



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 meetings held on March 6, 2019; and
- 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 March 6, 2019, 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 March 6, 2019, 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 **APRIL 24, 2019** duly adopted by a vote of **NINE** for and **ZERO** against with **ZERO** 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).

Gwendena Lee-Gatewood, Chairwoman

5/6/19
Date/

Doreen T. Numkena, Tribal Secretary

5/6/2019
Date



White Mountain Apache Tribe

Regular Meeting Minutes

March 6, 2019 – 9:00 A.M.

Executive Conference Room

I. CALL TO ORDER:

- A. The meeting was called to order at 9:10 A.M. by Chairwoman Gwendena Lee-Gatewood
- B. Prayer was offered by Jerold Altaha
- C. Roll Call: Roll Call: Chairwoman Gwendena Lee-Gatewood, Vice-Chairman Jerome Kasey, Arnold Beach, Travis Tessay, Jerold Altaha, Renaldo Dazen, Alvin Declay, Ralph Thomas, Gary Alchesay, Alvena Bush, Everett Massey
Attorneys: Kealoha Douma, Kim Cromwell
- D. Approval of Minutes: Motioned by Jerold Altaha, seconded by Travis Tessay, to approve minutes of Feb 6, 2019 as written. Vote: 10-0-0 Motion passed.

II. REPORTS

A. Attorneys Report:

- Enact Ordinance 293 – Health and Safety Code

The Ordinance was posted for ten days in public places in Districts I, II, III, IV for public review and comments. The Council Secretary reported no comments were received.

Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to approve resolution, Enactment of Ord. No. 293, Amending the Health and Safety Code of the WMAT

Vote: 10-0-0. Motion passed.

DOC Evacuation: Attorney Douma reported that on February 20, DOC was evacuated from the Detention Center in Ft. Apache due to safety concerns for staff and inmates. The bricks had started to fall off and exposed the beams. There are cracks in the floors and walls and cracks throughout the building. It was determined the building belongs to BIA as it is on their inventory. It is BIA's responsibility to get a structural engineer to assess the building and is responsible for making the repairs. Housing did a safety inspection and found several issues with the building. The Staff were moved to the substation at Hon Dah and Chief Webster was able to provide some space in his office building for a couple of days. The inmates were transferred to the Holbrook Facilities and Apache County Facilities. Changes to the 638 Contract have to be made if the inmates continue to be housed off the reservation. There were discussions about getting a new building for the Department of Corrections rather than doing repairs to the existing building as it would only be a temporary fix. BIA superintendent reported BIA had received a quite bit of funding already for the building just this past week. Money was also received for the roof. They will procure a structural engineer to assess the building.

Third party billing update: Attorney Douma reported Division of Health, Rainbow Treatment Center are doing their-own third party billing. Rainbow Treatment Center will start providing services to Diabetes Center and CBO. EMS has begun doing in house third-party billing. This benefits the tribe by keeping the money here rather than sending the work off the reservation. There are possibilities that RTC may provide 3rd party billing services for other tribal programs. This is information only for the Council and do not need to do a resolution.

It was requested by a Council member to have a workshop for the Council to learn more about third party billing and to better understand the services.

B. Monthly Finance Report – Treasurer, Deron Peaches

Motioned by Travis Tessay, seconded by Renaldo Dazen for Executive Session. 10:13 A.M.

Motioned by Arnold Beach, seconded by Ralph Thomas to come out of executive - 10:50 A.M.

- Resolution: Authorize transfer of Funds from OST Accounts JA9312107 and PC9950648 into account PL7226704

Motioned by Ralph Thomas, seconded by Alvin Declay to approve resolution for transfer of funds as presented. Vote: 9-0-2 Motion passed.

- Resolution: Authorize Treasurer to Use Carbon Credit Funds to make Monthly Medical Payments.

Motioned by Ralph Thomas, seconded by Alvin Declay, to approve resolution authorizing the treasurer to use Carbon Credit funds to make monthly medical payments. Vote: 9-0-2 Motion passed.

Motioned by Arnold Beach seconded by Travis Tessay to go back into executive. 10:56 p.m.

Motioned by Beach, seconded by Travis Tessay to come out of executive session. 11:30 A.M.

C. Head Start: Written Report – Leola Larzelere, Head Start Director

A written report was submitted.

D. Presentation of Adverse Childhood Experiences. – Michelle Martinez

Emily Gaffney-Nurse Practitioner, Bonnie Tenijeth-Patient Advocate

Ms. Gaffney reported they are involved with Johns Hopkins and ABHS in this project. This is a study addressing how to improve mental and physical health in the communities. There are studies being done on why do things that happened to us as kids affect our health as adults. It's important that we address these things with adults and kids and talk about prevention. Ms. Gaffney stated one of things they are doing at the hospital is focusing on suicide and mental health. They are trying to become a trauma informed hospital. That means educating the entire staff at the hospital. AZ working on ACE informed Care. Recognizing trauma. The first step is awareness and education. Ms. Gaffney explained the initial study was done in California and implementing the practice as a result of that study. There are 26 lessons and available for review by video 1-5 minutes in length if the Council is interested in viewing them. It can be arranged with the Tribal Council Secretary.

Special Recognition: Vee Kindelay retired after 40 years of service to the tribe. The council was invited to the Chairwoman's office for cake to celebrate.

E. Washington D.C. Trip – Informational Update – Chairwoman Gwendena Lee Gatewood

The Chairwoman reported they will look into the infrastructure at Hon Dah for future homes on tax credit and see if they eligible for water and the waste water system. Regarding the new Health Care Facility, because of the government shutdown the planning for the project was delayed but expect it to be completed by July 2019 and submitted for review and approval. They are planning to have funding appropriated and available by October 2020. This process will take some time. The cost is \$400 million for the new hospital at 400,000 sq. ft. She reported they have challenges but are working through it. They are ready to get started on this new hospital with planning phases and they are starting on the design.

C. WMAT Head Start COLA Approval - Leola Larzelere.

Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to approve resolution, Authorizing WMA Head Start Program to Apply for 2019 Cost-of-Living Adjustment Vote: 11-0-0. Motion passed.

Motioned by Jerold Altaha, seconded by Renaldo Dazen to approve resolution, 2019-2020 Head Start Enrollment--Poverty Guidelines. Vote: 11-0-0. Motion passed.

III. UNFINISHED BUSINESS

A. Approving 2019 Ceremonial Sunrise Dance Schedule

- Motioned by Vice Chairman Kasey, seconded by Renaldo Dazen to approve 2019 Sunrise Dance Schedule Resolution as presented. Vote: 8-0-3 Motion passed.

There were much discussions on the locations of the Sunrise Dance Ceremonies. Should restrictions be imposed due to safety concerns and accessibility to the remote areas by emergency vehicles. There were also concerns about camps in forested areas during extreme fire danger periods. The Environmental Department had concerns about fences being cut and Game and Fish having to do the repairs. The camps do not always get torn down and debris left behind. Should the dances only be allowed in the local designated or existing dance grounds and/or personal cornfields. The discussions offered no resolve so the council took action only to approve the scheduling of the sunrise dances as presented by resolution.

IV. NEW BUSINESS

A. Johns Hopkins: Approval of 1 Grant Proposal and 4 Manuscripts, Francene Larzelere
Resolution: SAMHSA Grant Proposal

- Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to apply for SAMHSA Grant. Vote: 11-0-0 Motion passed.

Resolution: Authorizing Publication of Certain Manuscripts by Johns Hopkins Personnel

- Motioned by Jerold Altaha, seconded by Ralph Thomas to approve publication of manuscripts. Vote: 11-0-0 Motion passed.

B. Approving a Location Release, Materials Release, Appearances Release, and Commitment Letter for the People's Farm and Brentwood Communications International, Inc., for "The Fixers" Television Production -- Michael Henry

Michael Henry reported the resolution had been drafted. He responded "yes" when Attorney asked him if the company had already done the work. The resolution is valid from today forward. Attorney had reviewed the resolution and the company received their film permit. She continued we have never approved anything for this company. The permit does not cover the location and appearances. One council member stated it should have been approved by the Council first and that it was being done backwards. Attorney Douma explained the Materials Release is the issue today. That will allow them to release it to T.V. or other media and to take out the appearance and location release as that has already been done. Gary Alchesay moved to table this item, seconded by Vice Jerome Kasey to get more information. The Chairwoman asked if all were in agreement to table. Councilman Beach was opposed to tabling the matter. The Chairwoman tabled this item due to many unanswered questions.

- E. Approval of Grant Submission and Acceptance of Funds – SORNA Elmer Lamson
Motioned by Jerold Altaha, seconded by Travis Tessay to approve resolution, Approving the Application and Accepting Grant Award for the SMART FY 2019 Support for Adam Walsh Act Implementation Program. Vote: 9-0-2 Motion passed.
- F. Approval of Land Applications
Motioned by Jerold Altaha, seconded by Renaldo Dazen to approve, Land Board's Recommendation for 23 Applicants as presented. Vote: 10-0-1 Motion passed.
- G. Establish a Website/Media Policy – Jacqueline Lee
Resolution: Approving Adoption of a Social / Electronic Media Policy
Committee: Misty Mills, Marlinda Clendon, Derrick Leslie, Emery Real Bird (Policy Consultant by contract), Richard DiValentino, Cynthia Dale and others not in attendance today.
Jackie Lee read the resolution aloud Approving Adoption of a Social Media/Electronic Media Policy. A copy of the proposed Policy "WMAT Website, Social and Traditional Media Policy" was presented to the Council for its review. She explained the process of how the committee formed the policy. A survey was sent out to all employees and a letter was written to all employees for their input. The Committee and Council discussed this matter in depth. There were many concerns expressed. The Tribal Council were not against the Policy but would like to review and discuss the matter further for a better understanding of the policy before approving it. It was agreed that this would be presented at the Supervisors' meeting on Monday as a topic of discussion. It will also be presented at the Council Work Study Session on Friday, March 15.
- H. MOA Between ITCA and EPO for RMSF Activities - Brenda Begay:
Motioned by Vice Chairman Kasey, seconded by Jerold Altaha to approve the resolution. Vote: 9-0-2 Motion passed.
- I. Approval of Master Lease for Hon Dah Land Site – Ginger Preston, WMAHA
Motioned by Jerold, seconded by Travis to approve resolution for Hon Dah Land Site. Vote: 10-0-1
- J. Approval of Master Lease for Turkey Creek Land Site - Ginger Preston, WMAHA
Ginger Preston explained the reason for presenting the Turkey Creek Land site. It ahead of time because they have the funding. Initially they wanted to build at Turkey Creek. Nineteen homes at Turkey Creek, but moving project to Hon Dah. They are planning to do in it five phases. The project location of the homes was moved to Hon Dah because more feasible for water and sewer infrastructure. Dorothy Parker stated the project at Turkey Creek planned in two years.
Motioned by Jerold Altaha, seconded by Travis Tessay, to approve resolution for Turkey Creek Land Site. Vote: 9-0-2 Motion passed.

K. Approval of Low Income Tax Credit Program – Ginger Preston, WMAHA

- Motioned by Jerold Altaha, seconded by Renaldo Dazen to approve resolution for Low Income Tax Credit Program. Vote: 10-0-1 Motion passed.

L. Authorizing WMAHA Loan from WIFA's Clean Water Revolving Fund - Ginger Preston, WMAHA

- Motioned by Jerold Altaha, seconded by Renaldo Dazen to approve the WIFA Loan for WMAHA. Vote: 10-0-1 Motion passed.

M. Tribal Enrollment Applications / Relinquishment(s) - Phoebe Nez

Motioned by Jerold Altaha, seconded by Travis Tessay to go into executive session. 4:11 P.M.
33 enrollment applications were presented for review.

Motioned by Arnold Beach, seconded by Jerold Altaha to come out of executive session. 4:17 P.M.

- Motioned by Arnold Beach, seconded by Jerold Altaha to approve 33 enrollment applications as presented. Vote: 10-0-1 Motion passed.

Relinquishment(s):

- Motioned by Jerold Altaha, seconded by Renaldo Dazen to approve relinquishment of headrights for Angellisa Jamesa Hoffman. Vote: 6-4-1 Motion passed.

Motioned by Renaldo Dazen, seconded by Vice Chairman Kasey to go into executive session. 4:20 P.M.

Attorneys Report:

- ◇ Gaming update: SB 1160, SB 1162, SB 1163
- ◇ Carbon Credits & MRV Dispute
- ◇ Rural Water System

Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to come out of executive session. 4:45 P.M.

- Motioned by Arnold Beach, seconded by Vice Chairman Kasey to approve resolution, Opposing Amendments to Arizona Senate Bills 1160 and 1163 and to include SB1162. Vote: 11-0-0 Motion passed.

Motioned by Renaldo Dazen, seconded by Arnold Beach to go into executive session. 4:47 P.M.

- Rural water system: Brando Pusher

V. ADJOURNMENT:

The Chairwoman called for adjournment at 4:55 p.m.

Recorder: Doreen T. Numkena, Tribal Council Secretary