

**MINUTES OF
YAVAPAI-APACHE NATION
Special Business Meeting
November 12, 2020
Amended 12-10-2020**

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

2. INVOCATION: Darlene Rubio

3. ROLL CALL: Germania Jones, Nancy Guzman, Darlene Rubio and Henry Smith were present. Tanya Lewis, Amanda Honwyte, Apphia Shirley and Ricardo Pacheco were present via Zoom.us. Jon Huey arrived late.

4. APPROVAL OF AGENDA:

Darlene Rubio requested to add under 11. Old Business a. FEMA Funding and b. Approval of Resolution Amending the Low Rent Policy.

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

5. APPROVAL OF RESOLUTION AUTHORIZING THE YAVAPAI-APACHE NATION TRIBAL HOUSING DEPARTMENT TO ENTER INTO PURCHASE AGREEMENTS WITH RV COUNTRY ARIZONA, LLC FOR FIVE RVs TO BE USED FOR TEMPORARY QUARANTINE HOUSING – Nadie Beauty

Nadie Beauty explained the purchase of the five RV's will be used for quarantine sites for 14 days. Housing will clean after each family moves out. The reason why the tiny homes were not purchased because the hookup at the RV Park can only handle 50 amps and it needs more amps for the tiny homes. If there was a flood we couldn't get the tiny homes out.

Germania Jones asked once COVID is over will we be able to use these homes for the homeless. Nadie Beauty responded that is what she is hoping.

Henry Smith expressed there is a huge difference from tiny homes to RV's. He wanted tiny homes. When he votes he will be voting against it.

Darlene Rubio asked if there is flooding can you get these homes out. Nadie Beauty responded they could move them out.

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Amanda Honwyteawa asked about warranties. Nadie Beauty responded yes there are warranties. Amanda Honwyteawa asked once installed they may have to be used for quarantine sites, will the electricity expense be paid by Housing? Nadie Beauty responded yes.

Amanda Honwyteawa asked if the quarantine sites are used what is the process once an individual has to go into a quarantine site and what is the process after they leave. Who is responsible for the cleaning?

Nadie Beauty said it would be Housing's responsibility to clean and repair it. The inspection would be done and ready for the next person.

Amanda Honwyteawa asked if we have to use the quarantine housing will you be working with Social Service or the response team.

Nadie Beauty will meet with Executive to set up the process.

Germania Jones asked why the tiny homes weren't selected. Nadie Beauty responded the hookups for the RV is at a 50 amp setup and not set up for more electricity. The tiny homes require more than 50 amps.

Germania Jones explained at Distant Drums they were able to get an adapter to go from 30 amps to 50 amps.

Darlene Rubio motioned to approve the resolution due to the Council establishing the Yavapai-Apache Nation Tribal Housing as a department within the Executive Branch of the Nation and approved the Yavapai-Apache Housing Department Plan of Operation by Resolution No. 26-2000 adopted on March 23, 2000 as amended by Resolution No. 98-2018 on August 23, 2018, the Plan of Operations grants various powers to YANTH, including the power to enter into, make and perform contracts for goods and services with the United States, any firm, person, association or corporation, tribal government, municipality, county, state government or political subdivision thereof provided that contracts having a contract amount greater than \$20,000 shall be subject to Tribal Council approval; and the world is facing an attack by a highly contagious virus that has reached pandemic proportions and threatens the health and, in some cases, the lives of its victims; the Coronavirus public health emergency continues to pose a serious public health threat to the Nation's members, employees, and visitors, particularly the Nation's elders and those with underlying medical conditions; on March 19, 2020, the Council adopted Resolution 60-2020, declaring a State of emergency exists within the Yavapai-Apache Nation and authorizing the Executive Offices of the Nation to coordinate emergency and disaster relief and seek assistance from federal, state and other tribal governments and local private agencies to

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address the serious public health emergency created by the Coronavirus outbreak, on April 4, 2020, the Council adopted Resolution No. 70-2020, imposing a Stay-at-Home Order and other emergency measures intended to preserve the public health and safety of the Nation and its members, employees, and visitors, and to mitigate the risk of COVID-19 infection; and Temporary quarantine housing is needed to accommodate community residents who must be isolated or quarantined from other household members to help prevent the spread of COVID-19, as recommended by the Center for Disease Control; and YANTH received Indian Housing Block Grant CARES Act funding to assist in responding to the COVID-19 public health emergency and desires to purchase RVs with the funding to be used for temporary quarantine housing; and YANTH has identified five 2021 Avenger 27DBS Travel Trailers for purchase from RV Country Arizona, LLC for \$29,000 each for a total of \$145,000 and the Purchase Agreements; and the Council has determined that purchase of the five RVs for use as temporary quarantine housing in response to the COVID-19 public health emergency is in the best interest of the Nation, the Council authorizes YANTH to enter into Purchase Agreements with RV Country Arizona, LLC in accordance with the terms and conditions set out in the Agreements for five 2021 Avenger 27DBS Travel Trailers at \$29,000 for a total of \$145,000 per Version 1 (11-12-2020) seconded by Nancy Guzman; 7 For, 1 Against, 0 Abstained, motion passed.

Henry Smith stated for the record, "He supports the idea. The point of his decision is the talk was tiny homes and that is what the discussion was about. There is a big difference between a tiny homes versus RV. He is for the homes but not for the purchase of RV's."

6. APPROVAL OF RESOLUTION APPROVING RENEWAL OF STOP LOSS INSURANCE POLICY WITH WESTPORT INSURANCE CORPORATION/SWISS RE UNDER THE NATION'S EMPLOYEE HEALTH BENEFITS PROGRAM – Christine Hurley, Naomi Sorenson and Lisa Bluelake

Lisa Bluelake explained Option 2. There was a discussion on the service provided and the amount of employees who use the service.

Germania Jones motioned to approve the resolution per Version 1 (11-12-2020) seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

7. RESOLUTION APPROVING AGREEMENT FOR 24/7 PHYSICIAN CONSULTATION SERVICES WITH AMERICAN HEALTH HOLDING, INC. UNDER THE NATION'S EMPLOYEE HEALTH BENEFITS PROGRAM – Christine Hurley, Naomi Sorenson and Lisa Bluelake

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Henry Smith motioned to approve the resolution per the Council authorized to prescribe employee benefits in accordance with the Nation's employment policies and procedures as provided under Article V (p) and (q) of the Constitution, the Council established a program of employee health benefits for the Nation's employees, including the employees of the Nation's Casino and Subordinate Economic Organizations through Resolution No. 55-13, the Council approved a modification of the Nation employee health benefits program to add a plan feature that allows plan participants to consult a physician by toll-free telephone on a 24-hour, seven-day-a-week basis, since 2014, the Nation has been receiving telemedicine services through American Health Holding, Inc. which has updated their agreement for such services, the updated Agreement for 24/7 Physician Consultation Services is effective January 1, 2021 and continues until terminated by either party upon 30 days' prior written notice, provides for 24/7 access to consultations with licensed physicians by telephone or video conference and includes the fees, the Council has determined that it is in the best interest of the Nation to approve the updated Agreement for 24/7 Physician Consultation Services with American Health Holding, Inc. for telemedicine services, the Council approves the updated Agreement for 24/7 Physician Consultation Services with American Health Holding, Inc. as a part of the Nation's employee health benefits program, the Council authorizes payment of the fees to be paid from funds allocated by the Council for payment of costs under the Nation's self-funded employee health benefits program per Version 1 (11-12-2020) seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

8. RESOLUTION APPROVING 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

Lisa Bluelake explained the Nation will provide a \$75 gift card to each person 18 year of age and older due to COVID-19 needed for food assistance. There will be no application required. The cards will be mailed out.

Amanda Honwyteewa stated a notification letter should be sent out before the gift card is sent out. Vice Chairwoman Lewis added this information will be placed on the website and Facebook.

Germania Jones added the word isn't getting out there fast enough. It is not easy to communicate.

Darlene Rubio motioned to approve the resolution per Version 1 (11-12-2020) seconded by Nancy Guzman; 8 For, 0 Against, 0 Abstained, motion passed.

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9. RESOLUTION AMENDING TRIBAL COUNCIL RESOLUTION NO. 70-2020 TO ALLOW LIMITED EXCEPTIONS TO THE NATION'S ONGOING EMERGENCY STAY AT HOME ORDER AND OTHER EMERGENCY DIRECTIVES DUE TO THE ONGOING CORONAVIRUS (COVID-19) PUBLIC HEALTH EMERGENCY

Vice Chairwoman Lewis explained this resolution is specifically for the Wilderness Program.

Amanda Honwytewa asked if this was specific to the Wilderness Program only. She asked if we want to limit it only to Wilderness. The Youth Council, Diabetes and CHR may need to also be considered.

Vice Chairwoman Lewis explained the only program that came forth was the Wilderness. She is hesitant in opening the fitness centers due to the daily cleaning needed for the fitness facilities. There should be written rules and regulations from Monica Marquez. The rules have not been turned in yet. They should be provided to the Council. We could include the Youth Council and they would need to provide the rules to the Chairman for approval. You are upping your risk but need to be clear on the rules.

Nancy Guzman mentioned the rules should have been turned into the Chairman already. She would like to include the Youth Council also once they turn in their guidelines. Churches want to open up to have prayer meetings.

Darlene Rubio suggested tabling the resolution or taking out the Wilderness Youth Program. We should be following the Stay-at-Home Order.

Scott Canty suggested tabling it and thinking it through. Do you even want to do it or do you want to include additional programs and churches?

Vice Chairwoman Lewis felt we need guidelines established before passing the resolution. We need to make sure we are all safe.

Darlene Rubio motioned to table seconded by Germania Jones; 8 For, 0 Against, 0 Abstained, motion passed.

There was a request to schedule a work session for discussion on how much of an exception, who is subject to it, or not do it at all.

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Amanda Honwyteawa added the Camp Verde School had an outbreak. We need to take another look at it. Arizona is in the red zone.

10. RESOLUTION APPROVING A CONSTRUCTION AGREEMENT BETWEEN THE YAVAPAI-APACHE NATION AND LONGFELLOW EXCAVATING LLC, FOR MIDDLE VERDE SEWER LAGOON LINER REPAIR – Robert Mills & Scott Canty

Scott Canty explained the contractor walked away. The liner company said they will provide the liner because it is under warranty. The liner company will be here to install it on December 15th. There was only one RFP. The liner has a tear in it. Indian Health Service will be inspecting it.

Robert Mills added we have 3 lagoons and only one has a liner. There will be no effect on the smell.

Chairman Huey joined the meeting at 11:10 a.m.

Henry Smith motioned to approve the resolution due to COVID-19 public health emergency continues to pose a serious public health threat to the Nation's members, employees, and visitors, particularly the Nation's elders and those with underlying medical conditions; on March 19, 2020, the Council adopted Resolution No. 60-2020 declaring a State of Emergency exists within the Yavapai-Apache Nation and authorizing the Executive Offices of the Nation to coordinate emergency and disaster relief and seek assistance from federal, state and other tribal governments and local and private agencies to address the serious public health emergency created by the Coronavirus outbreak; on April 4, 2020, the Council adopted Resolution No. 70-2020, imposing a Stay-at-Home Order and other emergency measure intended to preserve the public health and safety of the Nation and its members, employees, and visitors, and to mitigate the risk of COVID-19 infection; the Nation's Middle Verde Sewer Lagoon liner requires repairs to improve venting beneath the lagoon liner and to repair several tears in the liner fabric; Council hereby finds that increased water flows into the sewer lagoon caused by the Nation's ongoing COVID-19 Stay-at-Home Order has resulted in the need to repair the liner fabric to contain the increased flows; the Yavapai-Apache Nation Utility Department desires to retain Longfellow Excavating, LLC to provide work needed in connection with repairs of the Middle Verde Sewer Lagoon liner; including dewatering the lagoon and cleaning the liner in preparation for repairs to be provided by the liner manufacturer under the liner warranty; the Utility Department recommends that the Nation enter into a Construction Agreement with Longfellow Excavating, LLC under which Contractor will provide all labor and materials as required to water and clean the lagoon liner; the term of the agreement shall commence upon approval of this resolution and shall be completed on or before December 18, 2020. Total compensation to be paid by the Nation to the Contractor under the Agreement shall not exceed the contract sum of \$24,772;

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Funding for payment of compensation under the Agreement is available for appropriation from the CARES Act Coronavirus Relief funds made available to the Nation for addressing the impacts of COVID-19 as the cost is a necessary expenditure incurred due to the COVID-19 public health emergency, was not accounted for in the budget most recently approved as of March 27, 2020, and is incurred during the period that begins on March 1, 2020 and ends on December 30, 2020; the Council has determined that it is in the best interest of the Nation to enter into the Agreement with Longfellow Excavating, LLC; the Tribal Council authorizes the Nation to enter into a Construction Agreement with Longfellow Excavating, LLC under which the Contractor will provide all laborer and materials needed in connection with repairs of the Middle Verde Sewer Lagoon liner; including dewatering of the lagoon and cleaning of the liner in preparation for repairs to be provided by the liner manufacturer under the liner warranty per Version 1 (11-12-2020) seconded by Nancy Guzman; 8 For, 0 Against, 1 Abstained, motion passed.

11. OLD BUSINESS

a. FEMA Funding – Darlene Rubio asked about the notes of the meeting when we met with FEMA. She would like to re-address the comments made at the meeting and to also provide information to Germania Jones.

Robert Mills explained there are a lot of areas FEMA will cover where the CARES will not. CARES will cover 100% for certain items. FEMA will cover for the overtime for the police and mileage for the food distribution. He is waiting for a \$45,000 reimbursement from FEMA. There is a lot of discrepancy from what we are being told and what is being paid. We need to schedule a meeting with FEMA. He is working on June-August reimbursement.

Tanya Lewis mentioned when COVID-19 is over and when the President declares the State of Emergency is over then FEMA's reimbursement ends.

Chairman Huey added there are questions on some of the reimbursements. A work session will be scheduled by Robert Mills with FEMA.

b. APPROVAL OF RESOLUTION APPROVING AMENDMENTS TO THE YAVAPAI-APACHE NATION TRIBAL HOUSING LOW RENT POLICY MANUAL – Nadie Beauty

The Council had a work session earlier in the week. Amendments have been proposed to the Yavapai-Apache Nation Tribal Housing Low Rent Policy Manual, definition of "Indian Family", Section 1.1.1, and Section 2.1 to provide that applicants must have a head of household who is an enrolled member of the Yavapai-Apache Nation to be eligible for the Low Rent Programs.

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Nancy Guzman mentioned if a child (tribal member) has been returned to tribal member (parent) then the head of household (non-Indian) needs to move within 30 days. We need to address it.

Darlene Rubio stated for the record, "She supported the amendment at the work session and after long consideration she will not support the resolution. No matter the age she would support the Yavapai-Apache Housing be available for all tribal members to include our children. The child has the right to live on the reservation. Her heart felt heavy on the day of the work session. We need to protect our children."

Chairman Huey explained the Council met in a work session earlier in the week and there was a request to have a resolution drafted to approve the amendment.

Henry Smith motioned to table the resolution and schedule a work session seconded by Ricardo Pacheco; 7 For, 2 Against, 0 Abstained, motion passed.

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

EXECUTIVE SESSION

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

Chairman Huey summarized while in Executive Session the Council commented on the Housing Policy and a work session will be scheduled.

Nancy Guzman motioned to adjourn at 12:46 p.m. seconded by Germana Jones; 9 For, 0 Against, 0 Abstained, motion passed.

YAVAPAI-APACHE TRIBAL COUNCIL



Karla Reimer, Secretary