

**MINUTES OF  
YAVAPAI-APACHE NATION  
Special Business Meeting  
March 24, 2022**

**1. CALL TO ORDER:** Chairman Jon Huey called the meeting to order at 9:10 a.m., Middle Verde Administration Building and Zoom.us.

**2. INVOCATION:** Tanya Lewis

**3. ROLL CALL:** Germana Jones, Lorna Juan, Tanya Lewis, Jon Huey, Ricardo Pacheco, Darlene Rubio, Henry Smith and Apphia Shirley were present. Amanda Honwyte was present via Zoom.us.

**4. APPROVAL OF AGENDA:**

Darlene Rubio requested yesterday during the meeting to add Per Capita Distribution, Concert Tickets for the Elders and Update on ARPA Funds to the Council Agenda for public discussion. It looks like the items were added to the Agenda for the Work Session scheduled after the Council Meeting today.

Lorna Juan suggested keeping the items on the Work Session Agenda and if we need to call a meeting after the discussion we can do so.

The remainder of the Council Members agreed with the items being placed on the Work Session.

Henry Smith requested to add under 18. Old Business a. Community Meetings

Ricardo Pacheco motioned to approve the Agenda with the addition seconded by Germana Jones; 9 For, 0 Against, 0 Abstained, motion passed.

**5. MINUTES OF 3-9-2022**

Ricardo Pacheco motioned to approve the minutes seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

**6. RESOLUTION AUTHORIZING A PRELIMINARY ACTUARIAL VALUATION TO BE CONDUCTED TO DETERMINE THE COST OF PARTICIPATION IN THE STATE OF ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM – Nathan Huibregtse & Lisa Estensen**

Henry Smith motioned to approve the resolution per Version 1 (3-24-2022) seconded by Ricardo Pacheco; 9 For, 0 Against, 0 Abstained, motion passed.

**7. RESOLUTION AUTHORIZING THE NATION TO PURCHASE A ROW PLANTER FROM 3T RANCHES LLC FOR USE AT THE NATION'S CLOVERLEAF FARM AND RANCH – Yolanda Trujillo**

Germania Jones motioned to approve the resolution per Version 1 (3-24-2022) seconded by Lorna Juan; 9 For, 0 Against, 0 Abstained, motion passed.

**8. RESOLUTION AUTHORIZING THE NATION TO PURCHASE A LIVESTOCK SCALE FROM LEON VALLEY. INC., DBA RED RIVER ARENAS, FOR USE AT THE NATION'S CLOVERLEAF FARM AND RANCH – Yolanda Trujillo**

Germania Jones motioned to approve the resolution per Version 1 (3-24-2022) seconded by Lorna Juan; 9 For, 0 Against, 0 Abstained, motion passed.

**9. RESOLUTION AUTHORIZING THE NATION TO SUBMIT A GRANT APPLICATION TO THE ARIZONA COMMISSION ON THE ARTS, FLINN FOUNDATION MINI-GRANT, FOR USE IN SUPPORTING YAVAPAI AND APACHE ART – Robert Mills**

Henry Smith motioned to approve the resolution per Version 1 (3-24-2022) seconded by Ricardo Pacheco; 9 For, 0 Against, 0 Abstained, motion passed.

**10. RESOLUTION APPROVING AN AMENDED GRANT AWARD PROVIDING ADDITIONAL FUNDS FROM THE ARIZONA DEPARTMENT OF EDUCATION FOR THE NATION'S JOHNSON-O'MALLEY PROGRAM FOR FY2022 – Cindy Eaton**

Germania Jones motioned to approve the resolution per Version 1 (3-24-2022) seconded by Ricardo Pacheco; 9 For, 0 Against, 0 Abstained, motion passed.

**11. RESOLUTION APPROVING THE PURCHASE OF SPORTS EQUIPMENT FOR USE BY THE NATION'S DIABETES PROGRAM – Robin Hazelwood**

Henry Smith requested to also purchase the equipment for Middle Verde. This one is going to be placed at the Clarkdale Gym.

Henry Smith motioned to approve the resolution per Version 1 (3-24-2022) seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

**12. RESOLUTION AUTHORIZING THE NATION’S UTILITY DEPARTMENT TO PURCHASE EQUIPMENT ESSENTIAL TO ITS WATER AND SEWER OPERATIONS – Herbert Trujillo**

Darlene Rubio motioned to approve the resolution due to the Council is authorized to represent the Nation and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution as provided by Article V(a) of the Constitution; the Council is authorized to appropriate and regulate the use of tribal funds as provided by Article V(k) of the Constitution; the Utility Department has advised the Council of its need to purchase the equipment for use in its operations for the provision of water and sewer services for the Nation and its members; the Department has solicited price quotes from qualified equipment companies and recommends that the Nation purchase the equipment from P&M Trailer Sales of Flagstaff, AZ in accordance with the price, and terms and conditions as set forth in the Quote #89653569, dated 3-11-2022; the price paid by the Nation to P&M for the equipment shall not exceed a total cash price of \$13,595; on March 19, 2020, the Council adopted Council Resolution 60-20 declaring a State of Emergency due to the COVID-19 public health emergency; on March 11, 2021, the ARPA was signed into law, establishing the Coronavirus State and Local Fiscal Recover Funds and setting aside \$20 billion in aid for Tribal governments to respond to the impact of the COVID-19 public health emergency; on May 17, 2021, the U.S. Department of Treasury published an Interim Final Rule under ARPA, along with a set of FAQs updated as of January 2022, providing further descriptions and examples of how ARPA Recovery Funds may be used by recipients in compliance with the Final Interim Rule (which is in effect until April 1, 2022 when the Final Rule published on January 27, 2022 will take effect); the Interim Final Rule provides that ARPA Recovery Funds may be used by recipients for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, or as the Final Rule provides, to a standard revenue loss allowance of up to \$10 million; the Council finds that purchasing the equipment for use by the Nation’s Utility Department in its operations for the provision of water and sewer services for the Nation and its members constitutes the provision of a government service; funding for payment of the purchase price of the equipment is available to be paid from the ARPA Recovery Funds received by the Nation; the Council has determined that it is in the best interest of the Nation to authorize purchase of the equipment from P&M as described and priced in the P&M quote #89653569. Dated 3-11-2022; the Council hereby authorized the Utility Department to purchase the following equipment, from P&M Trailer Sales and at the specified price for use in the Department’s water and sewer operations: 2022 Top Hat 7x14 Dump Trailer from P&M Trailer Sales for \$13,595; the Nation’s funds shall be used to fund the equipment purchase price and shall be appropriated from the ARPA Recovery Funds received by the Nation per Version 1 (3-24-2022) seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

**13. RESOLUTION AUTHORIZING THE NATION TO SUBMIT A GRANT APPLICATION TO THE STATE OF ARIZONA, GOVERNOR’S OFFICE OF YOUTH, FAITH AND FAMILY, ARIZONA CHILD ABUSE PREVENTION PROGRAM FOR IMPLEMENTATION OF CHILD ABUSE PREVENTION AND ADVOCACY ACTIVITIES AND PROGRAMS – Monica Marquez and Robert Mills**

Henry Smith motioned to approve the resolution per Version 1 (3-24-2022) seconded by Ricardo Pacheco; 9 For, 0 Against, 0 Abstained, motion passed.

**14. RESOLUTION ACCEPTING AMERICAN RESCUE PLAN ACT GRANT FUNDS UNDER THE NATION’S OLDER AMERICANS ACT TITLE VI GRANT FOR USE IN RESPONDING TO THE ONGOING COVID-19 EMERGENCY – Bernadette Williams**

Darlene Rubio motioned to go into Executive Session seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

**EXECUTIVE SESSION**

Ricardo Pacheco motioned to come out of Executive Session seconded by Germana Jones; 9 For, 0 Against, 0 Abstained, motion passed.

Chairman Huey summarized while in Executive Session the Council discussed personnel and funding. The Council requested a Work Session to discuss the budget.

Henry Smith motioned to table the resolution and schedule a work session seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

Chairman Huey stepped out of the meeting.

**15. RESOLUTION APPROVING AN AMENDMENT AND FUNDING ALLOCATION INCREASE UNDER THE NATION’S OLDER AMERICANS ACT TITLE III GRANT AWARD FROM THE INTER TRIBAL COUNCIL OF ARIZONA IN SUPPORT OF THE NATION’S SENIOR PROGRAM – Bernadette Williams**

Chairman Huey returned to the meeting.

Germana Jones motioned to approve the resolution per Version 1 (3-24-2022) seconded by Apphia Shirley; 8 For, 0 Against, 1 Abstained, motion passed.

**16. RESOLUTION AUTHORIZING THE NATION TO ENTER INTO A CONSTRUCTION CONTRACT WITH MKE CONSTRUCTION FOR CONSTRUCTION OF A SCREENED-IN-GATHERING AREA AT THE NATION'S SENIOR CENTER AT THE CLARKDALE RESERVATION – Bernadette Williams**

Henry Smith motioned to approve the resolution per Version 1 (3-24-2022) seconded by Germania Jones; 9 For, 0 Against, 0 Abstained, motion passed.

**17. RESOLUTION TERMINATING THE YAVAPAI-APACHE NATION CONTRACT FOR PROFESSIONAL CONSULTING SERVICES WITH INTEGRATED HYDRO SYSTEMS, LLC, AND APPROVING AMENDMENT NO. 4 TO THE YAVAPAI-APACHE NATION CONTRACT FOR PROFESSIONAL CONSULTING SERVICES WITH LAUREL LACHER, DBA LACHER HYDROLOGICAL CONSULTING, FOR THE YAVAPAI-APACHE NATION INTEGRATED HYDROLOGICAL MODEL FOR THE UPPER AND MIDDLE VERDE BASIN – Scott Canty**

Germania Jones motioned to approve the resolution per Version 1 (3-24-2022) seconded by Lorna Juan; 9 For, 0 Against, 0 Abstained, motion passed.

**18. OLD BUSINESS**

**a. Community Meetings** – Henry Smith requested scheduling a Community Meeting. We could have Agriculture report to the people on all they have done in Agriculture. The Managers are doing awesome and we need to be lifting them up.

Chairman Huey added they are getting ready to hire an employee for Public Relations.

Lorna Juan mentioned we could also show what the ARPA Funds have been used for such as the food distribution.

**19. NEW BUSINESS – none**

Germania Jones motioned to adjourn at 10:18 a.m. seconded by Ricardo Pacheco; 9 For, 0 Against, 0 Abstained, motion passed.

**YAVAPAI-APACHE TRIBAL COUNCIL**

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Karla Reimer, Secretary