

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2006 Construction Grant for Solid Waste Dump Clean Up and Closures)

RESOLUTION NO. 05-549

1 **WHEREAS, the Tohono O'odham Legislative Council ("Legislative Council") adopted the Solid**
2 **Waste Management Code and Solid Waste Management Plan on February 12, 1997**
3 **(Resolution 97-041); and**

4 **WHEREAS, the United States Congress adopted legislation entitled, *The Indian Lands Open Dump***
5 ***Clean-up Act of 1994*, 25 USC section 3901-3908, requiring the Indian Health Service**
6 **to provide technical and financial assistance for the closure of all solid waste dumps**
7 **on Indian Lands; and**

8 **WHEREAS, a detailed cost analysis of the cleaning and closing of all the Nation's 113 dump sites,**
9 **entitled *Closure and Post-Closure Plan Tohono O'odham Nation Open Dumpsites* was**
10 **presented to the Legislative Council in August 2000 with estimated costs of \$6,200,000;**
11 **and**

12 **WHEREAS, the Nation has applied for and has both received and will receive a total of**
13 **\$1,934,000.00 from the I.H.S. Sanitary Deficiency Fund and the Federal Interagency**
14 **Solid Waste Task Force; and the Nation will continue to apply for additional funds for**
15 **closure; and**

16 **WHEREAS, the Tohono O'odham Solid Waste Management Code directs that the Solid Waste**
17 **Regulatory Office shall monitor the closure all dump-sites making sure to conform to**
18 **applicable environmental standards.**

19 **NOW, THEREFORE, BE IT RESOLVED that current and future Indian Health Service funds, Federal**
20 **Interagency Solid Waste Task Force funds and other grant funds earmarked for dump**
21 **closure continue to be directed into designated Bank of America account**
22 **#000252452099 for the Solid Waste Management Program to perform such dump**
23 **closure activity.**

24 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
25 **expenditure of \$384,304.36 for FY-2006 in accordance with the attached budget.**

26 **BE IT FURTHER RESOLVED by the Tohono O'odham Nation Legislative Council that the Tohono**
27 **O'odham Nation's Official, to wit: the Chairwoman, Vice Chairman and any designated**
28 **person are hereby authorized to negotiate and execute the grant, provided however,**
29 **that any amendments affecting the funding levels of the grant shall be submitted for**
30 **further prior approval.**

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

5 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH Day
6 of SEPTEMBER, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-
7 AGAINST; -0- NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by
8 Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
9 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
10 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
11 18, 1934 (48 Stat. 984).

12
13 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

14 
15 _____
16 Evelyn B. Juan Manuel, Legislative Chairwoman

17
18 29 day of September, 2005

19
20 **ATTEST:**

21 
22 _____
23 Lucille Lopez, Acting Legislative Secretary

24
25 28th day of September, 2005.

26
27 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
28 O'Odham Nation on the 29 day of September, 2005 at 12:39 o'clock, 7.M.,
29 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
30 upon her approval or upon her failure to either approve or disapprove it within 48 hours of
31 submittal.

32 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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34 _____
35 Evelyn B. Juan Manuel, Legislative Chairwoman

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39 **APPROVED**

on the 29 day of September, 2005

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41 **DISAPPROVED**

at 6:56 o'clock, P.M.

42
43 
44 _____
45 VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
46 TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 03rd day of

October, 2005, at 12:01 o'clock, 1 .M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING FY 2006 CONSTRUCTION GRANT FOR SOLID WASTE DUMP CLEAN UP AND CLOSURES

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN PHYLLIS JUAN

DATE: SEPTEMBER 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			
	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. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[-0-]

**PASSED VOTES