

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Transfer of Insurance Payments from the Nation's Insurance Account to
NRD-SWMP Revenue Account and the Approval of Budget Amendment #1 for 83-0003)

RESOLUTION NO. 05-359

- 1 **WHEREAS, the Tohono O'odham Nation in exercise of its sovereign authority, desires to manage**
2 **and regulate the storage, collection, recycling, transportation and disposal of solid**
3 **waste and certain hazardous waste on lands within the boundaries of the Nation in**
4 **order to protect the Nation's environment, its natural resources, the political**
5 **integrity and economic security of the Nation, and the health, safety and welfare of**
6 **its members and all persons present on the lands of the Nation; and**
- 7 **WHEREAS, the Tohono O'odham Legislative Council adopted the Solid Waste Management Code**
8 **and Solid Waste Management Plan on February 12, 1997 with resolution #97-041; and**
- 9 **WHEREAS, the Tohono O'odham Solid Waste Plan directs the Solid Waste Management Program**
10 **(SWMP) to implement a system of collection, recycling and disposal of solid waste,**
11 **and certain hazardous waste; and collect solid waste fees to help pay for program**
12 **costs; and**
- 13 **WHEREAS, the SWMP has had three vehicle accidents in FY 2005 that were declared total losses**
14 **by the Nation's Insurance Company and the amount of the insurance settlement for**
15 **all three is \$181,600.00; and**
- 16 **WHEREAS, the SWMP relies on three front loader trash trucks to collect waste from 700+ bins**
17 **throughout the Nation on a weekly basis; and**
- 18 **WHEREAS, the SWMP needs to replace the totaled front loader trash truck as soon as possible to**
19 **maintain consistent, reliable service; and**
- 20 **WHEREAS, the SWMP to have reliable service must maintain the 39 pieces of equipment with two**
21 **existing mechanics; and**
- 22 **WHEREAS, the SWMP needs two automotive service worker positions created and to be funded**
23 **by program revenue to assure that the SWMP fleet is in proper working order.**
- 24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
25 **the transfer of \$181,600.00 from the Insurance Account to the NRD-Solid Waste**
26 **Revenue Account in FY-2005 as detailed in the attached budget amendment.**

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BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby approves the creation of two positions as detailed in the attached FY-2005 budget amendment number one for account 83-0003.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH Day of JUNE, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) & (3) 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

Evelyn B. Juan Manuel
Evelyn B. Juan Manuel, Legislative Chairwoman

28th day of June, 2005

ATTEST:

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

28th day of June, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 28th day of June, 2005 at 3:44 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

Evelyn B. Juan Manuel
Evelyn B. Juan Manuel, Legislative Chairwoman

APPROVED

on the 29th day of June, 2005

DISAPPROVED

at 1:29 o'clock, P.M.

Vivian Juan Saunders
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 29th day of

June, 2005, at 1:29 o'clock, P.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE TRANSFER OF INSURANCE PAYMENTS FROM THE NATION'S INSURANCE ACCOUNT TO NRD-SWMP REVENUE ACCOUNT AND THE APPROVAL OF BUDGET AMENDMENT #1 FOR 83-0003

MOVED: COUNCILWOMAN DELMA GARCIA

SECOND: COUNCILMAN RAYMOND VICTOR

DATE: JUNE 27, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			X
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENÉ ANDREW (Rita Martínez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[01]

****PASSED VOTES**