



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 July 3, 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 July 3, 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 July 3, 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 **OCTOBER 2, 2019** duly adopted by a vote of **ELEVEN** 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).

Handwritten signature of Gwendena Lee-Gatewood in black ink.

Gwendena Lee-Gatewood, Chairwoman

10/2/19

Date

Handwritten signature of Doreen T. Numkena in black ink.

Doreen T. Numkena, Tribal Secretary

10/2/19

Date



White Mountain Apache Tribe

Regular Meeting Minutes

July 3, 2019 – 9:00 A.M.

Executive Conference Room

I. CALL TO ORDER:

- A. The meeting was called to order at 9:16 A.M. by Chairwoman Gwendena Lee-Gatewood
- B. Prayer was offered by Travis Tessay
- C. 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, Amy Mignella
- D. Approval of Minutes: Motioned by Jerold Altaha, seconded by Vice Chair Kasey to approve minutes of June 12, 2019 as presented. Vote: 11-0-0. Motion passed.
Note: The Chairwoman added to the minutes of June 12 that she had issued a letter to Councilman Declay reiterating the main points of what Council stressed regarding accountability.

II. REPORTS:

- A. Update Report on New I.H.S. Facility – Phoenix Area Director – Adm. Ty Reidhead
Dr. Reidhead reported that the I.H.S replacement hospital will be the biggest hospital built by Indian Health Service costing over \$350 million. He spoke of going through a long process with tribal council to select a site and he is hopeful and confident that it is a right site. The Phase II environmental assessment is completed and submitted to headquarters and should be completed in next month or so. The draft project justification and operations summary, has been submitted and will be completed by next week. These reports go to headquarters in Maryland and a team reviews them. The team will come for an on-site visit at end of July or early August to go over documents. He reported everything is on track. \$19 million for design was received. He explained Whiteriver I.H.S. is in competition with Gallup for funding and design but Whiteriver is ahead of them. It's also dependent on the on-going appropriations by Congress. Over the next five years the appropriations coming from Congress to build facilities for I.H.S. is going to affect how the progress is going to go as far as building it. He didn't think there is anything in the way for getting the facility built. They are looking at 5-6 years before it is up and operating.

Other topics discussed:

- Space dedicated specifically to Johns Hopkins
- Design and Justification
- Space to do high risk deliveries – C Sections
- Transfers for Specialty Surgeries to be done in the valley
- Creation of New Jobs – Indian Preference, Not WMAT Preference
- Dental Services – limited services
- Emergency Room – Waiting time
- Renovation of Current Hospital
- Hospital Updates to Council – Jessica Ruldolfo (hasn't reported)
- Cibecue Clinic and Emergency Care/Transport for Trauma Patients

Travis Tessay volunteered to go to the Health Board Meetings and to report back to the Council.

B. Attorney's Report: A.G. Kealoha Douma (Discussions in Executive Session)

Motioned by Vice Chairman Kasey, seconded by Arnold Beach for Executive Session. 10:21 A.M.

- Exclusion of Non-Tribal Member
- Non-Tribal Burial Request

Motioned by Vice Chair Kasey, seconded by Renaldo Dazen to come out of Executive Session-- 10:40 A.M.

Exclusion of Non-Tribal Member

- Motioned by Vice Chairman Kasey, seconded by Jerold Altaha for exclusion of non-tribal member, Anthony Koonce from the Fort Apache Reservation for reasons discussed in Executive Session. Vote: 11-0-0. Motion passed.

Non-Tribal Member Burial Request

- Motioned by Vice Chairman Kasey, seconded by Renaldo Dazen to approve burial of non-member burial of infant Rolando Justin Henry, Jr. at the Running Water Cemetery in Cibecue, AZ. Vote: 11-0-0 Motion passed.

Other Business: - A.G. Kealoha Douma

AOC- The attorney reported that there are three wastewater treatments in Whiteriver, Hon Dah and Sunrise and that a payment needed to be made of \$150,000. Sunrise will take care of its own. It was her recommendation to split the amount evenly between Hon Dah, Housing Authority and Utility Authority at \$50,000 each.

- Motioned by Vice Chairman Kasey, seconded by Jerold Altaha to allow payment of \$50,000 by WM Housing Authority, WM Utility Authority and Hon Dah Resort to help offset AOC. Vote: 11-0-0 Motion passed.

The Chairwoman apprised the Council of a letter written to Alfred Walker at Water Resources. He was cautioned to work with other entities and report to them. Everything goes back to EPA. We're under their radar. The supervisors and directors have to report to the other folks they work with.

C. WMAT Financial Report - Treasurer Deron Peaches

Motioned by Travis Tessay, seconded by Jerold Altaha for executive session. 10:48 A.M.

A Special Meeting was scheduled for July 9, at 9:00 A.M. for Financial Report. No action taken.

Motioned by Vice Chairman Kasey, seconded by Renaldo Dazen to come of executive session. 10:58 A.M.

D. Monthly Head Start Report – Written Report – Director, Leola Larzelere

A written report was submitted by the Director.

E. Health Benefits Financial Plans - Jack Bender, Consultant

Mr. Bender reported the debt at the beginning of year was 1.4 million and were able to bring it down to 1.2 million. Funding has been much better in bringing down the debt. They are making inroads on \$288,000 a month to cover everything and have been able to keep up. He reported there have been no large claims at all. The enterprises are up to date on claims.

There are no outstanding claims for TRS, Cibecue, the Casino or Housing Authority. He spoke about errors in payroll and money taken out of employees' paychecks incorrectly, but said it has been cleared up and money have been returned to employees. They are working on and looking into the following benefits for the tribe:

- 403B Pricing model for pharmacy benefits
- Tribal-wide life insurance policy
- Tribal members cost for funeral expenses
- Population health management program

F. Chemawa Indian School Update Report– Councilwoman Alvena Bush, School Board Member Councilwoman Bush reported she has been a School Board Member since 2015. She reported on the history of the school and said it opened in June 1885 and is the oldest continuing off-the-reservation boarding school in the U.S. Current student enrollment is at 438 in grades 9-12. She said it was a school for troubled kids but it has changed and is doing very well educationally. The students have made progress and doing well in reading and math. There was a total of 47 WMA students attending and seven graduates this year from Chemawa.

G. Report on Free Ranging Horses and Burros – Sisto Hernandez – Range Mgmt Specialist

Sisto Hernandez reported last April he was contacted by U.S. Senate Conflict Resolution Committee regarding Salt River wild horse issue. They were interviewing Native Americans to have a better sense of what all points need to be considered in the management of those identified by State of AZ as wild horses and needing to be protected. They recommended him to serve on the committee. He will help with a management plan for those animals. He reported this was a serious issue. The Salt River and Gila River Tribes have problems with horse advocate groups and other environmental groups that have an interest in that. The American wild horse campaign and AZ Wild Horse Collaborative are making things make it very difficult for those tribes. He explained the tribe needs to take proactive steps to manage and reduce those animals on our reservation. Their next area of focus will be in the Heber wild horse territory for the wild horse advocacy groups. They are very opposed to horses and very opposed to grazing and any animal husbandry. They are opposed to Rocky Mtn. Elk not native to AZ and NM area and that they need to be extricated from this area. Mr. Hernandez spoke of getting odd communications from the co-founder of the Center for Biological Diversity asking questions about claiming horses in the Wallow Fire burn areas. He said he did not respond to the caller's questions. Mr. Hernandez discussed these matters with the Attorney General and was advised to direct all calls to the Attorney General as the intent of the caller is unknown. He advised the Livestock Associations to direct any calls from this group to the Attorney General's Office. Mr. Hernandez said he had advised the chairwoman discussed the matter with her.

H. USDA Natural Resources Conservation Services Report – State Conservationist Keisha Tatem

Keisha Tatem is the authorized official to enter into government-to-government relationships with tribes. Arizona and all of Navajo Nation are in her jurisdiction. There is an office on the reservation and "Jan" is the contact person to give technical support. She explained the Natural Resources Conservation Service improves the health of our nation's natural resources and provides technical assistance. Their main focus is to work the land and to address natural resources, water, animals, plants, air and energy. The Farm Bill gives authority and appropriations to provide financial assistance. The main program is called EQUIP. Native Americans are reimbursed for up to 90% for cost share. After explaining the program, some of the topics discussed were: Services provided after Chedeski Rodeo Fire, Cedar Creek Range Unit Brush Management, Fence Installation, Pipeline Installation, Streamline Restoration, and Irrigation. There were discussions on open ditch concept for

delivering water for irrigation as it is less expensive than an irrigation system. Ms. Tatem explained this is a "fix program" meaning they go in and fix them, not install where there was none before. District 1 Council referred to a resolution which prevented them from applying for a grant but Mr. DiValentino stated if the Council wished, he could do an application today as the resolution does not prohibit it. After much discussion, the Chairwoman stated, "if there is no conflict District One will apply through Land Operations". There were no objections to this.

I. Apache Diabetes Wellness Program Update Report – Jessica Rudolfo / Shannon Tsosie

Jessica Rudolfo reported in 2014-15 there were issues of applying for a grant which was a loss of \$1.6 million for the Tribe. They started a program on their own so they could continue to provide services and education on the reservation. They created a program where they would be able to bill AHCCCS for third-party reimbursement. In their first year they brought in \$1.4 million and the next year at \$1.8 million which was above what they were getting with the grant.

Shannon Tsosie -Diabetes Wellness Director, explained in Fall 2016 they created a program that would teach people about diabetes and prevention. They trained their staff to become behavioral technicians as a way to become eligible for third-party billing and reimbursement for services they were providing. She spoke about the center's contingency management program. She explained it was a program where individuals who attend a 30-40 minute class earn tokens they can redeem in their store for personal items, propane vouchers and certificates for H Market. She spoke about hiring licensed professionals. They require a Master's Degrees in psychology or in social work for counseling, diagnosing clients and to assess clients with mental disorders. She added, these services help to make money for the program. There were questions and discussions about duplication of services with ABHS. Jessica Rudolfo and Ms. Tsosie explained there are no duplication of services as the scope of work is different. Primary mental health goes to ABHS and primary substance abuse goes to RTC. However, both fall under the mental health category. Both do offer mental health services, both institutions have psychologists, psychiatrists and licensed in behavioral health professions at the State level.

Ms. Tsosie explained they are doing something different, as they are using the gym and exercise as therapy for them. Studies show exercise will help with moods. Challenges: Electronic Medical System, Pay Scale disparity with ABHS, RTC and Wellness Program technicians.

Consent Agenda:

- Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to introduce a consent agenda and to approve Items Unfinished Business III A through New Business IV- M. Vote: 9-0-1 Motion passed.

(The Chairwoman explained the consent agenda. You move on the items now, and pass all at one time. We can separate items. If you support applications for grants or procedural land assignments have been reviewed.)

III. UNFINISHED BUSINESS

- A. Approval of Land Board's Recommendation for (18) Applicants
- B. Approval of Land Board's Recommendation for (11) Applicants
(Approved by Consent Agenda)

IV. NEW BUSINESS

The following items were approved by Consent Agenda:

- A. Approval of Housing Preservation Grant for Veterans – WMAHA, Emmie Cromwell
- B. Authorizing Deputization of Law Enforcement Officers from Partnering Jurisdictions During the Tribal Fair and Rodeo Week – Acting Chief of Police T. Shaw
- C. 2019 Fair and Rodeo Budget for Police Department - Acting Chief of Police T. Shaw
- D. Authorizing the Police Department to Apply for the FY 2019 BIA Highway Safety Program Law Enforcement Grant - Acting Chief of Police T. Shaw
- E. Authorizing the Police Department to Apply for the FY 2020 BIA Highway Safety Program Law Enforcement Grant - Acting Chief of Police T. Shaw
- F. Authorizing an Amendment to Dishchii' Bikoh Community School Lease to Add 1/3 Acre and Confirming Ownership of the Blue Building – Cibecue School Supt. – Marylou Arena
- G. Authorizing the Division of Transportation to Apply for the Better Utilizing Investments to Leverage Development Transportation Discretionary Grants Program for Rt. 12 Cibecue Road – DOT Director – Tara Chief
- H. Authorizing the Division of Transportation to Apply for the Bus and Bus Facilities Program Grant through ADOT in the Estimated Amount of Between \$200,000 and \$300,000 – DOT Dir. Tara Chief
- I. Approving Request to Utilize Haystack Area for a Sunrise Dance – Mitzi Tolino Bonito (Sponsor)
Dates Requested: September 13-15, 2019
- J. Approving the Tribe's Participation in the Rural Activation and Innovation Network's Science, Technology, Engineering and Mathematics Identity in Northern AZ Community Study – Librarian, Darryl Quesada
- K. Authorizing Tribal Departments, Leaders, and Employees to Apply for Science Technology, Engineering Mathematics "STEM" Mini-Grants Offered through the Rural Activation and Innovation Networks– Librarian, Darryl Quesada
- L. Authorize PL 93-638 Contract for Design Services Related to Safety of Dams Modifications at A-1, Bootleg, Cooley, and Davis Dams – Land Ops. Mgr., Rick DiValentino
- M. Approval of Resolutions and Manuscripts – Narch Director Francene Hinton
 - Amendment to Group A Streptococcus (GAS) Study
 - 2nd Amendment to Staphylococcus Aureus Research Study
 - Authorization Publication of Certain Manuscripts by Johns Hopkins Personnel
 - Empowering our People: Depression, Violence, and Sexual Risk Experiences . . .
 - Efficacy, Safety and Immunogenicity of a Pneumococcal Protein-Based Vaccine . . .
 - National Institutes of Health (NIH) Grant Proposal
- N. Tribal Enrollment Applications:

Motioned by Jerold Altaha, seconded by Alvin Declay to go into executive session – 3:33 P.M.
Motioned by Jerold Altaha, seconded by Alvin Declay come out of executive session. 3:40 P.M.

 - Motioned by Jerold Altaha, seconded by Vice Chairman Kasey to approve 40 Enrollment Applications as presented. Vote: 10-0-0. Motion passed.

IV. ADJOURNMENT

Meeting adjourned at 3:43 P.M.

Recorder: Doreen T. Numkena – Tribal Council Secretary