



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approval of Tribal Council Meeting Minutes)

- WHEREAS,** pursuant to Article XI, Section 3, of the Constitution of the White Mountain Apache Tribe, the Secretary of the Tribal Council is responsible for keeping and maintaining minutes of all Council meetings; and
- WHEREAS,** pursuant to Article XIII, Section 5 of the Constitution of the White Mountain Apache Tribe, the order of business requires a reading of the minutes; and
- WHEREAS,** the Tribal Council Secretary requested approval of the attached meeting minutes prepared from the Tribal Council meetings held on October 4, 2016: December 5, 2016 and January 17, 2017. Vote 9-0-2
- WHEREAS,** the Tribal Council finds it in the best interest of the White Mountain Apache Tribe to approve the meeting minutes from the Tribal Council meetings held on October 4, 2016: December 5, 2016 and January 17, 2017 as prepared and presented by the Tribal Council Secretary.

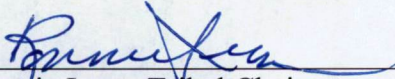
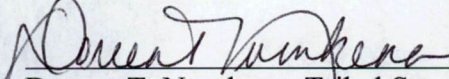
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on October 4, 2016: December 5, 2016 and January 17, 2017, as prepared and presented by the Tribal Council Secretary.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on January 25, 2017 duly adopted by a vote of NINE for, ZERO against, and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 _____  _____
Ronnie Lupe, Tribal Chairman Date Doreen T. Numkena, Tribal Secretary Date



White Mountain Apache Tribe

October 4, 2016 – Special Meeting

Executive Conference Room

I. CALL TO ORDER

- A. Call to Order: Meeting was called to order at 9:20 by Chairman Lupe.
- B. Prayer: Kasey Velasquez
- C. Roll Call: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Colleen Faden, Jerold Altaha, Ralph Thomas, Floyd Walker, Alvena Bush, Jerome Kasey, Everett Massey
Attorneys: Jim Palmer, Fred Soto, Kimberly Cromwell

II. REPORTS – Jim Palmer – Carrizo Store

Jim Palmer advised the Council that the Carrizo Store needs to be put up for lease. The rental fee was set at \$2,000 a month. Mr. Palmer continued, Roberto Sanchez, Property Management Manager, would like to lower the rental fee to \$1,500 a month to get more interest in the leasing out of that store. There was break-in last week and fears more breaks-ins will occur if it is not occupied. There were discussions about the sale of alcohol at the Carrizo Store. It was felt that the communities wanted a store there with or without the sale of alcohol. Cibecue Councilman Alsenay spoke on behalf of Cibecue residents having to travel long distances to get gas or groceries when the Cibecue store is closed or doesn't have the items they need. Campers also would use the store for supplies, etc. Attorney Jim Palmer added that an application would have to be done for a liquor license which would be the responsibility of the new manager of the store.

- Motioned by Jerome Kasey, seconded by Ralph Thomas to advertise lease of the Carrizo Store and to allow the sale of alcohol. Vote: 8-0-3 - Motion passed.

III. UNFINISHED BUSINESS

The Council deliberated the Medical Marijuana Project presentations that were delivered by Councilman Jerome Kasey and Vice Chairman Kasey Velasquez. Councilman Kasey presented Group One: Rez Meds LLC and The Vice presented Group 2: Raj Shah
The benefits of each group were discussed at length and measured carefully:

Group I

- The Tribe to Pay for the \$5,000 License Fee
- The Tribe to Pay for the \$20,000 Administration Paperwork Fees
- The Company will use the Tribes License to Grow Marijuana off the Reservation to run their business and to pay rental fees
- The Company to Pay the tribe five percent of Gross earnings
- Has More experience in Arizona with this of business

Group II

- The Company pays for the \$5,000 License Fee
- The Company pays for the \$20,000 Administration Paperwork Fees
- The Company Business Site is on the Reservation and

- The Company will provide 200 jobs for Tribal Members
- The Company will pay Five percent of gross earnings per year \$259,000
- The Company will build a state-of-the-art Dialysis Center
- The Company is proposing a 20-year agreement—Council would like to bring that down to ten years.

After much discussion, the Tribal Attorney General took a show-of-hands vote on the two proposals to see which direction the Council wanted to go. Group one didn't receive any votes, Group two received 6 votes.

- Motioned by Vice Chairman Velasquez, seconded by Jerome Kasey to approve a partnership with Raj Shah's Group for a Medical Marijuana Program with a proposal of a twenty-year agreement to be negotiated to ten years and Tribal Attorney to negotiate gross earnings percentage payable to tribe of five percent in escalating values in its duration and further for the company to work with the Cibecue Council on the Dialysis Center. Vote: 9-0-2. Motion carried.

Attorney Jim Palmer will get with Raj Shah and Company to proceed with applying for the license, etc.

Related Discussions:

- ✓ The attorney will send out RFP's to other dialysis providers in AZ to see if the tribe can build something on its own. However, that would involve added costs for lights, water, irrigation, and expertise for oversight of the project.
- ✓ Percentage to be paid to Tribe: The council would like a higher percentage than five percent offer.
- ✓ Twenty Year Agreement – The council would like to negotiate the time frame down to ten years.
- ✓ Update on Fresenius Dialysis Center – Councilman Jerome Kasey updated the Council on Fresenius with plans to build a dialysis center. The Company left saying their rate of return was not enough for them. They are able to get insurance that pay at a higher rate off reservation and have closed treatment centers on the reservations.
- ✓ Cibecue/Carrizo – a site has been established for a 5-bed facility in Carrizo and Cibecue. They are working on plans for this facility.

Other:

Sunrise Board of Directors: - Jim Palmer, Attorney General

A questioned asked of the council by Attorney Jim Palmer was if Dawnafe Whitesinger's resignation from the Sunrise Board of Directors was formally accepted by the council. She had apologized for her "outbursts" and wanted to remain a member of the Sunrise Board of Directors.

Mr. Jerome Kasey referenced a resolution that was passed by Council that no elected officials sit on the Boards and that Ms. Whitesinger was an elected official. Mr. Kasey and Jerold Altaha felt her resignation was accepted that day (September 21) when she announced her resignation.

This is a five-member Board and only three active members right now. The following tribal members were recommended to replace Ms. Whitesinger: Roger Leslie, Rochelle Lacapa, Brando Pusher. Other recommendations to fill one other vacancy were Gary Kiene of Eager and Barbara Bryce of Show Low. Attorney Jim Palmer will contact them to see if they are interested in filling the vacancies.

Evelyn Rossett, former Sunrise Board Member resigned from the Board and was fired from Pinetop Lakeside as Town Manager. It was reported there were concerns from Pinetop Lakeside Council about this individual.

A meeting was requested for Evelyn Rossett to meet with Council. Tribal council had concerns about the recommendation of Ms. Rossett for Sunrise General Manager. It was Council consensus and decision that the Sunrise Board at this point, does not have the full authority to make decisions on the future of Sunrise Resort because it's not a full board. Jim Palmer will contact Sunrise Attorney Kasey Douma to let him know there will be no meeting with Ms. Rossett and Tribal Council as requested.

Audit and Impending Completion Date of January 31, 2017

The Vice Chairman reported that 638 Program Managers are concerned about the audit deadline of January 31, 2017. There were concerns about what would happen if that deadline is not met with the audit. The Treasurer responded he has outlined plans and doing everything they can in his department to meet that deadline.

The Vice chairman directed the Treasurer to detail people from his department to help his office to save on costs. The treasurer stated they were working on completing the rebuild and getting the audit done.

The treasurer explained four opinions in the audit outcome:

1. Unqualified (striving for)
2. Qualified
3. Adverse
4. Disclaimer

Currently half of his staff are working at 64 and will be putting them to 80 hours and will ask for overtime pay for staff working on Saturdays and early mornings to work on this. The treasurer will try to get a weekly update to the council about the audit.

IV. ADJOURNMENT

Adjourned at 12:10 P.M.

Recorder: Doreen T. Numkena
Tribal Council Secretary



White Mountain Apache Tribe

December 5, 2016 - Special Meeting

Executive Conference Room

I. CALL TO ORDER

- A. Call to Order: Meeting was called to order at 11:15 A.M. by Chairman Lupe
- B. Prayer: A Prayer was offered by Councilman Ralph Thomas
- C. Roll Call: Present were: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Colleen Faden, Jerold Altaha, Ralph Thomas, Floyd Walker, Alvena Bush, Jerome Kasey (Everette Massey was absent.)
Attorneys: Jim Palmer

Vice Chairman Velasquez addressed the council in Apache and asked that his words remain confidential. He spoke about the subject to be discussed at today's meeting. The Council was advised to listen carefully to what is being said today and to contemplate carefully, the issues at hand.

II. REPORTS

- A. U.S. Fish and Wildlife Service – Regional Director - Dr. Benjamin N. Tuggle
Dr. Tuggle expressed his appreciation of the working relationship with USFWS and the WMAT; namely, the Central species of Mexican Wolf and Apache Trout at Alchesay. They value the partnership with WMAT. After expressing his appreciation, he presented an award to Chairman Lupe and WMAT specifically on the Mexican Wolf for the "fine working relationship" with the tribe. Dr. Tuggle stated the tribe has helped with a viable wolf population in the state. Chairman Lupe graciously accepted the award on behalf of the WMAT.

Discussion:

After the award was presented, the council discussed issues of concern:

- Issues are constituent-based. The Council has to listen to tribal members and their concerns regarding the wolf project.
- Diplomacy and good relationship with WMAT and USFWS
- Consider added language in the new contract
- Wolves driving Elk off the reservation--Cultural and economic impacts very high.
- Come to a compromise with USFWS in management of the project.
- Control and Communication of the project
- Great concerns for the water – needed for survival
- Questions on how the wolf project and water issues become combined

Dr. Tuggle assured the Council they respect the sovereignty of the nation. Any agreement that they enter into has to speak to how they support the endangered species and accomplish a latitude of



White Mountain Apache Tribe Emergency Meeting Minutes

January 17, 2017

Executive Conference Room

I. **CALL TO ORDER:**

- A. Call to Order: The meeting was called to order at 3:12 P.M. by Chairman Lupe.
- B. Prayer: Prayer was offered by Vice Chairman Velasquez
- C. Roll Call: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Coleen Faden, Ralph Thomas, Jerome Kasey, Everett Massey
Absent: Jerold Altaha, Alvena Bush, Floyd Walker
Attorneys: Fred Soto, Kim Cromwell, Kealoha Douma - Absent: Jim Palmer

II. **NEW BUSINESS:**

- A. WMAT Audit – News Article AZ Republic January 17, 2017

It was recommended by legal counsel that discussions be held in Executive Session due to confidentiality concerns.

Chairman called for executive session at 3:17 P.M.

It was the consensus of the Council that Mr. Ryan Smith, Lobbyist, write a response to the Arizona Republic regarding the article written by Dennis Wagner entitled "With Audits missing, feds threaten takeover of Ariz. tribe's programs". Attorney Fred Soto will see to it that the response is drafted by tomorrow.

III. **ADJOURNMENT:**

Meeting was adjourned at 5:00 P.M.

Recorder: Doreen T. Numkena
Tribal Council Secretary

balance. Their commitment to the tribe regarding drinking water and dam is very high. He told the council to feel free to depend on him if it feels things are not moving expeditiously enough.

Cynthia Dale recognized the staff with a letter of commendation from Dr. Tuggle. She stated they will begin work on Mexican Management Plan if tribe chooses to continue with the program. They hope to have someone work on the West end if more funding is received and if the program is approved. She stated this is a contentious program, and has never been easy.

Executive Session call for by Chairman Lupe: 12:05 – 12:30

Bob Brauchli discussed wolf project issues with Council.

Cheryl Pailzote will give details for the Denver meeting. Bob Brauchli Encouraged the Council attend the meeting in Denver. Information will be forthcoming.

B. Approval of Resolution for Non-Member Burial

Motioned by Vice Chairman Velasquez, seconded by Jerold Altaha to approve resolution for Non-Tribal Member Burial for Guy Joe Sands. Vote: 10-0-0. Motion passed.

III. Adjournment:
12:32 P.M.

Recorder: Doreen T. Numkena,