



# 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 April 27, 2020; 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 April 27, 2020, 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 April 27, 2020, 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 Chairwoman, or in her 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 **JUNE 02, 2020** duly adopted by a vote of **TEN** 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).

Gwendena Lee-Gatewood, Chairwoman

6/3/2020

Date

Doreen T. Numkena, Tribal Secretary

6/3/2020

Date



# White Mountain Apache Tribe

## SPECIAL Council Meeting

April 27, 2020 – 2:00 P.M.

### TELECONFERENCE

I. Call to Order (April 27, 2020)

The meeting was called to order at 2:05 P.M. by Chairwoman Gwendena Lee-Gatewood  
Prayer was offered by Councilman Renaldo Dazen

**Roll Call :** Chairwoman Gwendena Lee-Gatewood, Vice-Chairman Jerome Kasey, Arnold Beach, Travis Tessay, Jerold Altaha(2:08PM), Renaldo Dazen, Alvin Declay(2:19PM), Ralph Thomas, Gary Alchesay, Alvena Bush, Everett Massey.  
(quorum) Attorney KeAloha Douma, Kimberly Cromwell

II. New Business

A. Implementing Temporary Restrictions and Extending Closure  
KeAloha Douma – Attorney General

The Resolution was read by Attorney General after trying to call on Carlos Valadez or anyone from the EOC. The resolution stated that it will

1. Maintain all current restrictions and guidelines effectuated by all prior resolutions related to the WMAT COVID 19 Incident through May 23, 2020 with the following exceptions:
  - a. Open forests on the Fort Apache Indian Reservation ("Reservation") for the following business purposes: (a) Tribal Forestry 638 thinning contracts; and (b) WMATCO to open-up with limited operations for the purpose of logging activities at Lone Pine and Tonto North. All disease-related precautionary regulations and measures currently in place must be observed.
  - b. HonDah Resort-Casino may open the RV Park for long term residents with safety precautions they currently have in place, including maintaining strict social distancing, cleaning procedures, and staff utilizing personal protective equipment ("PPE") while providing services at the RV Park.
  - c. Open the forest the Tribal members who currently reside on the Reservation with the requirement of maintaining strict social distancing measures for the following activities: farmland planting, fishing, woodcutting with permits, antler collecting and selling of antlers consistent with current Game and Fish guidelines and precautions. Lakes along Highway 260 as well as Upper and Lower Log shall remain closed to all uses.
2. Private sales of food and goods, including on-line and in-person, are prohibited, including but not limited to: bake sales, wood sales, food vendors, yard sales, and all other person-to-person transaction in which residents may come into physical contact with each other. Transactions between stores and consumers shall be exempt, providing that the stores are complying with the Tribe's capacity, social distancing, and sanitation recommendations and regulations. Goods ordered online and delivered by U.S. Mail, FedEx and UPS shall also be exempt from the prohibition.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Council hereby clarifies that the postponement on all religious gatherings, pursuant to Resolution No. 03-2020-

68, includes the restriction on any and all church camp meetings and traditional ceremonies, including Holy Ground ceremonies.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe the persons found by law enforcement to be in violation of these measures shall be civilly liable to the Tribe in the following manner:

- a. \$1,000.00 fine; and
- b. Loss of Tribal Member privileges, including but not limited to: hunting, fishing; antler hunting; re-imposition of housing rental fee and water utility bill.

Some of the issues that the Tribal Council had with the resolution

- The White Mountain Apache Tribe has not yet reached the peak of this virus.
- Some people who are positive are still out there running around.
- Antler and wood cutting should be kept on hold, numerous people that are not adhering to the resolution.
- Surprised that the weekend closure was not mentioned.
- We still have people running around and a lot of these people are NOT going to pay the \$1,000 fee.
- Cattle issues need to be addressed most cattle owners are elders.
- With this resolution we will have to adjust our curfew.
- We don't want to lose anymore tribal members
- We have to think of our law enforcement and EMS the mental health a strong mind you have a strong body. I think they can gather their thoughts and I think they can do that out in the wilderness. I think it is a good point to open up the forest.
- Drive up churches is a good idea
- The Casino RV park opening up for long term residents, this is the place they call home.
- Hondah

Derek Leslie joined the call at 2:26 PM with the EOC.

Shannon Tsosie asked if the Council had received any of their comments on why they made this decision. But no one had the comments. The EOC did not see the WMAT is anywhere close to what the Navajo Nation has documented. And at this point they are willing to educate the public and a shutdown was not needed. The Police Department and Game & Fish feel as if some individuals are not abiding by the resolution in place now and have had repeated offenders. The EOC did a comparison to the Navajo Nation and surrounding areas but did not see a jump in numbers. Alcohol and diabetes are well way above the positive on COVID 19.

After discussion the Tribal Council decided that it was in the best interest of the White Mountain Apache Tribal members that this resolution be tabled for two more weeks only approving the extension of the office closure. They needed more data and information.

Motion by Councilman Travis Tessay to table this resolution for two weeks

Second by Councilman Renaldo Dazen

Vote 10 for 0 against 1 abstention

- B. Resolution - Authorizing a Waiver of the Tribe's Sovereign Immunity Pursuant to an Agreement between Sunrise Park Resort and National Bank of Arizona to Secure a Loan Under the Paycheck Protection Act

Resolution was self explanatory and no questions.

Motion by Vice Chairman Jerome Kasey III

Second by Ralph Thomas

Vote 10 for 0 against 1 abstention

- C. Authorizing John Hopkins Centers for American Indian Health to Conduct COVID-19 Virus Data Analysis

This data collecting would be specific to the White Mountain Apache Tribe on positive cases, negative tests and total number tested, this will help to understand if the Tribe has hit the peak and the curve is flattening.

Tribal Council questioned if they are able to get machine on the testing. John Hopkins informed the Tribal Council that they will be getting a machine from a donor for the White Mountain Apache Tribe. Jessica Rudolfo indicated that this data collecting would really help with the contact tracing.

Motion by Councilman Alvin DeClay

Second by Councilman Travis Tessay

Vote 11 for 0 against 0 abstentions

- D. Motion from Councilman Renaldo Dazen  
Second by Ralph Thomas

For Everette Massey to get his annual leave paid out to him before he leaves the office after his term was up. The Tribal Council decided that they will need financial guidance in this situation. Deron Peaches was called on to see if he was present, no answer.

Do to this reason Councilman Dazen withdrew his motion until the next meeting and Councilman Thomas also removed his motion until the next meeting.

Councilman Everette Massey addressed the Tribal Council and stated that he did not want to be bothered after he is gone. And also said to go ahead and keep the money, I don't care. This is my last teleconference so I thank you all.

- E. Resolution – Extending Closure of all Non-Essential Tribal Operations until at Least May 8<sup>th</sup>, 2020.

Deron Peaches Tribal Treasure said that we have closed the tribe for about 7 weeks now. May 2<sup>nd</sup> pay period is going to be paid on the 20<sup>th</sup>. How are we going to pay the employees, are we going to continue the 80 hours? Or only the essential workers and put others on furlough? If we furlough the employees that make less than \$21.00 they will benefit from unemployment. Mr. Peaches said he would get the specifics on anyone who made over the \$21.00.

Motion by Councilman Travis Tessay to extend Closure to at Least until May 8<sup>th</sup>, 2020

Second by Councilman Arnold Beach, Sr

Vote 9 for 0 against 2 abstentions

**F. Resolution – Designating Tribal Treasure as Applicant Agent for DEMA/FEMA Reimbursement Purposes**

Sandy Thompson addressed the Tribal Council and informed them that this is working through the state and directing Deron specifically with COVID 19. A grant application was already submitted. Designated and authorizing, needs to be identify and I think Deron should be this individual. I work close with Deron and sitting in on the EOC you get tunnel vision, it is best to have another eye to help with.

Motion by Councilman Travis Tessay  
Second by Councilman Arnold Beach, Sr  
Vote 9 for 0 against 2 abstentions

Meeting adjourned 5:31 PM