

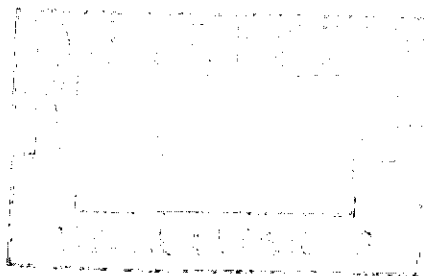
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**


**WHEREAS**, the Tribal Council Secretary, Cyndy Harvey-Burnette, has prepared briefs of the Tribal Council meetings for November 5, November 14 & 15, November 29 & 30, 2001 and has presented them to the Tribal Council this date for approval; and

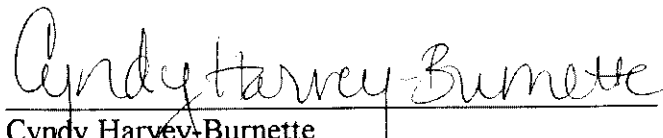
**WHEREAS**, after reading the briefs to the Tribal Council, the Tribal Council concludes that the briefs for November 5, November 14 & 15, November 29 & 30, 2001, should be approved as presented.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Tribal Council meeting briefs for November 5, November 14 & 15, November 29 & 30, 2001.

The foregoing resolution was on August 2, 2002, 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  
Salt River Community  
Monday, November 5, 2001

**COUNCIL MEETING BRIEFS**

Chairman Massey called the meeting to order at 3:25 p.m. with a quorum of the Council present. Vice Chairman Endfield was on travel status, Council Member Dehose was not present and Council Member Clay was on sick leave.

1. Chairman Massey informed Council of resolution on behalf of Public Works Department which needs to be passed as soon as possible due to availability of these trucks at current price and the fact that other buyers are interested.
2. He had advised Public Works staff to present resolution not as a walk-through due to issue of limited waiver of sovereignty which entire Council needs to be aware of.
3. Council Secretary read the resolution which was followed by the Tribal Attorney's comments on additions and deletions to the resolution and the lease agreement.
4. Council expressed concerns on "rushing" this issue with question on future projects. A financial update from Public Works was requested. The involvement of the Controller was advised.
5. The resolution was tabled pending financial report from Public Works and revisions to resolution and the lease documents.
6. Council Member Craig read proposed resolution and Resolution No. 11-2001-280 was adopted to authorize the Health Authority's application for funds through H2-018, the Health Facility Construction Program for delivery of primary care or dental services. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Nez. Vote: 6-0.
7. The meeting adjourned at 4:00 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  
Tribal Council Chambers  
Wednesday, November 14, 2001

### COUNCIL MEETING BRIEFS

Chairman Massey called the monthly scheduled Council meeting to order at 9:35 a.m. The invocation was offered by Laura Mae James, Church of God Pastor. Council Members Nez and Craig were on travel status.

1. Chairman Massey advised the public that Tribal Member business will be addressed this afternoon due to pending agenda items.
2. The Council Secretary read the Council meeting briefs for the months of May and June 2001. Resolution No. 11-2001-281 adopted for approval of Council meeting briefs for the month of May 2001. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 7-0.
3. Resolution No. 11-2001-282 adopted for approval of Council meeting briefs for the month of June 2001. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-0
4. The Tribal Attorney, George Hesse, read the briefs for the month of July 2001 and Resolution No. 11-2001-283 adopted for approval of these briefs with noted changes as referenced by Mr. Hesse. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Burnette. Vote: 7-0.
5. The Assistant Tribal Attorney, David Osterfeld, read the briefs for the month of August 2001 and Resolution No. 11-2001-284 was adopted for their approval. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Baha-Walker. Vote: 7-0.
6. Council Member Baha-Walker informed Council of financial request from Gerald Bush, M.D., who is requesting same amount provided to Roger Griggs, M.D. Resolution No. 11-2001-285 adopted to grant a stipend to Gerald Bush, M.D., in the amount of \$7,000 per semester for financial assistance during his residency. Further, the Tribal Health Authority to coordinate with Dr. Bush on the services he will provide to the Tribe in exchange for the stipend. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Cruz. Vote: 7-0.
7. Richard Palmer, Transportation Coordinator and Chadeen Palmer, Public Information Officer, informed Council of Vision One event scheduled for November 19, 2001 in Whiteriver, where representatives from the Navajo Nation, Hopi Tribe and other dignitaries are expected.
8. BIA Superintendent, Ben Nuvamsa, reported on upcoming scheduled meetings and training, budget status, and update on roads projects and the proposed Transportation Plan for the WMAT. An update on the Whiteriver Airport and the prescribed burning was also presented. The tribe's comments will be analyzed regarding the Forest Management Plan. Council was informed of Webb Ways violation and Ben clarified protocol regarding the BIA's role in dealing with

- FATCO. He advised the Tribe to assume control regarding the restoration of education buildings at TRS so the Tribe can state their needs for these buildings.
9. The meeting went into executive session from 12:07 to 12:16 p.m. for presentation of Tribal Enrollment.
  10. Resolution No. 11-2001-286 adopted for approval of enrollment of seventy-four (74) individuals with the WMAT. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Clay. Vote: 6-0.
  11. Resolution No. 11-2001-287 adopted for approval of enrollment of Steve Rope with the WMAT. Motion: Council Member Dehose, 2<sup>nd</sup>-Council Member Burnette. Vote: 6-0.
  12. Resolution No. 11-2001-288 adopted for approval of enrollment for June Marie Paxson with the WMAT. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 7-0.
  13. Resolution No. 11-2001-289 adopted granting approval of the relinquishment request for Tonweya Dawn Narcho from the WMAT. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Council Member Cruz. Vote: 6-0.
  14. Resolution No. 11-2001-290 adopted granting approval of the relinquishment request for Dawn Marie Dushane from the WMAT. Motion: Council Member Burnette, 2<sup>nd</sup>-Council Member Cody. Vote: 6-0.
  15. The afternoon session began with Rhodesia Harvey who informed Council of her work and disability status and requested a removal of the abandonment status from her Personnel record. The Human Resources Director, Gwendena Real Bird explained that a retraction memo is required from department manager to correct Form E, although the Form E indicating the abandonment remains in file. Ms. Harvey was advised that Jon Cooley and Tim Gatewood will be called in to explain their decisions.
  16. Wren Cheney & family members requested an executive session. Vice Chairman Endfield made the motion with a second from Council Member Cody for the meeting to go into executive session. Vote: 8-0.
  17. Executive session was held from 2:17 to 4:45 p.m.
  18. Laura James addressed Council on behalf of sister Loretta Duryea. The seriousness of Loretta's offense was mentioned although Council offered supporting remarks on her behalf with mention of transferring her elsewhere. Loretta to see Chairman Massey upon her return from Germany.
  19. Adjournment was at 5:14 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  
Thursday, November 15, 2001

### COUNCIL MEETING BRIEFS

The meeting was called to order at 9:33 a.m. by Chairman Massey with all members of the Council present, except Council Member Clay who was on sick leave. The invocation was offered by Council Member Cruz.

1. Chairman Massey introduced Roger Hartstone, who is seeking the congressional seat for District 1 in Arizona. Mr. Hartstone offered personal and professional information on self, his business and spoke of his accomplishments.
2. Otis Smith, representative for the Tohono O'odham Nation, provided information on the citizenship initiative for the T.O. Nation and requested support for the nation via a resolution which other tribes have supported. Resolution No. 11-2001-291 adopted for WMAT support for the T.O. Nation for their citizenship initiative. Motion: Council Member Lupe, 2<sup>nd</sup>-Council Member Cody. Vote: 9-0.
3. The meeting went into executive session from 10:05 to 11:00 a.m. per the request of Lana Cosen for Bobbi Alchesay. Council Member Baha-Walker made the motion with a second from Council Member Nez. Vote: 6-0.
4. Resolution No. 11-2001-292 adopted for the reinstatement of Bobbi Alchesay at Hondah Casino and Convention Center with back pay. Motion: Vice Chairman Endfield, 2<sup>nd</sup>-Council Member Nez. Vote: 9-0.
5. Christine Smith shared her concern regarding her application status with the Whiteriver Police Department. Council were advised by Chairman Massey that the Law & Order Committee is not responsible for selection of personnel at the Police Department. Ms. Smith, Chief Burnette and Chairman Massey to meet tomorrow to address Ms. Smith's concern.
6. Public Works Manager, Al Brooks, requested an executive session. A motion was made by Vice Chairman Endfield with a second from Council Member Cruz. Executive session was held from 11:39 a.m. to 12:41 p.m. Tom Francis and Evelyn Emory were also present.
7. Resolution No. 11-2001-293 adopted for approval of limited waiver for Public Works to purchase trucks. Motion: Council Member Baha-Walker, 2<sup>nd</sup>-Vice Chairman Endfield. Vote: 9-0.
8. The meeting recessed for lunch at 12:41 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

## TRIBAL COUNCIL MEETING

NOVEMBER 15, 2002

**The meeting reconvened at approximately 1:30 p.m. by Chairman Dallas Massey, Sr.**

A resolution was passed with a vote of 6-0 on EQIP assistance to the livestock association. The land restoration board has by a vote of six (6) in favor and zero (0) against, approved a budget request to assist Tribal livestock association in the implementation of environmental quality incentive program contracts. The Fund provides funding to proposal that intend to return Tribal ecosystem to a condition that better reflects the condition prior to suffering damage from mismanagement.

A resolution was passed with a vote of 7-0 which authorized the publications of 4 manuscripts by the John Hopkins University, entitled: *Impact of a School-Based Obesity Prevention Program on body composition physical activity, dietary intake and behavior in American Indian Children; Physical Activity and Body Composition in Second Grade American Indian Children in the Pathways Study Cohort; Impact of the Pathways Food Service Intervention on Breakfast Served in American Indian Schools; and School climate Assessment and Findings from the Pathways Study.* The Health Board has given their approval for publication of the manuscripts referenced above.

A resolution was passed regarding the ownership of the Cibecue School with a vote of 9-0. This presentation was given by Irvin Santiago with a Resolution adopted by the Cibecue Community Education Board, Inc. ("Cibecue School") informing the Council that the Bureau of Indian Affairs ("BIA") does not own the Cibecue Community High School facilities being constructed on the Cibecue Community School campus.

A resolution was passed on the Title VI program with a vote of 9-0. The Council directed the Tribal Chairman to prepare and submit an application and proposal to enter into a contract with the Department of Health and Human Services, Administration on Aging, for tribal administration of Title VI Programs under the Older American Act in order to promote the delivery of social and nutritional services to Indian people aged sixty (60) years and older in the vicinity of the Whiteriver, Ft. apache, Hon-Dah, and McNary communities within the Fort Apache Indian Reservation.

A resolution was passed on the BIA-reorganization issue with a vote of 9-0. The Tribe opposes Secretary Norton's failure to consult with Indian tribes before publicizing plans to strip the Bureau of Indian Affairs of its core trust responsibilities and vest them in a new agency.

There were 4 resolutions passed with a vote of 9-0 for the studies to be conducted by the John Hopkins University in regards to the following subjects: rotavirus vaccine study; helicobacter pylori study, adult pneumonia study and the training/education program.

A resolution on the NIH/IHS Supplemental NARCH funding was passed with a vote of 9-0. An opportunity is available for the White Mountain Apache Tribe to take over the leadership role with regard health-related research on the Reservation through a program referred to as the Native American Research Centers for Health (NARCH) which is jointly sponsored by the National Institutes of Health (NIH) and Indian Health Service (IHS). The guidelines for establishing a NARCH program on the Reservation include the partnering with a research institution and the Tribe has selected the Johns Hopkins University's Center for American Indian Health as its partnering institution.

A resolution was passed on the Limestone/Jumpoff Timber Sale which is included in the ten year cutting budget in the 1991-2000 Forest Management Plan. This area is in the West Timber Management Area and is also part of the annual allowable cut. The estimated volume is to be 10.5 mmbf for all species.

A resolution was passed on the Silver Creek Mortuary Lease for an extension of 3 years with a vote of 7-0-1. A discussion carried on regarding the quality of services provided by this company.

A resolution was passed on the Line of Credit Increase with Wells Fargo with a vote of 8-0. The line of credit increase requires an amendment to the credit agreement to authorize the new amount. The amendment to the Tribe Revolving Credit Agreement with Wells Fargo Bank was authorized from \$1,125,000.00 to \$1,750,000.00. The previous resolution 01-00-19 will remain the same with the exception that fourth quarter collateral covenants required by Wells Fargo Bank will be waived.

With no further business to discuss, the meeting was adjourned at approximately 6:30 p.m.

Respectfully submitted,



Heather Reidhead  
Recording Secretary

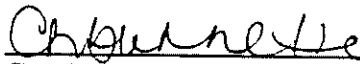
White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Council meeting continuation  
FATCO Conference Room  
Thursday, November 29, 2001

### COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:41 a.m. with a quorum of the Council present. Council Member Dehose was absent, Council Members Nez, Baha-Walker and Craig were on travel status, and Council Member Clay was on sick leave. The invocation was offered by Reno Johnson, Sr., Pastor of the Lighthouse Family Church.

1. Chairman Massey's opening remarks focused on status of FATCO and their request today. Board Chair Reno Johnson introduced FATCO Manager, Maria Classay, who stated that today's meeting is to focus on feasibility analysis for phase II funding authorization request. A moment of silence was acknowledged for the passing of a FATCO staff member, along with information on the FATCO whistle.
2. Council Member and FATCO Board member, Patrick Cruz, stated that more improvements needed for employees to benefit the tribe as a whole.
3. Bob Try and Dan Baringer of Beck presented progress report on Phase I and funding authorization request for Phase II.
4. Council was informed that all departments are involved in improvements and training is conducted to improve work quality. Production was stressed. Council Member Cody advised customer service training as well.
5. BIA Supt., Ben Nuvamsa, advised post training data regarding certification process.
6. Staff training discussed and emphasized.
7. Milfred Cosen, Planning Director, provided information on the ANA grant for the edger optimizer while Dan Baringer explained the edger optimizer and over runs.
8. The afternoon session began with Mr. Try explaining the importance of Phase II projects, including summary of project costs. Council was advised that FATCO Board passed resolution supporting the \$4.5M loan. Milfred explained numbers pertaining to the loan (fixed interest rate of 7% for 10 years with \$316K payment every six months) and he stressed return on the investment are the benefits FATCO provides.
9. Tribal Attorney George Hesse advised competitive bidding for the interest rate and expressed concern over the sovereign immunity issue. He advised to consult with John Clark and Michelle Austin and to keep interest payments to a minimum. Council Member Lupe expressed his concern about the current FATCO debt and on the sovereign immunity issue.
10. FATCO Board members urged support for the loan.
11. Resolution No. 11-2001-309 adopted for approval of the \$4.5M loan to FATCO for planer operations and small and large log sawmills. Motion: Council Member Cody, 2<sup>nd</sup>- Vice Chairman Endfield. Vote: 4-1-1 abstention.
12. The Tribal Attorney, George Hesse, presented his report in executive session from 3:44 to 4:55 p.m. at which time the meeting recessed.

Sincerely,

  
Cyndy Harvey-Burnette  
Council Secretary



White Mountain Apache Tribe  
Fort Apache Indian Reservation  
Council meeting continuation  
Executive Conference Room  
Friday, November 30, 2001

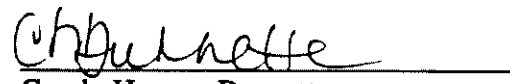
### COUNCIL MEETING BRIEFS

Chairman Massey called the meeting to order at 9:43 a.m. with a quorum of the Council present. Council Members Baha-Walker, Nez and Craig were all on travel status. The invocation was offered by Vice Chairman Endfield.

1. Tribal Hydrologist, Laurel Lacher, presented the executive summary on Groundwater-Pesticides Management Plan which will monitor and limit use of pesticides and herbicides on the reservation. Its main purpose to institute permitting process.
2. Resolution No. 11-2001-310 adopted for approval and adoption of the provisions of the Groundwater-Pesticides Management Plan. Motion: Council Member Dehose, 2<sup>nd</sup>-Council Member Cruz. Vote: 6-0.
3. Tribal Attorney, George Hesse, continued his report in executive session from 10:15 to 10:55 a.m.
4. Resolution No. 11-2001-311 adopted to authorize and endorse the expeditious executive of P.L. 93-638 contracts whereby the Historic Preservation Office shall complete the Program of Requirements (POR) and the Engineering Department shall implement the POR for improvement and repair of buildings and grounds that support Theodore Roosevelt School. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Burnette. Vote: 6-0.
5. Resolution No. 11-2001-312 adopted to grant permission to Vernon Palmer and Paul Declay, Jr. to extend their property to include one-half of Lot A-91 each at Hondah Homesites. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Clay. Vote: 6-0.
6. Resolution No. 11-2001-313 adopted for approval of a 25-year residential lease at Hondah Homesites Lot A-86 & A-87 for Mark Altaha. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Burnette. Vote: 6-0.
7. Resolution No. 11-2001-314 adopted for the foregoing WMAT Retirement Savings and 401(k) Plan changes regarding Plan advances, service crediting and traditional family relationships are approved. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Burnette. Vote: 6-0.
8. Resolution No. 11-2001-315 adopted for approval of relinquishment requests for: Daniel Lee, Frances Rae, Joseph and Rowdy Chase Banashley. Motion: Council Member Cody, 2<sup>nd</sup>-Council Member Cruz. Vote: 6-0.
9. Resolution No. 11-2001-316 adopted to authorize the Tribal Controller's office to process supplemental annual leave voucher payments to be applied to employee Tribal debt that is outstanding as of March 29, 2002. Motion: Council Member Clay, 2<sup>nd</sup>-Council Member Burnette. Vote: 6-0.

10. Resolution No. 11-2001-317 adopted granting a right-of-way to CDC and Tribal Utility Department to enter the premises for the sole purpose of renovating the Memorial Hall. Motion: Council Member Cruz, 2<sup>nd</sup>-Council Member Burnette. Vote: 3-2-1 abstention.
11. Tribal member, Charlene Bush, informed Council of problems experienced in obtaining payroll checks for Earl's Logging employees. John Clark explained that payment is issued during non-Tribal payday week.
12. The meeting adjourned at 12:05 p.m.

Sincerely,

  
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Cyndy Harvey-Burnette  
Council Secretary

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