

**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 August 1-2, August 15, August 23 and August 28, 2001, 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 August 1-2, August 15, August 23 and August 28, 2001, should be approved as presented.

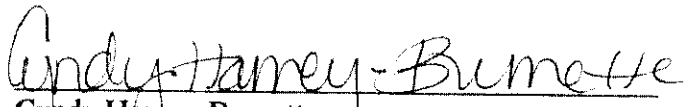
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for August 1-2, August 15, August 23 and August 28, 2001.

The foregoing resolution was on November 14, 2001, 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), (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

ACTING

  
Cyndy Harvey-Burnette  
Secretary of the Tribal Council

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting/Council Chambers  
Wednesday, August 1, 2001

### COUNCIL MEETING BRIEFS

Chairman Massey called the regularly scheduled Council meeting to order at 9:15 a.m. with all members of the Council present. Vice Chairman Endfield offered the invocation.

1. Curtis Suttle and Gladys Bencomo, members of the previous Election Commission, informed Council that a new Commission needs to be appointed after Council received recommendation for Lefty Alo to fill a vacancy. Council Member Craig stressed honesty and trustworthiness for Commission members and concern about Commission members involvement in partisan political campaigns.
2. Council Member Clay made a motion to have Lefty Alo fill the vacancy. Vice Chairman Endfield seconded the motion stating that in the past the commission recommended members and informed Council. It was advised that Council Member Clay rescind his motion and present new motion to reappoint the Election Commission first.
3. Council Member Clay rescinded his prior motion and made new motion to appoint prior eight Election Commission members with Lefty Alo as a new member.
4. Council Member Craig requested to stay on record of her disapproval of the involvement of Commission members in partisan political campaigns.
5. Resolution No. 08-2001-219 adopted for the appointment of Curtis Suttle, Sr., Anthony Cooley, Cyndy Harvey-Burnette, Gladys Bencomo, Delbin Endfield, Shirley Dickens, Janet Craig, Loretta Duryea and Lefty Alo to the Election Commission. Motion: Council Member Clay, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 10-0.
6. Wanda Burnette, who is awaiting a lung transplant, requested financial assistance to travel to Denver, Colorado with a family member. Funds will cover lodging and meals. She also requested assistance with transportation. Resolution No. 08-2001-220 adopted approving the above requests, financial amount determined at \$1,500.00. Motion: Council Member Nez, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 10-0.
7. Pat Johnson, I H S field nurse, and several community members of Cedar Creek, requested Council approval and support of a project involving the students at JFK School, whereby stories and history of their families would be included in a bound journal. Once approved by Council, they will inform the JFK School Board. Resolution No. 08-2001-221 adopted for approval and support of this project with appropriate board review. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 10-0.
8. Jerome Kasey III, spokesperson for Exodus Winter Guard, provided information on Winter Guard and on financial request. He was advised to present to the

- school board, Health Authority, Tribal Social Services. The group was advised to work with the Youth Council.
9. Linda DeClay, Education Director, stated that the budget for the \$400K from ITCA is in the process of being modified. She was advised to provide information on budget for Council. Bernie Santa Maria added that there are funds available through the Arizona Humanities Council that the group could look into.
  10. Resolution No. 08-2001-222 adopted for the assignment of Lots A-115 & A-116 at Hondah Homesites to Kenita Zospah. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Burnette. Vote: 10-0.
  11. Hilbert Goclanney referenced letter from Council Member Craig to Housing Authority and requested emergency housing. Resolution No. 08-2001-223 adopted to direct the Housing Authority to locate emergency housing for Mr. Goclanney and his family. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Nez. Vote: 10-0.
  12. Bernie Santa Maria stated that she has relinquished Lots A-67 & A-68 at Hondah Homesites as they failed water test, now is requesting Lot A-72. She was advised that there is a trailer on that lot, therefore, Council Member Burnette will look into this matter for her. Bernie advised a ethics and review board and Council Member Baha-Walker made a motion to have Bernie establish policy; however, she withdrew the motion after Doreen Gatewood clarified that this is covered within the Heritage Program.
  13. Michael Lacapa requested permission to purchase the sole publishing/printing rights to his book, N'Dee Benagode'I from JOM. The Indian Education Committee approved his request. Information on his books and his work was shared with Council. A comment was stated that the importance of the preservation of stories will instill pride in the children. The youth and elders to be provided with consultation several times annually. Resolution No. 08-2001-224 adopted for Michael Lacapa to purchase the sole publishing/printing rights to his book, N'Dee Benagode'I from JOM. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Nez. Vote: 9-0.
  14. Alvin DeClay, as the Fair & Rodeo Co-Chair and Dance Coordinator, requested an extension of dance until 1:30 a.m. for Saturday and Sunday nights during the fair. Due to safety of children, Mr. DeClay was advised to keep normal dance hours until 1:00 p.m. Questions followed on the fair & rodeo so Alvin provided a brief update. He shared his concerns on Raymond Jones who has a high bond amount. He was informed that the Law and Order Committee is in the process of averaging bond amounts. Alvin also shared his concern regarding Joseph Edwards, who has land claim funds but is in jail. He wanted to know if Mr. Edwards can be escorted to BIA, and possibly the bank by police so he can assist his family financially. BIA Superintendent, Ben Nuvamsa, stated that he will look into this matter. The last item Alvin brought up was the Memorial Hall, how it needs a major overhaul or a new building as it has many problems.
  15. Loretta Riley shared with Council the treatment her daughter, Elizabeth Riley, experienced when she was jailed. She also commented on the continued bootlegging problem near her home. Mrs. Riley was advised that this information will be shared with the Police Department this afternoon.

16. Cheryl Pailzote provided brief research information on Sunrise Lake and requested Council approval to publish research she conducted for her Master's Thesis. Resolution No. 08-2001-225 adopted for approval for Ms. Pailzote to publish research thesis on Sunrise Lake. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Cody. Vote: 8-0.
17. Molly Pitts, Woodland Forester, presented information on the Memorandum of Understanding with the Apache-Sitgreaves National Forest and the Tonto National Forest and Resolution No. 08-2001-226 adopted for approval of this MOU. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Clay. Vote: 7-0.
18. Ms. Pitts was advised to present the MOU information to the San Carlos Apache Tribe. Ms. Pitts was commended on her work.
19. Information regarding Loretta Riley's concerns were shared with Chief Burnette and Leandro Garcia. The meeting went into Executive Session from 3:06 to 3:30 p.m.
20. Candy Lupe presented information on her Master's Thesis research proposal. Resolution No. 08-2001-227 adopted to grant permission for Candy Lupe to conduct her research on historical and current conditions of four montane wetlands-Ess Spring, Deep, Maverick and Lofer Cienegas. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0. Ms. Lupe shared her concerns with Council regarding the Environmental Quality Incentive Program (EQIP) contract which the tribe may lose.
21. Richard DiValentino, Land Restoration Board Member, presented the following resolution: Resolution No. 08-2001-228 adopted to approve the Tribal Permanent Land Restoration Board scholarship recipient for Fall 2001 and Spring 2002. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 9-0.
22. Pathways Coordinator, Becky Ethelbah, presented the next two resolutions. Resolution No. 08-2001-229 adopted for approval to publish Pathways manuscript entitled, "*Impact of the Pathways Intervention on Dietary Intakes of American Indian School Children*". Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Clay. Vote: 9-0.
23. Resolution No. 08-2001-230 adopted for approval to publish Pathways manuscript entitled, "*Changes in the Nutrient Content of School Lunches: Results from the Pathways Study*". Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Clay. Vote: 9-0.
24. Raymus Albert, Land Office Director, presented the Land Board meeting minutes for July 26, 2001. Discussion followed on North Fork land area with residents opposing the assignment of land. It was advised to abide by the land code. Resolution No. 08-2001-231 adopted for approval of Land Board meeting minutes for July 26, 2001. Motion: Council Member Craig, 2<sup>nd</sup>-Council Member Cody. Vote: 8-0.
25. Education Director, Linda DeClay, provided an update, along with information on the upcoming career fair. Regarding the Inter-Tribal Trust Fund, the committee will meet with youth and modify budget. Discussion followed on student travel and on the policy as provided by John Wahnee, BIA ELO. Improvements in this area are needed for students and families. Linda also informed Council that

Northern Arizona Academy will be utilizing the Skill Center as approved by the Indian Education Committee.

26. Executive Session was held from 5:17 to 5:30 p.m. for presentation of Tribal Enrollment. Resolution No. 08-2001-232 adopted for approval of twenty-three (23) individuals membership with the WMAT. Motion: Council Member Dehose, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
27. Resolution No. 08-2001-233 adopted for the relinquishment request of Debrah Boni Riley from the WMAT. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Cruz. Vote: 9-0.
28. The meeting recessed at 5:30 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Thursday, August 2, 2001

### COUNCIL MEETING BRIEFS

The continuation of the meeting was called to order at 9:16 a.m. by Chairman Massey with a quorum present. The invocation was offered by Council Member Craig.

1. Council Member Cruz for Carlene Narcho, Tribal Social Services Director, briefed Council on new BIA Social Services regulations and requested waiver for application process.
2. Council Member Baha-Walker presented her District III Council Report as follows: Resolution No. 08-2001-234 adopted to approve final Ronald McDonald bill incurred by Annabel Riley and family. Motion: Council Member Nez, 2<sup>nd</sup>- Council Member Cruz. Vote: 10-0.
3. Council Member Baha-Walker also brought up financial request in the amount of \$1,250.00 for Gerald Bush. Robert Gilson's request and assistance to Roger Griggs was also referenced. Discussion followed on similar requests. A strong policy needs to be established for these types of financial requests with input from Education and IEC. A review of Hondah Casino scholarship was also advised.
4. Roads construction update was presented by Council Member Baha-Walker. In discussing Lee Bass funds, Chairman Massey clarified that funds are to assist the elderly and handicapped with 1-bedroom homes and advised Council to forward to him a list of names for consideration.
5. Dates of upcoming events within District III was provided, along with other scheduled important meetings.
6. Council Member Cody stated that basketball court lights are needed at Cedar Creek and Carrizo. He was advised to check with the Co-Controller.
7. Comments followed on cleanliness needed for tribal offices and grounds. Lights needed at various places for safety purposes.
8. The Assistant Tribal Attorney, David Osterfeld, provided information on the new BIA Social Services regulations. After input and comments from Council, this was tabled until this afternoon.
9. General Manager of White Mountain Radio, Chip Begay, requested to lease space on Cooley Mountain to better serve Whiteriver and the surrounding communities. Tribal Attorney, George Hesse, advised conditions and limitations and for the tribe to receive fair market return in terms of lease payments. Resolution No. 08-2001-235 adopted to authorize White Mountain Radio to begin preliminary signal testing within the Reservation to assess the prospect for developing a transmission site, provided that such signal testing does not interfere with existing license radio frequency use within the reservation. Motion: Council Member Dehose, 2<sup>nd</sup>- Council Member Craig. Vote: 7-0.

10. J.M. Yi presented Tae Kwon Do proposal for Council's consideration. Mr. Yi was advised to present this information at the various schools. Resolution No. 08-2001-236 adopted for approval to introduce Tae Kwon Do locally and transportation of students from Phoenix to Whiteriver be provided by the Whiteriver School District. Motion: Council Member Dehose, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 8-0.
11. District IV report – Council Member Craig informed Council that the Health Board is in the process of drafting bylaws and reviewing financials. Rainbow Center is conducting calendar sales utilizing client's drawings. Information on expansion of PIMC was shared and as a member of the Pension Committee, she advised that people stay current on their insurance.
12. Council Member Craig further proposed an amendment to the Election Code whereby the top three candidates in District IV would be certified following the Primary Election for the General Election. She advised that the Election Commission review this with Tribal Attorney and report to Council next month. A directive to enforce child support payments was strongly recommended. Mrs. Craig advised that this be placed in existing ordinance and to have the Tribal Attorney, Tribal Social Services, Tribal Court and TERO review this issue and report back to Council.
13. Regarding Central Tribe budget vote, Mrs. Craig requested either an apology from Vice Chairman Endfield or equal radio time. She referenced that insufficient time was given in covering stumpage. The lack of legislative procedures was discussed. Resolution No. 08-2001-237 adopted to allow equal radio time to Council Member Craig for rebuttal to Vice Chairman Endfield's comments regarding Central Tribe budget vote. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Dehose. Vote: 5-1-2 abstentions.
14. Resolution No. 08-2001-238 adopted to assist Sisto Hernandez with \$500.00 for his participation in the Schemitzun Bull O'Rama. Motion: Council Member Cody, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 8-0.
15. Council Member Nez motioned to go into executive session with a second by Council Member Clay. Vote: 7-0. Executive session was held from 5:10 to 6:09 p.m. for the Tribal Attorney's report.
16. Resolution No. 08-2001-239 adopted granting permission to Gordon and Veronica Leslie (Lot A-8), and Carolyn Wagenfehr (Lot A-10) to extend their current properties at Hondah to include one-half of Lot A-9 each. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Craig. Vote: 9-0.
17. Chairman Massey briefed Council on claims of May 10, 2001 and information was provided to them for their review. A comment was shared that some names were missing from the list.
18. The meeting adjourned at 6:17 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Wednesday, August 15, 2001

### COUNCIL MEETING BRIEFS

The special Council meeting for updates on BIA appropriations and FATCO was called to order at 9:30 a.m. by Chairman Massey. Vice Chairman Endfield offered the invocation. Council Member Dehose was on travel status, Council Member Cody was absent, Council Member Craig was on annual leave and Council Member Clay was on sick leave in the morning. Others present: Ericka Gloshay, Kay Burnette, Leroy Tate, Judge Fall, Yvette Larzelere, Cathy Tate, Gwendena Real Bird, Kevin Buck and Patty Nosie.

1. Mr. Michael Hughes, Consultant on Indian Affairs, provided an analysis of the BIA FY 2002 budget request and House Committee on appropriations recommendations. Council was provided with copies of DOI and related agencies appropriations bill House Report 2217 and 107-103.
2. Mr. Hughes also covered the Senate Committee on appropriations recommendations and conference issues for the BIA FY 2002 appropriations.
3. Final presentation by Mike Hughes was the eight-year strategy to invest in Tribal Governments and Principles for BIA budget planning for FY 2003 and beyond.
4. The need for additional funding for the fish hatcheries and for school renovations were some concerns from Council.
5. Mr. Hughes advised letter from the tribe to Gail Norton, Secretary of the Interior to encourage increased funding for BIA.
6. Colbert Burnette requested financial assistance to complete his senior year at NAU. He will receive a degree in Civil Engineering this December. Resolution No. 08-2001-240 adopted to assist Mr. Burnette in the amount of \$2,500.00 for one semester. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-0.
7. Josh Anderson, a senior at Southern Utah University, requested financial assistance as only \$1,250 was approved for him. Resolution No. 08-2001-241 adopted to approve financial assistance for Josh Anderson in the amount of \$1,250.00 for one semester. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Nez. Vote: 7-0.
8. In discussing the above two resolutions, it was advised that a full report from Higher Education be presented to Council regarding current funding status.
9. Chairman Massey provided opening comments on behalf of replacement of planer at FATCO. Michele Austin, Co-Controller, and Milfred Cosen, Director of Planning, provided information on funding for the planer. FATCO management and Board were present and offered supporting comments for purchase of planer. FATCO's first quarter financial performance was also covered. The warranty on the planer was a concern from Council. Resolution No. 08-2001-242 adopted to



- budget to purchase a planer mill at auction, provided such planer mill is found to be of adequate condition and quality to meet the needs of FATCO. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 6-1.
10. The Assistant Tribal Attorney to check on status of resolution regarding spruce logging. FATCO Manager, Maria Classay, provided information on the reload station which could provide additional revenue for the tribe.
  11. Tribal Engineer, John Bereman, presented the following: Resolution No. 08-2001-243 adopted for the Tribe to enter into a Memorandum of Agreement with I H S and the Housing Authority for the construction of water and sewer services for 51 houses. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Nez. Vote: 6-0.
  12. Chairman Massey updated Council on status of FATCO severance tax issue while Council Member Baha-Walker clarified status of Colbert Burnette and Josh Anderson per Higher Education.
  13. Cathy Tate and Gwendena Real Bird, committee members appointed to investigate claims of improper terminations, provided an update with listed evaluation of claims. Discussion followed on this with majority of Council favoring a full Council present to vote on this issue. Resolution No. 08-2001-244 adopted to table voting on back pay issue until a full Council is present. Motion: Council Member Nez, 2<sup>nd</sup>-Council Member Burnette. Vote: 4-0-2 abstentions.
  14. On August 23, 2001, a Council meeting to be scheduled regarding back pay. The Assistant Tribal Attorney, David Osterfeld, advised that the committee review recommendations on reimbursement before vote as Council has to approve the rate of reimbursement.
  15. Council Member Clay presented brief information on status of Alvina Bush who is a qualified Tribal Member applicant for School Principal.
  16. The meeting adjourned at 5:27 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting/Chambers  
Thursday, August 23, 2001

**COUNCIL MEETING BRIEFS**

The special Council meeting regarding back pay issue was called to order at 9:28 a.m. by Chairman Massey with a quorum present. Council Member Craig was on travel status. Paul Ethelbah offered the invocation.

1. In Chairman Massey's opening remarks, he referenced resolution supporting wrongful terminations and that committee has been reviewing these claims.
2. Council Members were given copies of memo reviewing the facts surrounding these claims and two lists of evaluation of claims, along with a Release and Settlement agreement. Committee members (Nelson Ethelbah, Cathy Tate and Gwendena Real Bird) reported their findings and recommendations. Council was informed that there are lack of records and that others have come forth since May 10, 2001.
3. The Tribal Attorney, George Hesse, read the Release and Settlement agreement.
4. Council Member Dehose read one of the evaluation of claims list.
5. Dorothy Antonio shared information on her prior positions and her contributions to the tribe and requested that she also receive payment. Others who spoke briefly about their terminations were: Herbert Tate, Sam Opah, Cornelia Hoffman, Maggie Smith, Delphine Quay and Katherine Colelay.
6. Chairman Massey, Vice Chairman Endfield and all Council Members stated reasons as to their support or nonsupport of resolution for back pay.
7. Vice Chairman Endfield made motion to approve payment for the 19 individuals listed in the May resolution and also for the second list (with a review to be conducted by the committee). Council Member Clay seconded the motion. The vote was 5-5.
8. Chairman Massey declared that due to tie vote, this is a dead issue but a review of Article 13 of the Tribal Constitution will be conducted.
9. The meeting adjourned at 12:15 p.m.

Sincerely,



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Cyndy Harvey-Burnette  
Council Secretary

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White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Tribal Council meeting  
Executive Conference Room  
Tuesday, August 28, 2001

**COUNCIL MEETING BRIEFS**

Chairman Massey called the special Council meeting to order at 9:25 a.m. Vice Chairman Endfield was on sick leave, Council Member Baha-Walker was excused and Council Member Cruz was on travel status. The invocation was offered by Council Member Cody. Others present: Roger Leslie, Hondah General Manager.

1. The Tribal Attorney, George Hesse, reported in executive session from 9:30 a.m. to 9:45 a.m. at which time the Tribal Council was introduced to the new Miss White Mountain Apache, Marissa Young. The meeting continued in executive session until 11:04 a.m.
2. Resolution No. 08-2001-245 adopted for the WMAT to contribute 2% (installments) of Hondah Casino's net win for public relations campaign. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 7-0.
3. The Empowerment Zone steering committee members provided an update of the Empowerment Zone designation, budget information, community survey and EZ fact sheet. The committee is to present budget information to the Finance and Budget Committee. The committee was thanked for their work and on today's presentation.
4. Steve Cornell, Ph.D., Director of the Udall Center for Studies in Public Policy at U of A and Joan Timeche, MBA, Assistant Director of the Native Nations Institute for Leadership, Management and Policy at the U of A, presented the WMAT Empowerment Zone Strategic Plan.
5. A review, discussion and comments followed on the Charter of the White Mountain Apache Empowerment Zone Commission. Council was urged to forward comments to the Tribal Attorney, George Hesse or to Mary Jo Stahl, CDC Director.
6. Resolution No. 08-2001-246 adopted to rescind Resolution No. 03-2000-75 regarding the compressed schedule and to resume normal working hours from 8 a.m. to 5 p.m. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Burnette. Vote: 3-0.
7. The meeting adjourned at 4:25 p.m.

Sincerely,



Cyndy Harvey-Burnette  
Council Secretary

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