

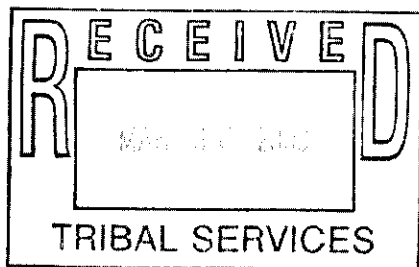
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**WHEREAS**, the Tribal Council Secretary has prepared briefs for the Tribal Council meetings of July 2 and July 14-16, 1999, and has presented them to the Tribal Council this date for approval; and

**WHEREAS**, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs should be approved as presented.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs of July 2 and July 14-16, 1999 as presented.

The foregoing resolution was on August 13, 1999, 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 (a), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on 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).



Acting Margaret Baha-Walk  
Chairman of the Tribal Council

Andy Harvey-Burnette  
Secretary of the Tribal Council

WHITE MOUNTAIN APACHE TRIBE  
Fort Apache Indian Reservation  
Whiteriver, Arizona  
Tribal Council meeting  
Hon-Dah Convention Center  
Friday, July 2, 1999

**BRIEFS**

1. The meeting with the Task Force and Housing Authority was called at 9 a.m. by Chairman Massey with a quorum of the Tribal Council present. Council Member Janeway was on leave. The invocation was offered by Robert Lacapa. Others in attendance were: Wayne Cody, Cathy Tate, Jaci Ulmer, Ben Nuvamsa, Gladys Bencomo, Jon Perez and Chadeen Palmer.
2. Jon Perez reported that FATCO's economic loss is estimated at over \$1.2 million dollars due to the Rainbow Fire. He further reported that FEMA conducted a property damage assessment of the Rainbow Fire and they stated their non-support for a Presidential disaster declaration based on their findings. Based on this, the Task Force is researching information to explore other options. He also presented economic losses due to the Rainbow Incident Fire.
3. Robert Lacapa explained the future flood problems associated with the fire. The Tribal Attorney reported on correspondence to the various political delegation asking for their involvement. He stressed exhausting all avenues and advised to go directly to the President with formal request and application for assistance.
4. Chadeen Palmer reported on drainage problems, status of HUD homes, FEMA and Task Force updates. Ben Nuvamsa recommended for the tribe to move forward and submit formal request to FEMA and force them to take action. Mr. Nuvamsa also advised to request supplemental appropriations with the Dept. of Interior and to emphasize revenues lost to the tribe.
5. Resolution No. 07-99-143 was adopted to request federal assistance from the President of the U.S. in the form of a Presidential Declaration, as well as an equivalent declaration from FEMA for the Rainbow Fire. Council Member Tate made the motion and Vice Chairman Endfield seconded the motion. The resolution passed with a vote of 8-0.
6. At 9:50 a.m. the Tribal Council met with the Housing Authority Board of Commissioners and staff members. Victor Velasquez, Executive Director, introduced guests Jule Thompson, A.J. Yazzie, Nick Sachleben and Loren Goldtooth.
7. Jule Thompson, Management Consultant, presented a review of Housing Authority financial status and A.J. Yazzie presented a review of 1999 Indian Housing Plan, as well as a review of the Apache Dawn Bond Project.
8. The technical aspect of the Apache Dawn project was presented by Nick Sachleben, Architect. Loren Goldtooth, CPA, reviewed the 1997-98 audit which indicated twenty-two (22) audit findings.

9. Resolution No. 07-99-144 adopted for the approval and endorsement of the White Mountain Apache Housing Plan. The motion was made by Vice Chairman Endfield and seconded by Council Member Declay. The resolution passed with a vote of 8-0-1 abstention.
10. The meeting turned into an Executive Session at 12:15 p.m. to discuss enrollment. Resolution No. 07-99-145 adopted for the enrollment of Steven Lyle Moody as recommended by the Enrollment Committee. Council Member Baha-Walker made the motion and Council Member Declay seconded the motion. The resolution passed with a vote of 7-0.
11. The meeting adjourned at 12:25 p.m.

Sincerely,

070299br

---

Cyndy Harvey-Burnette  
Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE  
Fort Apache Indian Reservation  
Whiteriver, Arizona  
Tribal Council meeting  
Tribal Council Chambers  
Wednesday, July 14, 1999

**BRIEFS**

1. The Tribal Council meeting was called to order at 9:25 a.m. by Chairman Massey. The invocation was offered by Council Member Craig. Roll call was taken and all members of the Council were present.
2. Tribal Member Ludy Altaha requested reinstatement from termination at the Whiteriver Restaurant. She filed grievance procedures and the Grievance Committee advised reinstatement. Resolution No. 07-99-146 adopted for the reinstatement of Ludy Altaha to the Whiteriver Restaurant. The motion was made by Council Member Dehose and seconded by Council Member Nez. The resolution passed with a vote of 8-2.
3. Tribal Members Wayland Burnette & Kandi Lee requested assignment of business site C-8 at Hondah. It was noted that Richard Palmer has not developed or used the property for many years. Resolution No. 07-99-147 adopted assigning lot C-8 to Wayland Burnette. The resolution to identify that the transfer would be pursuant to the applicable land code and the assignment provisions and as such may require giving the current holder a hearing before the Council. Further, a new assignment holder to work with the Tribal Engineer to ensure that their proposed use of property does not conflict with the proposed development of Hwy 260 and that they will inform the Tribe identifying their use of the property and it will be for business purposes only. Kandi Lee expressed concerns to the Council regarding her position at KNNB.
4. Tribal Members Tom & Joyce Francis requested assistance from the tribe for concrete and lumber to rebuild home which was lost in the fire. The Attorney stated that modular housing may be available from FEMA. Resolution No. 07-99-148 adopted to make concrete and lumber supplies available for the families who need to rebuild their homes destroyed in the Rainbow Fire. The offer would be limited to those materials only and would not include labor. Council Member Baha-Walker made the motion and Council Member Nez seconded the motion. The resolution passed with a vote of 10-0.
5. Mike Watson and Laurel Lacher presented the Miner Flat Dam 638 contract. Mr. Watson gave a brief cost history of the dam and referenced the 1996 letter from Assistant Secretary. Carrizo was the name approving Miner Flat Dam and this was altered then by the subsequent DOJ filing in the Maricopa County Superior Court on water rights issues. Resolution No. 07-99-149 adopted to approve the modification to the Miner Flat Dam 638 Contract. The motion was made by Council Member Declay and seconded by Council Member Tate. The resolution passed with a vote of 9-0.

6. Tribal Member Rosemarie Quintero shared concerns and complaints on Hon-Dah Management and her termination from there. Chairman Massey to speak to Roger Leslie about seeking her reinstatement. Resolution No. 07-99-150 adopted for a review of the leave policies at Hondah Casino for possible amendment. Council Member Craig made the motion and Council Member Cody seconded the motion. The resolution passed with a vote of 10-0.
7. Tribal Member Louise Sanchez shared concerns regarding the lack of communication between her and her supervisor and her worries about being placed on suspension. She was advised to return to work.
8. Tribal Member Thomasita Padilla and spouse presented their housing situation. She requested to remain in same rental unit. Mrs. Padilla was assured that her and her family will remain in the same unit.
9. Tribal Member Leander Quintero thanked the Tribal Council for their assistance in allowing him to participate in the Reserve Champions in Fallon, Nevada where he placed second in steer wrestling. The Council offered congratulations and words of encouragement to Mr. Quintero.
10. Tribal Member Patty Nosie presented her appeal of the grievance process following her termination from the Police Department. The issue of the lack of a Form E was stressed. Resolution No. 07-99-151 adopted for the reinstatement of Patty Nosie to the Whiteriver Police Department. Council Member Janeway made the motion and Council Member Craig seconded the motion. The resolution passed with a vote of 10-0.
11. Tribal Member Francis Antonio on behalf of the Cedar Creek Livestock Association shared cattle concerns and complaints regarding board members. Mr. Antonio was advised to meet with District II Council Members.
12. The meeting recessed at 4:50 p.m.

Sincerely,

071499br

---

Cyndy Harvey-Burnette  
Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE  
Fort Apache Indian Reservation  
Whiteriver, Arizona  
Tribal Council meeting  
Tribal Council Chambers  
Thursday, July 15, 1999

### BRIEFS

1. The continuation of the Tribal Council meeting was called to order at 9:35 a.m. by Chairman Massey with a quorum of the Council present. Vice Chairman Endfield was on travel, Council Member Dehose was on annual leave, Council Members DeClay and Clay were excused to attend a funeral. The invocation was offered by Council Member Baha-Walker.
2. The Tribal Council Secretary read the Council meeting briefs for the month of June, 1999. Resolution No. 07-99-152 adopted approving the briefs for the month of June, 1999 with changes. The motion was made by Council Member Tate and seconded by Council Member Baha-Walker. The resolution passed with a vote of 6-0.
3. John Welch, Tribal Historic Preservation Officer, presented updates on the Kinishba & Grasshopper Preservation work and the Fort Apache Heritage Foundation Board and their accomplishments. Resolution No. 07-99-153 adopted for the U.S. Forest Service to prepare a determination of eligibility for *Dzil nchaa si an* (Mt. Graham) as the first step towards the possible submission of a nomination for the mountain to the National Register. Council Member DeClay made the motion and Council Member Cody seconded the motion. The resolution passed with a vote of 5-0.
4. Jon Cooley, Wildlife & Outdoor Recreation Director, and Sylvia Cates, Special Counsel, presented information and update on U.S. Fish & Wildlife Service Native Fish Proposal. Council were also informed of a new policy to redirect federally managed fish hatcheries (like Alchesay & Williams Creek) to exclusively raising native fish species and the impacts on our recreational fishing economy. Limiting the Bear season was recommended, as well as an update on bear permit issued in exchange to film. Mr. Cooley was advised to draft a resolution and present to Council later today.
5. Tribal Member Pastor Reno Johnson, Sr. requested land on behalf of the Canyon Day Lighthouse Church. Resolution No. 07-99-154 adopted endorsing land request of Reno Johnson, Sr. and directing request to the Land Board to approve the site for the church. The motion was made by Council Member Tate and seconded by Council Member Craig. The resolution passed with a vote of 8-0. Mr. Johnson offered encouragement and prayers.
6. Brian Blow and Jim Monroe of Comet Cable returned to request for the opportunity to have their own license and reactivate the cable service. Robert & Krista Johnson were also present and an argument followed regarding the status of the court process. The Tribal Attorney was directed to arrange a meeting between both parties for a proposal to reactivate the television cable system with the mutual consent of all involved.

7. Linda Declay, Tribal Education Director, presented budget and requested budget amendment in the amount of \$227,228. Resolution No. 07-99-155 adopted to amend the Education Department budget by the amount requested. Council Member Declay made the motion and the motion was seconded by Council Member Tate. The resolution passed with a vote of 6-0-1 abstention. Monthly and quarterly reports were requested from Ms. Declay as well as status on improvements.
8. Paul Neuman of NAU presented proposal for temporary use of a classroom and a control room in the Vocational Skill Center for NAU's Interactive Television Network system. Resolution No. 07-99-156 adopted for approval of request and to include modifications for the temporary permit. The modification to the resolution will not tie the temporary permit to the development of the NPC facility. Council Member Janeway made the motion and Council Member Craig seconded the motion. The resolution passed with a vote of 8-0.
9. Resolution No. 07-99-157 adopted for the opposition of the proposed policy of the U.S. Fish and Wildlife Service. The motion was made by Council Member Baha-Walker and seconded by Council Member Declay. The resolution passed with a vote of 7-0.
10. Joe Coppedge of Treetop Autobody requested permission to operate wrecker service and to sell used vehicles. Council requested more review and input on the proposal and discussed the impact on Andy Olson's towing business. For this reason the issue was tabled. Mr. Coppedge to provide written proposal to the Legal Department. The Tribal Attorney advised a meeting with Joe, Police Dept., Andy Olson, Connor Murphy and Alvino Hawkins to review the need for an additional tow truck company in Whiteriver.
11. Tribal Member Phil Stago, Jr. offered words of encouragement. Tribal Member Julia Burnette addressed many concerns related to her home and the community of Cedar Creek. She also offered words of encouragement.
12. Candy Lupe informed Council of the need to appoint two new members to the Land Restoration Board to replace Robert Lacapa and Janell Armstrong with Doreen Gatewood and Garrick OJ Declay. Resolution No. 07-99-158 adopted for the appointment of Doreen Gatewood and Garrick OJ Declay to the Land Restoration Board. Council Member Baha-Walker made the motion and Council Member Declay seconded the motion. The resolution passed with a vote of 7-0.
13. FATCO Management, Tribal Forestry and BIA Forestry presented an annual report regarding the house log program, Bull Cienega concerns and plans, as well as FATCO's 1999/2000 capital request in the amount of \$3.5 million and cash flow information was presented. Resolution No. 07-99-159 adopted for snag tree harvesting at Bull Cienega. The motion was made by Council Member Nez and seconded by Council Member Janeway. The resolution passed with a vote of 7-0.

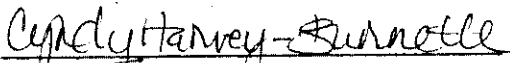
14. Resolution No. 07-99-160 adopted for the approval of the capital expenditure request for FATCO from the Forest Management Deduction fund. Council Member Tate made the motion and Council Member Janeway seconded the motion. The resolution passed with a vote of 8-0.
15. Resolution No. 07-99-161 adopted for the Revolving Credit Program and the Credit Committee to assume management and control of the Weatherization Program. The motion was made by Council Member Cody and seconded by Council Member Janeway. The resolution passed with a vote of 8-0.
16. Council Member Craig reported that the Health Board unanimously supports the Council discussion in closing the restaurant and motel based on the report conducted by IHS. Resolution No. 07-99-162 adopted for request for increased IHS funding in FY 2001. Council Member Baha-Walker made the motion and Council Member Tate seconded the motion. The resolution passed with a vote of 8-0.
17. Resolution No. 07-99-163 adopted to request that Congress support the IHS FY 2000 budget request of \$2.4 million. The motion was made by Council Member Baha-Walker and seconded by Council Member Tate. The resolution passed with a vote of 8-0.
18. Paul Keuhl & Alvino Hawkins presented information on the Tribal Emergency Response Commission (TERC). Resolution No. 07-99-164 adopted for the endorsement of the Emergency Response Notification Chart and List and authorization TERC members, cooperating agencies and partners to fully implement this notification structure to provide more effective emergency response. Council Member Baha-Walker made the motion and Council Member Janeway seconded the motion. The resolution passed with a vote of 8-0.
19. Resolution No. 07-99-165 adopted for the development and staffing of a full-time Public Information Officer (PIO). The motion was made by Council Member Nez and seconded by Council Member Cody. The resolution passed with a vote of 8-0.
20. Resolution No. 07-99-166 adopted for support of the five (5) recommendations of TERC. Council Member Baha-Walker made the motion and Council Member DeClay seconded the motion. The resolution passed with a vote of 8-0.
21. Resolution No. 07-99-167 adopted to enter into a Memorandum of Agreement for sanitation facilities including the waiver of damages for rights-of-way. The motion was made by Council Member Nez and seconded by Council Member Janeway. The resolution passed with a vote of 6-0.
22. Resolution No. 07-99-168 adopted to approve the Cooperative Assistance Agreement between the Tribe and the Natural Resources Conservation Service (NRCS). Council Member Baha-Walker made the motion and Council Member Craig seconded the motion. The resolution passed with a vote of 8-0.



23. Resolution No. 07-99-169 adopted for approval of the Tribal Environmental Agreement between the WMAT and the United States Environmental Protection Agency. The motion was made by Council Member Cody and seconded by Council Member Tate. The resolution passed with a vote of 8-0.
24. Resolution No. 07-99-170 adopted for the posting of the Tribal Water Quality Protection Ordinance, July 1999 version. Council Member Baha-Walker made the motion and the motion was seconded by Council Member DeClay. The resolution passed with a vote of 7-1.
25. Theodore Roosevelt School Board and Board attorney discussed policies and they will return at a later date to seek ratification of these policies.
26. Day Care employees again expressed complaints against Director. Resolution No. 07-99-171 adopted to terminate the Day Care Center Director. The motion was made by Council Member Craig and seconded by Council Member Clay. The resolution passed with a vote of 8-0.
27. The meeting recessed at 6:25 p.m.

Sincerely,

071599br

  
Cyndy Harvey-Burnette  
Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE  
Fort Apache Indian Reservation  
Whiteriver, Arizona  
Tribal Council meeting  
Executive Conference Room  
Friday, July 16, 1999

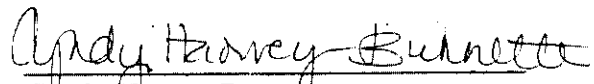
**BRIEFS**

1. The continuation of the Tribal Council meeting was called to order at 2:05 p.m. by Chairman Massey with a quorum present. Vice Chairman Endfield was on travel and Council Member Nez was excused. Council Member Cody offered the invocation.
2. Council Member Cody presented his District II report. He expressed his concerns regarding the year round bear hunting as well as his concerns related to Blue Spring. Resolution No. 07-99-172 adopted to recommend to Wildlife & Outdoor Recreation Department to limit the bear season. The motion was made by Council Member Craig and seconded by Council Member Cody. The resolution passed with a vote of 5-0.
3. Resolution No. 07-99-173 adopted to conduct feasibility study for irrigation system for Blue Spring. Council Member Cody made the motion and Council Member Tate seconded the motion. The resolution passed with a vote of 6-0.
4. Council Member Tate presented his District IV report. He gave a progress report on the fair & rodeo, roads issues and on his travel. He expressed concerns of the need for a skating area for the skateboarders. Discussion on sanctioning the rodeo followed. Council Member Tate further reported that the Arizona Transportation Board are informed of the flooding the tribe is experiencing and he stressed support for roads maintenance. He informed Council that majority of his travel is on behalf of roads. Glorianna Dayaye advised that the BIA can assist with his travel.
5. Raymus Albert presented the Land Board meeting minutes of June 25, 1999. It was suggested to consider homesites in the Fort Apache curve area but to designate highway frontage area for business sites. As the need for more homesites increases in Dist. III, Council Member Baha-Walker advised to utilize grazing areas. She will inform community at meeting.
6. Resolution No. 07-99-174 adopted for the approval of the Land Board meeting minutes of June 25, 1999. The motion was made by Council Member Tate and seconded by Council Member Declay. The resolution passed with a vote of 7-0.
7. The Tribal Attorney presented status of discussions with FEMA, correspondence to Senator John McCain regarding status of burn area and associated damage from the Rainbow Fire. George also informed Council of the Barr and Weldon Amendment on Class III Indian Gaming and Dept. of Energy forum on July 17 in Phoenix. He further informed Council of training for the tribe's Law Enforcement personnel on August 19 and 20 by U.S. Attorney's Office. The refinancing closing dates are scheduled for July 28 and July 29.

The Tribal Attorney reported on the status of the tribe's water rights attorney and requested the return of all files and documents pertaining to the WMAT. Council discussed expressing appreciation to Mr. Veeder and to present him with an award. Meeting to be scheduled with the Dept. of Justice on September 8-10.

8. Special Counsel Sylvia Cates reported to expect a favorable decision regarding the approval of the \$2.0 million dollars for FATCO from the Forest Management. She also gave a brief update on the Endangered Species Act and how this act has impaired some tribe's ability to exercise their water rights. Will provide more update on this issue at next meeting.
9. Discussion on Day Care Director and Board followed. Resolution No. 07-99-171 which was passed yesterday to be amended to abolish the Director position and to suspend the Board from operation as a condition of the Center receiving further financial aid and other assistance from the Tribe. The resolution to direct Sadie Burnette to serve as liaison for the Center with full authority in all personnel decisions to maintain orderly management and control of the Center until a sound long-term operational plan is enacted.
10. Resolution No. 07-99-175 adopted for the enrollment of Manuel David Bailon into the WMAT. The motion was made by Council Member Tate and seconded by Council Member DeClay. The resolution passed with a vote of 7-0.
11. Resolution No. 07-99-176 adopted to grant twenty-nine (29) applicants membership into the WMAT. Council Member Janeway made the motion and the motion was seconded by Council Member Tate. The resolution passed with a vote of 8-0.
12. The meeting adjourned at 5:03 p.m.

Sincerely,

  
Cyndy Harvey-Burnette  
Tribal Council Secretary

071699br