

**MINUTES OF
YAVAPAI-APACHE NATION
Special Business Meeting
September 14, 2023**

1. CALL TO ORDER: Chairwoman Tanya Lewis called the meeting to order at 9:00 a.m., Middle Verde Administration Building and Zoom.us.

2. INVOCATION: Tanya Lewis

3. ROLL CALL: Lorna Juan, Amanda Honwyteawa, Ricardo Pacheco, Tanya Lewis, Charlie Baca, Darlene Felix, Henry Smith and Apphia Shirley were present. Germania Jones arrived late.

4. APPROVAL OF AGENDA:

Charlie Baca motioned to approve the Agenda seconded by Amanda Honwyteawa; 8 For, 0 Against, 0 Abstained, motion passed.

5. MINUTES OF 9-6-2023

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

6. RESOLUTION APPROVING THE FIRST AMENDMENT TO THE BUSINESS SITE LEASE AGREEMENT BETWEEN THE NATION AND THE RUSSELL FAMILY TRUST AS PROVIDED IN THE ATTACHED AMENDMENT TO THE LEASE AGREEMENT – Siera Russell

Henry Smith motioned to approve the resolution per Version 1 (9-14-2023) seconded by Darlene Felix; 8 For, 0 Against, 0 Abstained, motion passed.

7. RESOLUTION AUTHORIZING YAVAPAI-APACHE NATION TRIBAL HOUSING TO ENTER INTO A CONSTRUCTION CONTRACT WITH RAYBURN ELECTIRC, LLC, DBA RAYBURN CONTRACTING, FOR EXCAVATION, FILL, GRADING, AND STORMWATER POLLUTION PREVENTION PLAN FOR THE NATION’S YAVAPAI-APACHE HOMES VIII LIHTC PROJECT – Sharie Benson

Darlene Felix motioned to approve the resolution per the Council is authorized to “manage all tribal economic affairs and enterprises” and to “appropriate and regulate the use of tribal funds” provided by Article V (i) and (k) of the Constitution; the Council is responsible for providing quality housing for the Nation’s members; the Tribal Council has authorized the Housing

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Department to construct 40 new house located within the Nation's Tunlii Community under the Yavapai-Apache Homes VIII LIHTC Project; the YANTH Executive Director has recommended that the Council authorize a construction contract with Rayburn Electric, LLC, DBA Rayburn Contracting to provide excavation, fill, grading, and a Storm water Pollution Prevention Plan for the Project, in accordance with the terms and conditions of the Construction Contract with Contractor together with the contract documents; the Council hereby authorizes YANTH, to enter into a construction contract with Rayburn Electric, LLC, DBA Rayburn Contracting together with the Contract Documents with compensation paid to Contractor under the Agreement not to Exceed \$409,250 without further Council approval setforth in an amendment to the Agreement; the Nation's funds shall be used to fund compensation paid to Contractor under the Agreement and shall be appropriated from funds received under the Yavapai-Apache Homes VIII LIHTC Project fund award per Version 1 (9-14-2023) seconded by Henry Smith; 8 For, 0 Against, 0 Abstained, motion passed.

8. RESOLUTION APPROVING AN AGREEMENT TO PROVIDE WASTEWATER SERVICES BY THE NATION AT ITS TUNLII WASTEWATER TREATMENT PLANT FOR FRAMETEC ALPHA OPERATIONS, LLC – Scott Canty

Lorna Juan motioned to approve the resolution per Version 1 (9-14-2023) seconded by Charlie Baca; 8 For, 0 Against, 0 Abstained, motion passed.

Germania Jones arrived at 9:10 a.m.

9. RESOLUTION AUTHORIZING AND DIRECTING THE INVESTMENT MANAGEMENT FIRM OF GOLDMAN SACHS TO REALLOCATE THE INVESTMENT FUNDS OF THE YAVAPAI-APACHE NATION HELD IN THE NATION'S ECONOMIC DEVELOPMENT FUND INVESTMENT PORTFOLIO – Steven Schepman

Darlene Felix motioned to approve the resolution per Version 1 (9-14-2023) seconded by Amanda Honwyte; 9 For, 0 Against, 0 Abstained, motion passed.

10. RESOLUTION APPROVING AN AMENDMENT TO THE YAVAPAI-APACHE NATION FISCAL YEAR 2023 ORGANIZATIONAL CHART – PUBLIC WORKS

Henry Smith motioned to approve the resolution per Version 1 (9-14-2023) seconded by Germania Jones; 9 For, 0 Against, 0 Abstained, motion passed.

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11. RESOLUTION REAPPOINTING RODOLFO GARCIA AS AN ASSOCIATE JUSTICE OF THE YAVAPAI-APACHE NAITON COURT OF APPEALS

Darlene Felix motioned to approve the resolution per the Council is authorized to appoint Associate Justices of the Nation's Court of Appeals for two-year terms as provided under Article VI, Sections 5 and 6 of the Constitution; the Council is authorized to reappoint Associate Justices for additional two-year term as provided under Article VI, Section 6 and Section 112(f) of the Nation's Judicial Code; Associate Justice Rodolfo Garcia has requested reappointment for an additional two-year term as provided under Article VI, Section 6 and Section 112(f) of the Judicial Code; the Council has determined that reappointment of Rodolfo Garcia as an Associate Justice for an additional two-year term commencing September 21, 2023 is in the best interest of the Nation; the Council hereby reappoints Rodolfo Garcia as an Associate Justice of the Court of Appeals for a two-year term commencing September 21, 2023 per Version1 (9-14-2023) seconded by Apphia Shirley; 9 For, 0 Against, 0 Abstained, motion passed.

12. COMMUNITY ISSUES, ELDER ISSUES (WILLS) AND HOUSING ISSUES – Roberta Pavatea

Roberta Pavatea didn't arrive until after the meeting had adjourned. The Council met with her after the meeting.

13. OLD BUSINESS – None

14. NEW BUSINESS – None

Charlie Baca motioned to adjourn at 9:15 a.m., seconded by Germania Jones; 9 For, 0 Against, 0 Abstained, motion passed.

YAVAPAI-APACHE TRIBAL COUNCIL

Karla Reimer, Secretary