

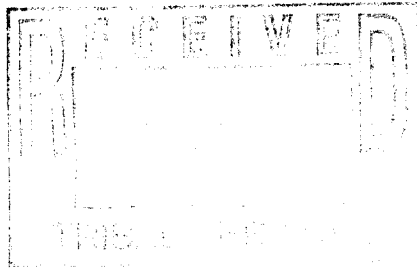
**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, the Tribal Council Secretary, Cyndy Harvey-Burnette, has prepared briefs of the Tribal Council meetings for December 4, December 7 and December 8, 2000 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 for December 4, December 7 and December 8, 2000, should be approved as presented, with the exception of those which make reference to Mr. Lee Bass' proposal.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for December 4, December 7 and December 8, 2000, with the exception of those which make reference to Mr. Lee Bass' proposal.

The foregoing resolution was on January 9, 2001, duly adopted by a vote of SIX 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), (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).



Dallas Massey, Sr.

Chairman of the Tribal Council

Cyndy Harvey-Burnette

Secretary of the Tribal Council

White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Executive Conference Room
Monday, December 4, 2000

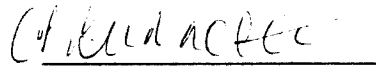
COUNCIL MEETING BRIEFS

The Tribal Council Special Session was called to order at 1:43 p.m. by Chairman Massey with all members of the Council present. Council Member Burnette offered the invocation.

1. Chairman Massey commented on purpose of today's hearing and current status of Chief Judge Grimes. He stressed that this is not a criminal trial but this is an opportunity for Council to hear from Chief Judge Grimes.
2. Chief Judge Grimes referenced the two issues in Resolution No. 11-2000-327 and stressed that she still upholds the U.S. and Tribal Constitution as well as the Law and Order Code. She shared background information on herself and copies of 9/20/00 memo which indicates her sick leave status was provided to Council. Letter of 6/6/00 referencing alleged "political interference" was also shared with Council. Chief Judge Grimes also covered events which lead to her arrest in Pinetop.
3. Bowman and Homer Beatty and Ted Bourke, Sr. shared supporting comments on Chief Judge Grimes' behalf.
4. Melissa Baha shared her complaints of how the court system and Chief Judge Grimes failed her.
5. Tribal Attorney George Hesse covered background information on case, timeline of events surrounding allegations made against Chief Judge Grimes and the accompanying investigation. Judicial Code Standards, section 2.12 (B) and Resolution No. 11-2000-327 was read by the Tribal Attorney. Integrity of the court was stressed. Issues raised in 1999 were highlighted.
6. A concern was expressed on Resolution No. 08-99-205 resolution where final determination of the independent evaluator's report by the Council was not reached. Council were advised to focus only on recent actions by Chief Judge Grimes in Pinetop, not events of 1999.
7. The Tribal Attorney presented a brief summary of facts on the eleven (11) allegations against Chief Judge Grimes. Comments were shared on not discussing pending cases and Chief Judge Grimes stated, for the record, that there is no case.
8. Resolution No. 12-2000-345 adopted to table the Pinetop incident as related to Chief Judge Grimes as the case is still pending. Motion: Vice Chairman Endfield, second: Council Member Clay. Vote: 4-3-1 abstention.
9. Council Member Dehose made motion for Council to go into Executive Session with a second by Council Member Nez. Vote: 4-1-1 abstention. The meeting went into Executive Session from 6:55 to 7:26 p.m. at which time Chairman Massey called for recommendations from the Council.
10. Resolution No. 12-2000-346 adopted for the termination of Chief Judge Grimes based on the independent evaluator's report and violation of standards of conduct. Motion: Council Member Lupe, second: Council Member Burnette. Vote: 8-0-2 abstentions.

11. Resolution No. 12-2000-347 adopted approving \$500.00 each for Fitzgerald and Roger Lupe, Jr. to assist them in their participation in the INFR. Motion: Council Member Clay, second: Vice Chairman Endfield. Vote: 7-1.
12. Resolution No. 12-2000-348 adopted for the appointment of Durango Fall as the Chief Judge of the White Mountain Apache Tribal Court. Motion: Council Member Clay, second: Council Member Baha-Walker. Vote: 6-0.
13. The BIA Supt. Ben Nuvamsa encouraged Council attendance and participation for the upcoming Tribal Constitution training.
14. Chairman Massey explained the \$60,000 gift from Mr. Bass which will assist with repairing of roofs. The funds will be placed in each district instead of to Council Members.
15. Vice Chairman Endfield announced that the Whiteriver Assembly of God Church Pastor and members are willing to assist in sacking Christmas candies.
16. The closing prayer was offered by Council Member Lupe.
17. The meeting adjourned at 7:55 p.m.

Sincerely,



Cyndy Harvey-Burnette
Tribal Council Secretary

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White Mountain Apache Tribe
Fort Apache Indian Reservation
Tribal Council meeting
Tribal Council Chambers
Thursday, December 7, 2000

COUNCIL MEETING BRIEFS

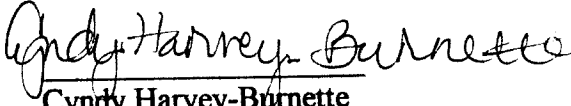
Chairman Massey called the regularly scheduled Council meeting to order at 9:19 a.m. Roll call indicated a quorum present. Council Member Baha-Walker was on travel status. The invocation was offered by Council Member Craig. Council Member Nez motioned for approval of agenda with a second by Vice Chairman Endfield. Vote: 6-0.

TRIBAL MEMBER BUSINESS

1. Wylene Ethelbah shared information on her wrongful termination from Hondah Gaming Office. Her father, Pascal, offered supporting remarks on her behalf. They were advised to return when Jennifer Manuel and Alutha Skidmore will be present to hear from them.
2. Colleen Lupe requested that she be given one-half of the tribal apartment located above the Whiteriver Lutheran Church. Ms. Lupe requested this building for her niece. Land and liability were some concerns expressed by Council. Ivan Kitcheyan, BIA Administrative Officer, to check on land status. Resolution No. 12-2000-349 adopted granting one-half of tribal apartment to Colleen Lupe. Motion: Council Member Nez, second: Council Member Clay. Vote: 9-0.
3. Colleen Lupe further shared comments on the tribal court system regarding child support efforts on her part. Supporting comments from Council were shared. Chairman Massey announced the appointment of the new Chief Judge Durango Fall.
4. With the appearance of Jennifer Manual and Alutha Skidmore, discussion regarding Wylene Ethelbah's wrongful termination continued. Wylene, Jennifer, Alutha, Chairman Massey and Council Member Craig all shared their comments and/or involvement on this issue. Council Member Nez made a motion for Wylene to return to her position at Hondah with a second by Council Member Craig, but after further discussion and hearing that Ms. Ethelbah does not wish to return to that position, both Council Members withdrew their motion and second.
5. Wylene Ethelbah also requested back pay and a wavier of the \$150.00 gaming fee but she was advised that all Hondah employees are required to pay this fee and if waived, will set precedence.
6. Elaine Ethelbah reported on her home sewer problems and of repeated efforts towards resolving this problem. Jimmy Brownfeather of Utility stressed the low man power situation within his department. Resolution No. 12-2000-350 adopted directing the Utility Authority to repair Elaine Ethelbah and Lilly Nantan's sewer problems. Motion: Council Member Craig, second: Council Member Nez. Vote: 8-0.

7. FATCO Management Maria Classay and Wilkie Gregg presented information and resolution regarding the extension of ten million board feet. Resolution No. 12-2000-351 adopted for approval to extend the ten million board feet. Motion: Council Member Nez, second: Council Member Clay. Vote: 7-0.
8. Serinda Clarkson requested payment for four weeks for which she has not yet been paid. She was advised to meet with the Controller, the Human Resources Director, Chief Burnette, Estralita Suttle and Council Member Cruz for resolution to her concern.
9. Wayne Cody and Kandi Burnette of KNNB referenced letter from Chairman Massey regarding cancellation of Coffee & Conversation program. Staff, community members and Council shared their concerns on this issue at length. After an extensive discussion, Resolution No. 12-2000-352 was adopted to cancel Coffee & Conversation until January pending KNNB Board review. Motion: Council Member Clay, second: Vice Chairman Endfield. Vote: 5-4.
10. The meeting recessed at 5:55 p.m.


Sincerely,


Cyndy Harvey-Burnette
Tribal Council Secretary

COUNCIL MEETING BRIEFS

Chairman Massey called the continuation of the meeting to order at 9:30 a.m. Council Member Nez was on leave, Council Members Cruz and Craig were on travel. The invocation was offered by Council Member Burnette.

1. Loretta Duryea requested reinstatement and two weeks of back pay. Resolution No. 12-2000-353 adopted to reinstate Ms. Duryea and approval of two weeks back pay. Motion: Council Member Baha-Walker, second: Council Member Dehose. Vote: 5-1-1 abstention.
2. Patricia Henry requested emergency housing as she has a child with chronic lung disease. Due to severity of child's illness, Resolution No. 12-2000-354 adopted directing Housing Director Victor Velasquez to locate home for Ms. Henry and her family. Motion: Vice Chairman Endfield, second: Council Member Baha-Walker. Vote: 7-0.
3. Mr. & Mrs. Manuel Dazen requested waiver of guide fees. Resolution No. 12-2000-355 adopted for approval of waiver of guide fees for Mr. Manuel Dazen. Motion: Council Member Burnette, second: Vice Chairman Endfield. Vote: 4-1.
4. Kino Kane addressed the Council on behalf of his daughter Kandi Burnette, referencing comments made in yesterday's meeting.
5. John Clark, Administrative Manager, introduced Mr. Lee Bass who provided personal and business interests information. The Maverick Trophy Hunt proposal was presented. Council were advised that Jon Cooley, W&ORD Director is in the process of reviewing this proposal and his written response will be forthcoming to Council. The Tribal Attorneys and Council shared their concerns and their questions regarding the proposal. After offering information on the gift and stressing that there is no condition on this gift, Mr. Bass presented a check in the amount of \$60,000 to Chairman Massey on behalf of the WMAT.
6. Historic Preservation Officer John Welch had Council view the new plaque for Kinisha Ruins and presented the following two resolutions: Resolution No. 12-2000-356 adopted for approval to submit a grant application to the National Park Service. Motion: Council Member Baha-Walker, second: Council Member Cody. Vote: 6-0.
7. Resolution No. 12-2000-357 adopted to direct Nancy Mahaney, Museum Director, to prepare a Rural/Ethnic Arts and Culture Initiative grant proposal for the Fort Apache Historic Park. Motion: Council Member Cody, second: Council Member Clay. Vote: 6-0.
8. Ron Rehberg provided information on Pre-paid Legal Services. The Assistant Tribal Attorney advised that Mr. Rehberg present this information at the local benefits fair.
9. The meeting adjourned at 1:25 p.m.

Sincerely,

Cyndy Harvey-Burnette
Tribal Council Secretary