



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 February 10, 2021.

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 February 10, 2021, as prepared and presented by the Tribal Council Secretary.


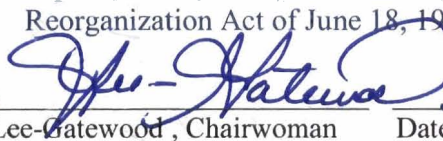

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the meeting minutes from the Tribal Council meetings held on February 10, 2021, as prepared and presented by the Tribal Council Secretary

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 MARCH 3, 2021 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).

		<u>3-4-21</u>		<u>3-5-2021</u>
Gwendena Lee-Gratewood, Chairwoman	Date		Doreen T. Numkena, Tribal Secretary	Date



White Mountain Apache Tribe
Regular Meeting Minutes
February 10, 2021 – 9:00 A.M.
Hon Dah Conference Center / Teleconference

I. CALL TO ORDER:

- A. The meeting was called to order at 9:15 A.M. by Chairwoman Gwendena Lee-Gatewood
- B. Prayer was offered by Arnold Beach
- C. Roll Call: Chairwoman Gwendena Lee-Gatewood, Vice-Chairman Jerome Kasey, Arnold Beach, Travis Tessay, Jerold Altaha, Renaldo Dazen, Aubrey Aday, Alvin Declay, Gary Alchesay, Alvena Bush, Kasey Velasquez
Attorneys: Kealoha Douma, Kim Cromwell (a.m.)
- D. Approval of Minutes: Motioned by Jerold Altaha, seconded by Kasey Velasquez to approve minutes of January 27, 2021 as written. Vote: 10-0-0 Motion passed.

II. REPORTS

A. Attorney's Reports

1. Approving Land Assignment to ABHS for Dialysis Center – A.G. Douma

Attorney General Douma explained the land site will be in the same area as the old dialysis center next to the hospital and proceeded to read the resolution aloud: Approving a Business Land Assignment to ABHS for Construction of a New Dialysis Facility in Whiteriver.

- Motioned by Vice Chairman Jerome Kasey and seconded by Jerold Altaha to approve business land assignment for a new dialysis facility in Whiteriver. Vote: 10-0-0 Motion passed.

2. Telecom Plan: Update - A.G. Douma

The A.G. presented an update report on Telecom Plan. Cibecue Hill - There were two options for the towers 135 foot tower and a 150 ft tower. The 150 Ft. tower was more desirable. It was only approved for the 135 Ft tower. They are not feasible at this time and lift restrictions on the tower site. Will not affect the existing landing strip. Will continue to be used as needed.

The A.G. stated the most optimal place for this telecom antenna is on TV hill. There is a list of potential not actual landing strip designated by FFA. Cibecue Mtn was a potential. There is no funding. Best to put it on TV Hill for the 150 foot tower. The taller the tower the more additional services it will provide.

3. Authorizing Issuance of a Film Permit – A.G. Douma

Attorney Douma explained the film permit was a small project with a small budget and that the fees were in line with the standard fees that are charged for the Game Rangers. The filming would be limited to the Salt River Canyon area and the crew would abide by all COVID 19 safety protocol. The filming is a two-day project on March 12 & 13, 2021.

- Motioned by Jerold Altaha, seconded by Arnold Beach to approve resolution Authorizing Issuance of a Film Permit for an Outdoor Rafting Adventure on the FAIR for filming in the Salt River Canyon. Vote: 9-0-1 Motion passed.

Tribal Courts – A.G. KeAloha Douma

The Attorney explained the Tribal courts have concerns about penalties on stay-at-home order and alcohol ban orders and about how to address this issue. Most people cannot pay the fines due to unemployment which causes their files to remain open. The judges have requested to have additional discretion in the decisions they are making. Letters of support were provided from the Game & Fish and Police departments to have the courts have more discretion in the decisions and for more reasonable amounts in the citation fees. There were discussions of community service to pay off fines. Picking up trash and clean up on the reservation, planting grass at the Commercial Center and upkeep of that area were discussed. The Council spoke in support of community service as a way to pay off fines.

Resolution: Amending Penalties for Violation of Resolution No. 04-2020-86 and 06-2020-132

- **Motioned by Jerold Altaha, seconded by Kasey Velasquez to approve resolution as presented.**
Vote: 10-0-0 Motion passed.

Formulate Departments with the Courts for Community Service

The Council discussed forming certain departments to start up a cleaning process from Cibecue to McNary. Have a resolution in place and once the courts identify people for community service, have EOC and other entities come together and formulate a plan of action to get reservation cleaned up of trash. Observe illegal dumping on the reservation and have a directive to EOC, and the selected departments to work together to give a target date to identify trash clean up. The attorney added this resolution would not do away with fines but would give the courts an option. It would be good to have it fine tuned for community service. A councilmember added, the intent is to give direction and to give support for the courts.

- **Motioned by Kasey Velasquez, seconded by Renaldo Dazen to formulate a work group of following departments: Public Works, WMAHA, DOT, Utility, Environmental Dept, EOC to work with Tribal Courts for community service projects to pay off citation fines.**

Vote: 9-0-1 Motion passed.

LUNCH Break: 11:10 to 12:30 P.M. 12:38 reconvened

B. Headstart Report – Leola Larzelere

Mrs. Larzelere reported Head Start Program is doing okay. They have been on the new budget since December 1. The Enrollment has been down since school started with 155 students enrolled and are still lacking 97 students. The enrollment at Cibecue 16, Whiteriver 126, McNary 10. A monthly report of the enrollment has to be reported to Washington, DC. She reported the children are given weekly homework assignments and they are doing phone contacts or home visits with the children. Children need to be in class but 90% of parents didn't want to send kids to school. They will either have all the children come in or have split sessions. Out of 46 staff members, only 25 have received their vaccinations; 17 have not yet been vaccinated. Teachers need to be vaccinated so they can work with children.

C. TRS School Update Report – Principal, Marla Wilkerson

The Principal read aloud the Reopening Plan Outline that was included in the packets. The Tribal Council had concerns about the reopening plan and if it had been cleared by the EOC and I.H.S. Kate of I.H.S. responded that I.H.S. reviewed the EOC's recommendations and it strongly supports the recommendation for students to return back to the classroom. When asked if I.H.S. had a written statement regarding their support of this, Kate replied she would be happy to provide written documentation. EOC offered to do a letter of support for students returning to the classroom. The principal stated the transportation of students is the most difficult

thing to work out. Parents will get a stipend to bring own child(ren) to school. They will be getting a new bus and will need a bus driver. Classroom sizes were discussed and the need to keep the classroom small for safety reasons. The Vice opined that they should wait a little longer before sending students back to school and to wait for more medical reports as some people are asymptomatic and may be spreading the virus because they are unaware they are infected with the virus. The principal responded she understands concerns of asymptomatic, and for that reason the staff and students will be tested twice a week and isolate those that are positive.

- Approving Theodore Roosevelt School Reopening Plan

Motioned by Kasey Velasquez, seconded by Renaldo Dazen to approve TRS reopening plan. Vote: 8-2-0 Motion passed.

IV. NEW BUSINESS

- A. Appointment of Board Member to WMA Community Development Corp. Board of Directors –

Ruby Altaha wasn't in attendance; Gary Alchesay presented on Ms. Altaha's behalf.

Robert Lacapa was one of two recommendations to fill one vacant seat on the Board of Directors on the CDC Board.

Motioned by Gary Alchesay, seconded by Renaldo Dazen to approve Robert Lacapa as a CDC Board of Directors. Vote: 10-0-0. Motion passed.

- B. Reappointing Hayden Anderson to the WMATCO, LLC, Board of Directors

One Councilmember recommended another person to fill the BOD position as he said it was a conflict of interest for an employee to serve as a Board Member. The Attorney responded the Bylaws do allow for employees to be board members.

- Motioned by Kasey Velasquez, seconded by Alvin DeClay to approve Hayden Anderson's reappointment to WMATCO BOD as recommended. Vote: 8-2-0 Motion passed.

- Reappointing Jim Quinn to the WMATCO, LLC, Board of Directors

Motioned by Arnold Beach, seconded by Alvin DeClay to approve Jim Quinn to WMATCO Board of Directors as recommended. Vote: 9-1-0 Motion passed.

- C. Sunrise Dance Schedule 2021 – Tribal Council Secretary, Doreen Numkena

The Tribal Council Secretary read aloud 29 requests for traditional ceremonial dances for 2021.

Councilman Beach admonished the public that dances are to be held in designated dance grounds only. The public was advised of fire dangers during the summer months due to dry conditions and advised to follow precautionary measures during the dances.

- Motioned by Renaldo Dazen, seconded by Kasey Velasquez to approve Resolution for the 2021 Sunrise Dance Schedule as written. 9-0-1 Motion passed.

Other:

- Recognizing Churches and Church Leaders as Essential – Jerold Altaha

Councilman Altaha recommended churches and reverends be deemed as essential, stating that each church have their own guidelines and safety measures. He stated faith is an integral part of our lives.

It was his recommendation to deem churches as essential as well as church leaders and proceed with in-person services. The Council reminded the people to follow EOC and CDC guidelines.

- **Motioned by Jerold Altaha, seconded by Kasey Velasquez to approve recommendation to deem churches and church leaders as essential and to proceed with in-person church services.**

Vote: 9-0-1 Motion passed.

Traditional Ceremonies – Kasey Velasquez:

Motioned by Kasey Velasquez, seconded by Renaldo Dazen to allow for the traditional aspects in terms of Crown Dance headgear, sweat lodge and prayer, and the making of Sunrise dance items.

Vote: 9-0-0 Motion passed.

E. Research Study Regarding Voter Participation Amongst Tribal Members -- Dylan Baca: BRUD high School

Dylan Baca approached the Tribal Council asking permission to do a research project on voter registration on WMAT. He stated this was for advanced placement at the high school for college. He explained he wanted to focus on the reservation and on voter participation rate and how it compares to non-tribal voter rates. The only people that would see the study are the college board and sponsor at BRHS. It will not be published.

Attorney Douma read Dylan's resolution aloud: Approving High School Research Study by Tribal Member Dylan Baca, Regarding Voter Participation Amongst Members of the WMAT.

When Council questioned his method of the research, Dylan responded, "It will be one-on-one interviews". No personal identifiers will be used to identify tribal members.

- **Motioned by Renaldo Dazen, seconded by Arnold Beach to approve resolution. Vote: 4-4-0**
Motion failed.

(Note: The Tribal Council Secretary was advised to let Dylan Baca know to get in touch with Tribal Education to present his research to the Director.)

F. Project Co –Stem: Collaborative Creation of Culturally Responsive Integrated STEM – NAU Shannon Guerrero TABLED, no action taken.

Resolution: Approving the National Science Foundation's Innovative Technology Experiences for Students and Teachers Project's Involvement in the WRUD on the FAIR

Ms. Guerrero is seeking support from the Council to do research on professional research project.

Emily Evans works with Coconino County Education and Superintendent of Schools. This research is focused on middle schools. When students have positive experiences they are more likely to excel and succeed in certain courses. Teachers will receive 56 hours of professional development of credentials and receive a stipend of \$1600 to compensate them for their time. They would like to provide ways to anchor students' learning. Working with teachers and encouraged them to work with communities and with the schools. The basis of the project is classroom development and collaborative co-development of curriculum. After in depth discussions, the Council tabled this item until the school superintendent and Board of Education, Tribal Education get in touch with the Council regarding this project.

D. Authorizing WR Service Unit to Conduct Proposed Retrospective Chart Review to Assess Characteristics and Outcomes of Patients Hospitalize for COVID 19 -- Dr. Ryan Close: I.H.S.

Dr. Close explained they don't know why the mortality rate has been lower here with COVID. They would like to see the charts to see what may be the factors. See what peak oxygen saturation rates are. We have lower death rate on the reservation than other Indian reservations. It would be beneficial to the tribe the hospital and other Tribes. Will

do retrospective study and summary of hospital records of everyone hospitalized from April to July 31 to do the study. What can we do from what we have learned to be better prepared for the next time. Discussions about patient files and records and confidentiality were discussed.

Motioned by Arnold Beach, seconded by Jerold Altaha to proceed with resolution: Authorizing WR Service Unit to Conduct Proposed Retrospective Chart Review to Assess Characteristics and Outcomes of Patients Hospitalize for COVID 19 as written. Vote: 5-3-1 Motion passed.

G. Request for Placement of a Memorial Bench - Jerome Kasey --TABLED

The Vice Chairman presented this on behalf of the family. The family would like to place a memorial bench at top of the mountain at China Town. Misha Gooday is doing this on behalf of her late brother. The Vice has been unable to get the name of deceased. The A.G. explained this would set a precedent and other similar requests would start coming in. It would not be a land assignment and they cannot prohibit others from using the bench. It was recommended this item be tabled for more information from the family. The Vice will get more information from the family and will present at the next meeting. TABLED. No action was taken.

V. ADJOURNMENT

The Chairwoman called for an adjournment at 3:40 P.M.

Recorder: Doreen T. Numkena, TC Secretary