



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 for approval of the attached meeting minutes prepared from the Tribal Council meeting held on May 3, 2017.
- 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 May 3, 2017, as prepared and presented by the Tribal Council Secretary.

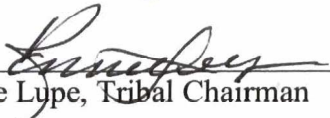
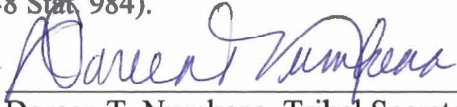
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on May 3, 2017, as prepared and presented by the Tribal Council Secretary

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 Federal Laws, 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 **July 12, 2017** duly adopted by a vote of **FIVE** for and **ZERO** against with **ONE** abstaining 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	<u>11/1/17</u> Date	 Doreen T. Numkena, Tribal Secretary	<u>11-1-17</u> Date
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White Mountain Apache Tribe

Regular Meeting Minutes

May 3, 2017 – 9:00 A.M.

Executive Conference Room

I. CALL TO ORDER:

- A. Call to Order: 9:18 A.M. by Chairman Ronnie Lupe.
- B. Prayer: Vice Chairman Kasey Velasquez
- C. Roll Call: Chairman Ronnie Lupe, Vice Chairman Kasey Velasquez, Tony Alsenay, Arnold Beach, Colleen Faden, Ralph Thomas, Floyd Walker, Alvena Bush, Jerome Kasey, Everett Massey (Jerold Altaha was excused – Travel)
- D. Approval of Minutes: April 5, 2017 Regular Meeting Minutes
Motioned by Vice Chairman Velasquez, seconded by Arnold Beach to approve minutes of April 5, 2017 as presented. Vote: 9-0-1 Motion carried.

II. REPORTS:

- A. Attorney's Report – Attorney General Jim Palmer
 1. Land Restoration Code: Amendment of Chapter 5. The attorney noted this amendment was approved by Council in 2007 but was never followed up on.
 - Motioned by Jerome Kasey, seconded by Arnold Beach to approve Resolution; Enactment of Ordinance 231, Amending the Land Restoration Code. Vote 9-0-1. Motion carried.
 2. New TERO Board Members: The TERO Board has one vacant seat that needs to be filled. The Council asked that TERO be consulted and to make a recommendation to fill the vacant seat.
 3. Approval of Posting of Ordinance No. 283, Amending the Rules of Criminal Procedure of the WMAT. A provision was added to the rules of Criminal Procedures where if a defendant is charged, the tribe would be responsible to provide them with legal counsel.
 - Motioned by Arnold Beach, seconded by Vice Chairman Velasquez to authorize the posting of Ordinance 283 as presented. Vote: 9-0-1. Motion carried.
 4. Approval of Posting Judicial Code, Ordinance No. 284. Amendment would allow tribe jurisdiction to prosecute non-tribal members in tribal courts.
 - Motioned by Jerome Kasey, seconded by Colleen Faden to post Ordinance 284 for public comment. Vote: 9-0-1. Motion carried.
 5. Support Letter for David Bernhardt : Mr. Bernhardt is being considered for US Deputy Secretary of the Interior. Attorney Jim Palmer recommended it would in the best interest of the tribe to write a letter of support for his nomination to the U.S. Deputy Secretary of the Interior.
 - Motioned by Vice Chairman Velasquez, seconded by Arnold Beach for Tribe to write a letter of support as recommended. Vote: 9-0-1. Motion carried.

Other Discussions involved:

- Burial Assistance with funds received from Ronald G. Ferguson Trust. The Burial Assistance with Funds through Social Services not available to tribe. Concerns about tribal members' financial struggles with meeting mortuary and burial fees for death of family members.

- Greg Dazen: Mr. David Kitcheyan (in attendance at meeting) was directed by Council to immediately reinstate Mr. Dazen to his position fully as was before he was suspended. Mr. Kitcheyan acknowledged the directive.
- Sensitive Species non-compliance, Cynthia Dale needs to be reinstated in to that position.
- CBO: Abby Burnette spoke about some concerns regarding CBO. The council asked that a special meeting be scheduled to discuss these issues in more depth. Meeting was scheduled for May 8, 2017.

B. Head Start Report – Leola Larzelere, Director

Navajo Board of Supervisors to recognize Head Start on May 9, at Holbrook. We are at start 4, highest is 5. The main issue of concern is the financial report. Because tribe is on cost reimbursement the Head Start would not getting money in amount of \$2 million. The Vice Chairman commented other grant applications have been denied for the same reason. There were discussions on the SF425 not being turned in each month; Bank reconciliations having to be done monthly to see if checks are cleared. Deron acknowledged and is aware of the problems. He commented on bank reconciliations, if they had separate a bank account it would be easy but due to so many programs going to bank account it is challenging. The director stated the money is there, but they are waiting on the documents.

C. Native Women Scholarships, Inc. Report - President Ron Lamar, Eric Kramer

Report not given – Mr. Lamar and Mr. Kramer were not in attendance of meeting.

D. Theodore Roosevelt School Report – Gwendena Gatewood and School Board (after Lunch Break)

The School Board reported positive things were happening at TR School. The money received from Resolution Copper was used for an awards dinner, Smart Boards for classrooms and school supplies. Boys and girls did very well in sports. They have fewer problems with drugs this year. They have shown much improvement not only in sports but academically as well. *The meeting was moved into executive session to discuss finances. Motioned by Vice chairman and seconded by Ralph Thomas.*
Executive Session: 1:46 – 2:32 P.M.

IV. NEW BUSINESS:

A. Reconfirm Public Safety Pension Plan – 401K - Lolita Fall- Coordinator

Robert Yoder is attorney for the Plan. This plan would allow people to retire and continue to work in another job under the tribe. The treasurer informed council there is a resolution in place for this and to amend that resolution and add another “Whereas” allowing people to work after retirement. After discussion and careful consideration of this plan, the council took the following action:

- Motioned by Arnold Beach seconded by Vice Chairman Velasquez to amend the existing resolution to allow people to retire and to continue to work after retirement. Vote: 7-0-3. Motion carried.

B. Johns Hopkins Program: Grants, TPP Film Permit, Native Vision – Francene Larzelere

Resolution: NIH/NIMH Grant Proposal for Celebrating Life

This is a Mobile app that would allow for immediate access to someone for help for mental health care. Ms. Larzelere asked for permission to submit grant application to NIH/NIMH.

- Motioned by Jerome Kasey, seconded by Ralph Thomas to approve the submittal of the grant application as recommended. Vote: 9-0-1. Motion carried.

- Request to Create short Promotional Video for the Respecting the Circle of Life Program by the Office of Adolescent Health

This item was put on HOLD. The council requested a resolution be presented for this item before approval.

Native Vision Walking Trail:

Funds have been made available to create a walking trail to promote physical activity and exercise. Because of its proximity, it was concluded by the council that the Fairgrounds is the best and the safest area for a walking trail.

- Motioned by Jerome Kasey, seconded by Arnold Beach to approve Fairgrounds area for a new walking trail. Vote: 9-0-1. Motion carried.
- Narch X Grant application. It was approved by consensus of the Council to amend the approved resolution to add Group A Streptococcus and S. Atreus to the resolution.

Reconvened at 1:35 P.M

C. Authorization of Posting Ordinance No. 282 – Elmer Lamson

Mr. Lamson requested for posting of Ordinance 282 which changes some of the language in classification of sexual offenses and sex offender registration criminal code.

- Motioned by Arnold Beach, seconded by Colleen Faden to approve posting of Ordinance No. 282 for public comment. Vote: 8-0-2. Motion carried.

D. Approval of Rodeo Bible Camp and Use of Fair Grounds/Rodeo Arena – Vice Chairman Velasquez

July 27-30 2017, Fire on the Mountain Church Cowboy Ministries will be sponsoring this event. Insurance and electric services will be their responsibility. Requesting one Police Officer and an EMS employee \$300/day. Would like to have porta-johns donated to them as in-kind services.

- Motioned by Jerome Kasey, seconded by Vice Chairman Velasquez to approve the use of the Tribal Fairgrounds for Rodeo Bible Camp. Vote: 8-0-2. Motion carried.

E. Concerns of Unlicensed Business Activities on the Reservation-Vice Chairman Velasquez

There are unlicensed individuals coming on the reservation repossessing vehicles. There is no resolution with regard to this, pending Council decisions on how to address the issues. Only one company is approved to be here to do business which is from Navajo Recovery- John Teyeck.

Discussions:

- Harrassment and intimidation of tribal members
- Tribal members being used to help locate vehicles. They need to be licensed also.
- John Tenyeck's approved license to do business as a "middle man" with bank and tribal members. Concerns about his taking of vehicles off the reservation which is not part of the resolution. Mr. Tenyeck explained if we put them in contact with the bank and if they cannot make an arrangement, the tribal member signs a voluntary surrender and that's the only time we take the vehicles. Council reiterated the resolution doesn't say he can take vehicles.
- Discussions on punitive measures against these unlicensed individuals such as impoundment of their vehicles, imposing a large fee if not licensed and charge with disorderly conduct.
- Attorney Fred Soto said the Council can pass a resolution for non-tribal members that violate tribal laws and they can be escorted off the reservation. Chief Webster concerned about having no secure place to store impounded vehicles. Civil codes need to be in place so these individuals can be escorted off.
- Legal department was instructed to draft a resolution for unlicensed persons coming on reservation for repossession of vehicles. A question was asked since a resolution was passed for

John Tenyeck, which would stand the old resolution or this new one? Attorney Fred Soto responded, this new resolution doesn't supersede, they would work hand in hand.

- F. Transfer of Old Land Building – Mark Altaha – THPO
No action taken. Mr. Altaha was not present.
- G. Research Approval: Housing Neighborhood & Health on WMA Reservation – Dr. Tennille Marley
Dr. Tennille Marley, Assistant Professor at ASU. There were discussions on the research and interviews that Dr. Marley wished to conduct on the reservation and what her intent is to do with the research and if it would be published. The Council requested that if her project were to be published that she approaches the council first for its permission to do so. She assured them she would.
- Motioned by Jerome Kasey, seconded by Ralph Thomas to authorize the research project for Dr. Tennille Marley and publication is contingent on Council approval. Vote: 7-0-3. Motion carried.
- H. Approval of IGA Auto Aid Agreement Renewal – Fire Chief, Mark Tessay
No action taken. Mr. Tessay was not present.
- I. Request to Film Domestic Violence Walk – June 22-25, 2017 – Johns Tsosie
Johns Tsosie – founder of "Walking the Healing Path". A walk against violence walk is coordinated each year. Whiteriver was chosen this year for this event. Mr. Tsosie asked for permission to film this walk. Waivers will be signed by participants. The walk is a ten-day event beginning in Window Rock and ending in Whiteriver at the Activity Center. The filming is on voluntary basis and will not get money for it.
- Motioned by Jerome Kasey, seconded by Arnold Beach to approve the filming of this event. Vote: 8-0-2. Motion carried.
- J. Approval of Land Applications – Raymus Albert – Land Board President
Jerome Kasey asked about #4 – Division of Transportation – pending survey, should this be approved today? Mr. Albert responded it is about 127 acres, not being used and have no use for it. Numbers 5, 6 & 13, the individuals are deceased. Mr. Albert didn't know what will become of those plots of land.
- Motioned by Jerome Kasey, seconded by Arnold Beach to approve land assignments as presented including Numbers 5, 6 & 13 of deceased individuals whose families can take care of through probate. Vote: 8-0-2. Motion carried.
- K. Approval of Enrollment – Phoebe Nez, Vital Records
Motioned by Jerome Kasey to go into Executive Session at 4:45 P.M.
Out of executive 4:50.
- Motioned by Arnold Beach, seconded by Vice Chairman Velasquez to approve 25 applicants for tribal enrollment as recommended. Vote: 9-0-0. Motion carried.
- Relinquishments:
- Motioned by Jerome Kasey, seconded by Vice Chairman Velasquez to approve Relinquishment request for Heide Alyssa Blaine. Vote: 8-0-1. Motion carried.
 - Motioned by Vice Chairman Velasquez, seconded by Arnold Beach to approve Relinquishment request for Lucia Allison Burnette. Vote: 7-0-2. Motion carried.

- Motioned by Jerome Kasey, seconded by Vice Chairman Velasquez to approve Relinquishment request for Corlene Yvette Cooley Moody. Vote: 9-0-0. Motion carried.
- Motioned by Jerome Kasey, seconded by Alvena Bush to approve Relinquishment request for Maximus Peter Smith. Vote: 8-0-1. Motion carried.
- Motioned by Jerome Kasey, seconded by Vice Chairman Velasquez to approve Relinquishment request for Tonya Lee Nosie Truax. Vote: 8-0-1. Motion carried.

V. Adjournment:

Chairman called for adjournment at 4:55 P.M.

Recorder: Doreen T. Numkena
Tribal Council Secretary