

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Budget Modification #1 to increase laborer positions by two for Dump Closure
Budget 10-1097)**

RESOLUTION NO. 04-164

1 **WHEREAS, the Tohono O'odham Nation ("Nation"), in exercise of its sovereign authority, desires**
2 **to manage and regulate the storage, collection, recycling, transportation and**
3 **disposal of solid waste and certain hazardous waste on lands within the boundaries**
4 **of the Tohono O'odham Nation (Nation) in order to protect the Nation's environment,**
5 **its natural resources, the political integrity and economic security, and the health,**
6 **safety and welfare of its members and all persons present on the lands of the Nation;**
7 **and**

8 **WHEREAS, the United States Congress adopted legislation in the form of *The Indian Lands Open***
9 ***Dump Clean-up Act of 1994*, 25 USC section 3901-3908, requiring the Indian Health**
10 **Service to provide technical and financial assistance for the closure of all solid waste**
11 **dumps on Indian Lands; and**

12 **WHEREAS, a detailed cost analysis of the cleaning and closing of all 113 dump sites, entitled**
13 ***Closure and Post-Closure Plan Tohono O'odham Nation Open Dumpsites (August, 15,***
14 ***2000)* was presented to the Legislative Council and has been estimated at \$6,200,000;**
15 **and**

16 **WHEREAS, the Nation has successfully applied for and received \$1,636,000 from the Indian**
17 **Health Service and the U.S. Interagency Solid Waste Task Force for starting the**
18 **process of cleaning up and closing all of the solid waste dumps; and the Nation will**
19 **continue to apply for additional funds for closure as long as funds are available; and**

20 **WHEREAS, the Indian Health Service has established MOA's with the Tohono O'odham Nation**
21 **to enable funds to be transferred to the Nation, through a construction contract, to**
22 **close various dumpsites based on estimates prepared by SWMP as detailed in**
23 **attached letter dated 12/10/03 from I.H.S. to the T.O.N.; and**

24 **WHEREAS, the dump closure project needs two additional laborers to assist S.W.M.P. in the**
25 **dump closure process.**

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
27 **creation of two additional laborer positions as detailed in the attached budget**
28 **modification #1 for account 10-1097-610.**

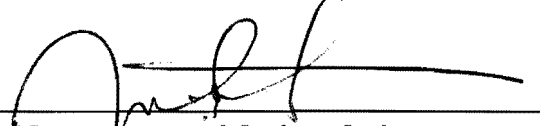
29 **BE IT FINALLY RESOLVED that subsequent funding for solid waste dump clean up and closures**
30 **is wholly dependant upon continued funding from Indian Health Services funds, U.S.**
31 **Interagency Solid Waste Task Force funds and other grant funds, and there will be no**
32 **obligation for funding by the Tohono O'odham Nation.**

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**(Budget Modification #1 to increase laborer positions by two for Dump Closure Budget 10-1097)
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH Day of APRIL, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Isidro Lopez, Legislative Chairman

22 day of April, 2004

ATTEST:


Lucille Lopez, Acting Legislative Secretary

20th day of April, 2004.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'odham Nation on the 22 day of April, 2004 at 2:03 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Isidro Lopez, Legislative Chairman

APPROVED

on the 26th day of April, 2004

DISAPPROVED

at 10:26 o'clock, A.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 04-164

**(Budget Modification #1 to increase laborer positions by two for Dump Closure Budget 10-1097)
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Returned to the Legislative Secretary on the 26th day of

April, 2004, at 10:33 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: BUDGET MODIFICATION #1 TO INCREASE LABORER POSITIONS BY TWO FOR DUMP CLOSURE BUDGET 10-1097

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN JEROME JOAQUIN

DATE: APRIL 20, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			X
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Villegas-Liston)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			X
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			X
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			X
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			X
TOTAL		2,629.7	2,629.7	-0-	-0-	[05]

**PASSED VOTES