting recessed for lunch at 11:55 a.m. and reconvened at 1:45 p.m.
16. Fort Apache Agency Superintendent updated the Tribal Council on budget cutbacks and effect it will have on the agency, making recommendations to take some serious actions.
17. Resolution No. 08-95-261 was adopted approving and accepting a 638 procurement contract with BIA for a portable cafeteria for Theodore Roosevelt School utilizing \$395,000 of Facilities Improvement and Repair funds.
18. Resolution No. 08-95-262 was adopted giving notice to the Phoenix Area Office Director that is expects to contact the General Service Administration within ten days to negotiate a lease between the White Mountain Apache Tribe and the Bureau of Indian Affairs to lease the Theodore Roosevelt Boys dorm for BIA agency use; in the event this does not happen, the Fort Apache Agency is directed to communicate directly with GSA.
19. Resolution No. 08-95-263 was adopted authorizing the Tribe to enter into a Memorandum of Agreement with IHS for sanitation facilities including the waiver of damages for rights-of-way.
20. Resolution No. 08-95-264 was adopted appointing Mike Lauf, Dave Coleman, Edwin Kane, Adam Lupe and Councilmember Romeo Dazen to the Board of Directors for Apache Aerospace for terms of 5 years, 4 years, 3 years, 2 years and 1 year respectively, as recommended by Joe Brett, General Manager for Apache Aerospace.

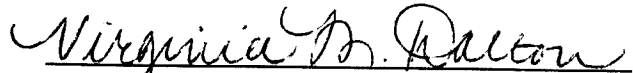
21. Raymus Albert, Land Office Director reported to the Tribal Council on possible land assignments along Hondah Powerline, McNary, and Forestdale. There was some discussion on cattle association land and their authorization to assign land to tribal members; and individual cattle owners use of association grazing land.
22. Resolution No. 08-95-265 was adopted tentatively approving two land assignments for the White Mountain Apache Housing Authority Project AZ 16-51, until final site has been selected.
23. Tribal Council discussed the 72 acres assigned to Adam Tortice who has posted "no trespassing" sign, cutting off access road to the river; the request for 65 acres for Virgil Paxson was discussed, Mr. Albert advised that Mr. Francis Antonio recalls signing for homesite and additional land for livestock only, but has a letter of approval signed only by Mr. Billy Kane, Tribal Council concludes that should be returned to the Livestock Association for review and approval of all Board members.
24. Resolution No. 08-95-266 was adopted granting approval of the Land Board meeting minutes of July 14, 1995 with the exception of Cecelia George's request.
25. Resolution No. 08-95-267 was adopted granting approval of the Land Board meeting minutes of June 2, 1995 with the exception of Virgil Paxson, which has been referred back to the Livestock Association.
26. Resolution No. 08-95-268 was adopted granting approval of the Land Board meeting minutes of June 26, 1995 as presented.
27. Resolution No. 08-95-269 was adopted supports and endorses New Mexico's Highland University partnership program which will work with the White Mountain Apache Tribal Education Department addressing student's needs and for schools requesting technical assistance to improve education opportunities for Indian students.
28. The Regular Council meeting moved into executive session for tribal enrollment:
 - Resolution No. 08-95-270 was adopted granting tribal membership to 91 applicants.
 - Resolution No. 08-95-271 was adopted granting tribal membership to Kimberly Marie Guy.
 - Resolution No. 08-95-272 was adopted granting tribal membership to Terrance Lloyd Pinal.
 - Resolution No. 08-95-273 was adopted granting tribal membership to Shereen Kay Battles.
 - Resolution No. 08-95-274 was adopted granting tribal membership

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relinquishment to Eddie Galen Begay.

29. Resolution No. 08-95-275 was adopted authorizing the sum of \$800.00 from District III Land Claims fund for the purpose of purchasing softball equipment and re-connecting electricity at the East Fork basketball court as petitioned by voters of District III.
30. All regular Council agenda items having been addressed the meeting adjourned at 4:13 p.m.

Respectfully submitted:


Tribal Council Secretary