

**MINUTES OF
YAVAPAI-APACHE NATION
Regular Council Meeting
February 2, 2023**

1. CALL TO ORDER: Chairwoman Tanya Lewis called the meeting to order at 9:07 a.m., Middle Verde Administration Building and Zoom.us.

2. INVOCATION: Germania Jones

3. ROLL CALL: Germania Jones, Amanda Honwytewa, Ricardo Pacheco, Tanya Lewis, Charlie Baca, Darlene Rubio, Henry Smith and Apphia Shirley were present. Lorna Juan was absent (personal).

4. APPROVAL OF AGENDA:

Chairwoman Lewis requested to add under 9. a. Approval of Resolution for the Verde House of Prayer Church Lease.

Henry Smith motioned to approve the Agenda with the additions seconded by Charlie Baca; 8 For, 0 Against, 0 Abstained, motion passed.

5. MINUTES OF 1-19-2023

Germania Jones motioned to approve the minutes seconded by Charlie Baca; 8 For, 0 Against, 0 Abstained, motion passed.

MINUTES OF 1-24-2023

Darlene Rubio motioned to approve the minutes seconded by Amanda Honwytewa; 7 For, 0 Against, 1 Abstained, motion passed.

6. RESOLUTION APPROVING A QUITCLAIM DEED, ASSIGNMENT AND RELEASE FOR THE RESIDENTIAL DWELLING AND A RESIDENTIAL LAND LEASE FOR THE UNDERLYING LAND LOCATED AT 1613 RUSSELL STREET, CLARKDALE, AZ 86324 WITH TALOA HOOD – Nancy Guzman

Henry Smith motioned to approve the resolution per Version 1 (2-2-2023) seconded by Germania Jones; 8 For, 0 Against, 0 Abstained, motion passed.

7. RESOLUTION AUTHORIZING THE YAVAPAI-APACHE NATION TRIBAL HOUSING DEPARTMENT TO ESTABLISH YAVAPAI-APACHE NATION #8 LIMITED

PARTNERSHIP FOR THE PURPOSE OF A SUBMISSION OF A LOW INCOME HOUSING TAX CREDIT PROJECT APPLICATION TO THE ARIZONA DEPARTMENT OF HOUSING – Sharie Benson

Darlene Rubio motioned to approve the resolution for Yavapai-Apache Nation Tribal Housing to submit a Low Income Housing Tax Credit application to the AZ Department of Housing for approximately 38 housing units to be construction on the Reservation lands in Camp Verde; in preparation for the possible submission of a new LIHTC application it is necessary that YANTH establish the Yavapai-Apache Nation #8 Limited Partnership that would own and operate the project; YANTH will serve as the general partner of the Partnership and Travois Initial LLC will serve as the initial limited partner of the Partnership, if an application is submitted and awarded, the initial limited partner will be replaced by an investor who will provide construction financing, if an application is not submitted or not awarded, the Partnership will be dissolved per Version 1 (2-2-2023) seconded by Henry Smith; 8 For, 0 Against, 0 Abstained, motion passed.

8. RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE ASSET MANAGEMENT AGREEMENT BETWEEN YAVAPAI-APACHE NATION TRIBAL HOUSING AND TRAVOIS ASSET MANAGEMENT, LLC – Sharie Benson

Germania Jones motioned to approve the resolution per Version 1 (2-2-2023) seconded by Apphia Shirley; 8 For, 0 Against, 0 Abstained, motion passed.

9. RESOLUTION AUTHORIZING THE YAVAPAI-APACHE NATION TRIBAL ENVIRONMENTAL PROTECTION DEPARTMENT TO CONTRACT WITH ACT ENVIRO, TO PROVIDE A ONE-DAY HOUSEHOLD WASTE COLLECTION EVENT – David Lewis and Nancy Ruiz

Nancy Ruiz explained the one-day Household Collection event will be held on a date selected by the Environmental Protection Department during either the month of February or March 2023. They will be notifying the community.

Germania Jones motioned to approve the resolution per Version 1 (2-2-2023) seconded by Charlie Baca; 8 For, 0 Against, 0 Abstained, motion passed.

a. RESOLUTION AUTHORIZING A BUSINESS SITE LEASE AGREEMENT (FOR RELIGIOUS PURPOSES) BETWEEN THE NATION AND NANCY GUZMAN FOR OPERATION OF A CHURCH (the “VERDE HOUSE OF PRAYER”) AS DESCRIBED IN THE ATTACHED LEASE AGREEMENT – Nancy Guzman

Regular Council Meeting
February 2, 2023
Page 3

Darlene Rubio motioned to approve the resolution due to since the early 1960's tribal member Nancy Guzman and her fellow congregants have used the Nation's land within the Middle Verde Reservation on which is currently located the church building known as the Verde House of Prayer for public gatherings for religious services and related religious purposes; prior to the construction of a church building on the land, Nancy Guzman and her fellow congregants, including members of the public, gathered on the land under a brush arbor to conduct religious services and related religious gatherings; in 1964-65, members of the church congregation pooled their financial and labor resources to build a small church building on the land and the Nation has long recognized the use of the Leased Premises by Nancy Guzman and her fellow congregants for religious purposes; under Tribal Council Resolution No. 38-89, the Tribal Council acknowledged that "A survey of the 1.0847 acres parcel has been completed, and the Tribal Council recommends that an appraisal of the land be waived inasmuch as it is not located in an area of proposed economic development and has historically been used as the location of a community church"; by Tribal Council Resolution No. 38-89, the Council requested that the BIA assist the Nation with preparing a Lease of the land "for a period of 25 years or longer with the Verde House of Prayer, however, there is no documentation in the records of the Nation or the BIA showing that the requested lease was in place prepared, approved and recorded; and the Nation has continued to recognize the Nation's authorization for Nancy Guzman and her fellow congregants to use the land for religious purposes, and Guzman and her fellow-congregants have in fact continued to use the land for said religious purposes through the present date; the Nation and Nancy Guzman now wish to confirm the historical use of the land by Guzman and her fellow congregants for religious purposes by entering into a formal Lease Agreement in accordance with the terms and conditions provided in the Business Site Lease Agreement for Religious Purposes, subject to approval of this Resolution by the Council and the approval of the Lease Agreement by the Bureau of Indian Affairs acting for the Secretary of the United States Department of Interior and said Lease Agreement shall supersede and replace any prior Lease Agreement for the Land per Version 1 (2-2-2023) seconded by Amanda Honwyteawa; 8 For, 0 Against, 0 Abstained, motion passed.

10. ENROLLMENT – Cindy Nahee

Amanda Honwyteawa motioned to go into Executive Session seconded by Apphia Shirley; 8 For, 0 Against, 0 Abstained, motion passed.

EXECUTIVE SESSION

Chairwoman Lewis excused herself at 10:12 a.m. to attend a meeting with Yavapai County.

Amanda Honwyteawa motioned to come out of Executive Session seconded by Germania Jones; 7 For, 0 Against, 0 Abstained, motion passed.

RESOLUTION APPROVING MEMBERSHIP FOR MAXWELL NICHOLAS BARANOVSKI-JENKINS, AALIYAH SHANDLIN CHATTO, MISAKI IVAH COUYANCY, SESARIO JOSEPH GARCIA, MYLA DANO-ANN GYCE, MISAEL MONTEZUMA ORTEGA-HONWYTEWA AND MILA ELVIA ZORRILLA

Apphia Shirley motioned to approve the resolution per Version 1 (2-2-2023) seconded by Charlie Baca; 6 For, 0 Against, 1 Abstained, motion passed.

RESOLUTION APPROVING MEMBERSHIP FOR ISRAEL FAITH MONTGOMERY, SAGE YVONNE NZINGA CRAWFORD, GALIANA ISANA OCHOA, ISIAH MATTHEW OCHOA, JR., AND EVE MARIE STEVENS II

Amanda Honwyteawa motioned to approve the resolution per Version 1 (2-2-2023) seconded by Charlie Baca; 5 For, 0 Against, 2 Abstained, motion passed.

RESOLUTION APPROVING MEMBERSHIP BY ADOPTION FOR ELAUDIO LUCIAN GIL

Apphia Shirley motioned to approve the resolution per Version 1 (2-2-2023) seconded by Amanda Honwyteawa; 7 For, 0 Against, 0 Abstained, motion passed.

RESOLUTION DENYING MEMBERSHIP FOR GIANNI PAUL SINATRA AND ALEXANDER JAMES SINATRA

Henry Smith motioned to approve the resolution per Version 1 (2-2-2023) seconded by Germania Jones; 7 For, 0 Against, 0 Abstained, motion passed.

11. LAND ACQUISITION, RE-NAMING OF SQUAW PEAK, CONSTITUTION, EMPLOYEE HANDBOOK, YAN BUDGET, DRUG ISSUES, ELDERS FALLING & HOOD ALLOTMENT – Harry Hood

Land Acquisition – Harry Hood providing history on the mass murdering of the Yavapai's. He requested the Council to remove the 1% from the agreement with the Town of Camp Verde receiving sales tax on future lands. Camp Verde still has descendants that fought against us. The Council is giving away our sovereignty.

Regular Council Meeting

February 2, 2023

Page 5

Henry Smith respected his statements. The Nation is getting 3200 acres. We have spent a lot of money. We are going to be able to build a school on the Nation's lands. We had to get land to do it. We are getting land for our people. He doesn't think it is a negative thing so our people can have 3200 acres.

Harry Hood was against giving up sovereignty. He also is against tax credit homes.

Constitution – Harry Hood requested removing the amount of terms you can run. Currently you can run 2 terms. Every three years there are changes.

Amanda Honwyteewa respects Harry Hood's comments and sharing the history of our aboriginal lands. The Yavapai-Apache Nation is a tiny little square of land in the middle of AZ. The tax revenue to Town of Camp Verde is 1% to go back to Camp Verde when we build on the lands a portion will go back to Town of Camp Verde. Our people are here and it is hard to get the lands back. She supports the IGA. We need to partnership with the Town of Camp Verde. We have been separated. The tax credit homes is needed because the Nation doesn't have the resources to build 38 homes. We have a waiting list of 100 families. She can't deny these homes for the members. Every tax credit project we can build a building for the community such as a community center and a gym. We are applying for another grant to build homes for higher income tribal members. We have to serve all tribal members. We have to continue planning and look for resources.

Harry Hood expressed is it worth losing our sovereignty in regards to the agreement with the Town of Camp Verde. The attorney can take out the last clause. We need to change the agreement so non-Indians won't get the homes. He is all for homes for the members but do it another way. It is hard to use the gym in Clarkdale.

Germania Jones mentioned she appreciated and respected his comments. She went over the Preamble. The Council is to provide lands for the tribal members. We need more homes and land. We need to protect our Indian heritage. We will be able to build a school to teach our children. We need to motivate our people to work. We have to have them struggle. We are making our people handicapped. She doesn't like to have to buy back the land. The agreement is between the Nation and the Forest Service.

Roberta Pavatea mentioned they should be informing the community. You need to let the people know how it is going to affect the people. The kids are not being education because of discrimination. Your employees are treating the people bad. You need to know your boundaries.

Regular Council Meeting
February 2, 2023
Page 6

Constitution – The following items need to be changed in the Constitution:

- a. Terms of the Council Members – unlimited
- b. Appoint a Constitution Committee
- c. Change to descendants. The blood quantum is $\frac{1}{4}$ to become a member. This needs to be removed and show that you are a descendant.

Employee Handbook (revise) – Remove the two weeks off at Christmas – because tribal members were unable to get their medications. He had to go to Phoenix to pick up insulin. The utilities were shut off.

Remove At-will from the employee handbook.

Charlie Baca excused himself at 1 p.m.

Budget – Harry Hood asked why did you put a stop on the new hires?

Henry Smith replied if a position was posted for six months or longer and not filled those positions were on the hiring freeze for 6 months.

Harry Hood requested all notices need to be hand delivered to the communities. There was no notification from medical that flu shots were available.

Henry Smith agreed with hand delivering the flyers. There was a hiring freeze on the positions not filled within 6 months. We need the money for the land exchange.

Harry Hood heard all employees received a 10% increase. The raises should be based on performance. Henry Smith corrected him that all employees received a raise of a \$1 an hour.

Darlene Rubio suggested the Senior Program can include the flyers in the lunches.

Vice Chairman Pacheco assured this will be announced in the Director's Meeting tomorrow.

Amanda Honwytewa added the reasoning for the increase in the wages was due to inflation. It was a budget decision on the hiring freeze on the positions posted for 6 months or more. Not all positions were affected.

Harry Hood suggested the Council should be looking at Administration. You need to eliminate some positions. The funding from the State for JOM should be used for supplies for the students. Each employee needs to be reviewed. Don't hire the person when a grant runs out.

Regular Council Meeting
February 2, 2023
Page 7

Germania Jones feels we are failing in communication. The best way is the flyers. San Carlos has a TV station and the announcements are provided on the tv. Facebook is another means of communication. We have an Elder Advocate who could get the information out to the Elders. She supports raises based on performance. We need to look into At Will.

Phillip Grass mentioned he would like a Constitution Committee who receives no compensation.

Darlene Rubio mentioned the JOM receives funding from the State. We will be hiring 2 tribal members as tutors. The funding is well allocated.

Drug Issues – Harry Hood felt nothing has been done to address drugs on the reservation. We had a child who died last year due to drugs. The ASA Program needs to address it. If he doesn't know how to get help assist him in getting help. We need to keep the kids in the house due to the drugs in the community. The programs need to work together. Information needs to be provided to the community.

Elders Falling – Harry Hood mentioned there were two elders who fell last month. All Elders should have a Life Alert.

Vice Chairman Pacheco explained the Social Services ordered 10 and we will order more if they are all used.

Harry Hood requested to add the remainder of the items on the Agenda for next week. The Naming of Squaw Peak and the Hood Allotment will be added to next week's agenda.

12. REQUEST TO DISSOLVE THE MUTUAL AGREEMENT WITH COTTONWOOD AND CAMP VERDE AND OTHER TRIBAL CONCERNS – Roberta Pavatea

There was an incident days before Christmas with her son at Maverick. Her son would not reveal who attacked him. The Marshal's Office responded to the call. Our officers need to follow up on the incident. Our officers are using the vehicles for personal use. Our officers need to straighten up.

Darlene Rubio motioned to adjourn at 1:59 p.m. seconded by Apphia Shirley; 6 For, 0 Against, 0 Abstained, motion passed.

YAVAPAI-APACHE TRIBAL COUNCIL

Karla Reimer, Secretary