

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a New FY2010 Budget for Office of Attorney General to Administer
Settlement Funds)**

RESOLUTION NO. 10-176

1 **WHEREAS, the Legislative Council is vested with the power “to manage any funds within the**
2 **exclusive control of the Tohono O’odham Nation, including proceeds derived from**
3 **lands and resources of the Tohono O’odham Nation, and to appropriate these funds**
4 **for the benefit of the nation and its members. All expenditures of these funds shall be**
5 **pursuant to appropriations or budgets authorized under resolutions or in accordance**
6 **with ordinances of the Tohono O’odham Council...” (Constitution of the Tohono**
7 **O’odham Nation, Article VI, Section 1(d)(2)); and**

8 **WHEREAS, in accordance with Legislative Council Resolution No. 09-017, the Nation entered into**
9 **a settlement agreement among the Nation, the Bureau of Indian Affairs, and Craig E.**
10 **Van Sickle (the “Settlement Agreement”); and**

11 **WHEREAS, pursuant to the Settlement Agreement, the Nation accepted title to, and now owns, a**
12 **patented mining claim known as the Vekol Mine, consisting of the Vekol, Mt. Vernon,**
13 **Argosy, Grand Father, Look Out and Flat Iron patented mining claims, located in Pinal**
14 **County, Arizona, and within the exterior boundaries of the Nation’s Reservation in the**
15 **Sif Oidak District; and**

16 **WHEREAS, pursuant to the Settlement Agreement, the Nation has been paid an amount of**
17 **\$23,967.41 (the “Settlement Funds”); and**

18 **WHEREAS, in accordance with the Land Policy of the Tohono O’odham Nation (Constitution of the**
19 **Tohono O’odham Nation, Article XVI, Section 9), it is in the best interest of the Nation**
20 **that the Vekol Mine and other similar patented mining claims within the exterior**
21 **boundaries of the Nation be acquired by the United States in trust for the Nation; and**

22 **WHEREAS, trust acquisition by the United States may require that the Nation provide**
23 **environmental site assessments, hazardous materials assessments, related technical**
24 **studies, and possibly cleanup or remediation as part of the trust acquisition process;**
25 **and**

26 **WHEREAS, the Natural Resources Committee recommends that the Nation appropriate the**
27 **Settlement Funds for the purpose of performing any studies or cleanup through**
28 **contracted professional services or by the Nation’s staff required to ensure that the**
29 **Vekol Mine is suitable for acquisition by the United States in trust for the Nation, with**

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(Approving a New FY2010 Budget for Office of Attorney General to Administer Settlement Funds)

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1 any excess funds to be used for the purpose of performing any studies or cleanup
2 required to ensure that other parcels within the Sif Oidak District are suitable for
3 acquisition by the United States in trust for the Nation; and

4 WHEREAS, the Natural Resources, Water Resources and Budget and Finance Committees have
5 reviewed, and recommend that the Legislative Council approve, the attached New
6 FY2010 Budget – Vekol Mine Settlement Funds, to be administered by the Office of
7 Attorney General to administer the Settlement Funds for the purposes described in the
8 budget.

9 NOW, THEREFORE, BE IT RESOLVED that the Tohono O’odham Legislative Council hereby approves
10 the attached New FY2010 Budget – Vekol Mine Settlement Funds, in the amount of
11 \$23,967.41, to be administered by the Office of Attorney General, provided that any
12 changes to the budget will be presented to the Legislative Council for further approval.

13 BE IT FINALLY RESOLVED that the Tohono O’odham Legislative Council hereby authorizes the
14 Office of Attorney General to expend the funds in accordance with the attached budget,
15 which funds shall remain available until expended.

16 The foregoing Resolution was passed by the Tohono O’odham Legislative Council on the 12TH Day
17 of MAY, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;
18 -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI,
19 Section 1 (d)(2) of the Constitution of the Tohono O’odham Nation, adopted by the Tohono O’odham
20 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs
21 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

24 TOHONO O'ODHAM LEGISLATIVE COUNCIL

25 
26 _____
27 Verlon M. Jose, Legislative Chairman

28 17 day of May, 2010

33 ATTEST:

34 
35 _____
36 Evonne Wilson, Legislative Secretary

37 17 day of May, 2010.

41

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
2 Nation on the 17 day of May, 2010 at 5:07 o'clock, p..M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

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7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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9 
10 _____
11 Verlon M. Jose, Legislative Chairman

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16 APPROVED

on the 19 day of May, 2010

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18 DISAPPROVED

at 12:55 o'clock, 8.M.

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22 NED NORRIS, JR., CHAIRMAN
23 TOHONO O'ODHAM NATION

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28 Returned to the Legislative Secretary on the 19 day of

29 May, 2010, at 2:31 o'clock, p..M.

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32 _____
33 Evonne Wilson, Legislative Secretary

ACTION: APPROVING A NEW FY2010 BUDGET FOR OFFICE OF ATTORNEY GENERAL TO ADMINISTER SETTLEMENT FUNDS

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: MAY 12, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			X
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			X
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[04]