

**MINUTES OF
YAVAPAI-APACHE NATION
Special Business Meeting
January 6, 2021
Amended on 1-28-2021**

1. CALL TO ORDER: Vice Chairwoman Tanya Lewis called the meeting to order at 9:02 a.m., Middle Verde Administration Building and via Zoom.us.

2. INVOCATION: Darlene Rubio

3. ROLL CALL: Germanina Jones, Nancy Guzman, Tanya Lewis, Ricardo Pacheco and Darlene Rubio were present. Apphia Shirley, Amanda Honwytewa and Henry Smith were present via Zoom.us. Jon Huey was absent (ill).

4. APPROVAL OF AGENDA:

Nancy Guzman requested to add under 8. Old Business b. Gift Cards for members who are incarcerated and c. Market Place Update

Ricardo Pacheco motioned to approve the agenda with the additions seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

5. MINUTES OF 12-10, 12-16 AND 12-30-2020

Minutes of 12-10-2020

Darlene Rubio motioned to approve the minutes seconded by Henry Smith; 8 For, 0 Against, 0 Abstained, motion passed.

Minutes of 12-16-2020

Ricardo Pacheco motioned to approve the minutes seconded by Germanina Jones; 8 For, 0 Against, 0 Abstained, motion passed.

Minutes of 12-30-2020

Ricardo Pacheco motioned to approve the minutes seconded by Germanina Jones; 7 For, 0 Against, 1 Abstained, motion passed.

6. RESOLUTION APPROVING THE SEVENTH MODIFICATION AGREEMENT RELATING TO THE LOAN AGREEMENT AMONG THE NATION AS BORROWER, BOKF, NA dba BOK FINANCIAL, AS ADMINISTRATIVE AGENT AND LENDER, AND U.S. BANK NATIONAL ASSOCIATION AS LENDER

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Nancy Guzman motioned to approve the resolution per Version 1 (1-6-2021) seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

7. RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE YAVAPAI-APACHE NATION AND THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY – WIOA PROGRAM- April Salas & Lisa Bluelake

Henry Smith motioned to approve the resolution per Version 1 (1-6-2021) seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

8. OLD BUSINESS

a. RESOLUTION APPROVING A SETTLEMENT OF THE NATION’S CLAIMS AGAINST CUNINGHAM GROUP ARCHITECTURE, INC., ARISING OUT OF CONSTRUCTION OF THE NATION’S CLIFF CASTLE CASINO HOTEL PROJECT- Scott Canty & Michael Holden

Henry Smith motioned to go into Executive Session seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

EXECUTIVE SESSION

Ricardo Pacheco motioned to come out of Executive Session seconded by Germania Jones; 7 For, 0 Against, 0 Abstained, motion passed. Henry Smith was disconnected from zoom.us.

Vice Chairwoman Lewis summarized while in Executive Session the Council discussed the terms of the settlement.

Henry Smith rejoined zoom.us.

Nancy Guzman motioned to approve the resolution per Version 1 (1-6-2021) seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

b. GIFT CARDS FOR TRIBAL MEMBERS WHO ARE INCARCERATED – Nancy Guzman

Nancy Guzman explained the tribal members who are incarcerated were not able to receive the \$75 Walmart Gift Card due to the prisons returned the Walmart card. She requested for all of the cards that were returned from prisons if the Nation could send a check to the prisons instead so they could all receive the \$75 to be placed on their books for food.

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Henry Smith motioned to go into Executive Session seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

EXECUTIVE SESSION

Ricardo Pacheco motioned to come out of Executive Session seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

Vice Chairwoman Lewis summarized while in Executive Session the Council discussed amending the resolution. Lisa Bluelake will draft a resolution and bring it back for approval.

Germania Jones left for a doctor appointment at 10:45 a.m.

c. MARKET PLACE UPDATE – Ricardo Pacheco & Jim Simons

A report was provided by Jim Simons. We are waiting on banners to arrive and then there will be a partial opening for the gas pumps only. We have completed the fire protection upgrades in the amount of \$5,000. This is not part of the insurance coverage. We will be switching our surveillance company from Wired-Up to B&W. There will be annual inspections and the fire extinguishers will be checked. There will be an inspection by Indian Health Service on January 15th. We will need to re-stock the shelves to get the store open. We should be opening no later than January 22nd. We received \$100,000 from the insurance company and they covered the wages for the employees while they were off work. They used to use Verde Fire and Safety and they are certified for the fire extinguishers only. Distant Drums and Whitehills may switch to B&W also.

There was a consensus from the Council to move to B&W for the fire protection for Market Place and to purchase the sprinkler system. This will be paid out of the Market Place Budget.

Darlene Rubio motioned for a recess until 1 p.m. seconded by Ricardo Pacheco; 7 For, 0 Against, 0 Abstained, motion passed.

AFTERNOON SESSION

Germania Jones returned.

**RESOLUTION AMENDING RESOLUTION NO. 184-20 REGARDING THE
DISTRIBUTION OF FOOD GIFT CARDS TO ADULT MEMBERS OF THE NATION
FROM THE CARES ACT CORONAVIRUS RELIEF FUNDS IN RESPONSE TO THE
ONGOING COVID-19 PUBLIC HEALTH EMERGENCY**

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Henry Smith motioned to approve the resolution per Version 1 (1-6-2021) seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

RESOLUTION APPROVING AN AGREEMENT WITH B&W FIRE SECURITY SYSTEMS, LLC FOR AN UPGRADE OF THE FIRE ALARM SYSTEM AT THE NATION'S MARKET PLACE CONVENIENCE STORE

Darlene Rubio motioned to approve the resolution authorizing the Nation to accept the Proposal by B&W Fire Security Systems, LLC to purchase the delivery and installation of the fire alarm system upgrades specified in the proposal for the price of \$5,046.59 with an initial deposit of \$2,523.29 due upon signing of proposal and the final payment of \$2,523.29 due upon final completion of the fire alarm system installation per Version 1 (1-6-2021) seconded by Ricardo Pacheco; 8 For, 0 Against, 0 Abstained, motion passed.

Ricardo Pacheco motioned to adjourn at 1:16 p.m. seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

YAVAPAI-APACHE TRIBAL COUNCIL



Karla Reimer, Secretary