

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Rescind Resolution No. 10-324 which had Authorized the Acceptance and Expenditure
of \$379,133.30 from Indian Health Service (I.H.S.) Memorandum of Agreement of the Solid
Waste Management Program FY 2011 I.H.S. Budget 10-1097 due to lack of funding)**

RESOLUTION NO. 10-370

1 **WHEREAS, the Tohono O'odham Legislative Council approved a Memorandum of Agreement**
2 **between the Solid Waste Management Program and the Indian Health Service and**
3 **budget 10-1097 through Resolution No. 97-041; and**

4 **WHEREAS, the Solid Waste Management Program submitted a FY 2011 I.H.S. budget for dump**
5 **closure in the amount of \$379,133.30; and**

6 **WHEREAS, the Solid Waste Management Program budget FY2011 I.H.S. budget 10-1097 was**
7 **reviewed by the Legislative Natural Resources Committee and the Legislative Budget**
8 **and Finance Committee; and**

9 **WHEREAS, Legislative Council approved said budget with Resolution No. 10-324; and**

10 **WHEREAS, the Grants and Contracts Office and the Natural Resources Department's Solid Waste**
11 **Management Program (SWMP) working with the Indian Health Services Division of**
12 **Environmental Health and Engineering (I.H.S.E.H.&E.) have just completed a dump**
13 **closure project review and concluded that all I.H.S.E.H.&E. dump closure funding has**
14 **been obligated to existing dumpsites, and that \$379,133.30 is not available for FY-2011;**
15 **and**

16 **WHEREAS, Indian Health Services Division of Environmental Health and Engineering has**
17 **confirmed that (86) eighty-six existing dumpsites have officially been closed; (15)**
18 **fifteen existing dumpsites are in the process of closure and that (11) eleven existing**
19 **dumpsites are currently infeasible for funding due to their low Sanitary Deficiency**
20 **Priority ranking.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council rescinds**
22 **Resolution No. 10-324 which had authorized the acceptance and expenditure of**
23 **\$379,133.30, from the I.H.S. Memorandum of Agreement, for the Solid Waste**
24 **Management FY2011 I.H.S. budget 10-1097, due to lack of funds.**

25 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that when new dump closure**
26 **funding is identified a new budget will be proposed.**

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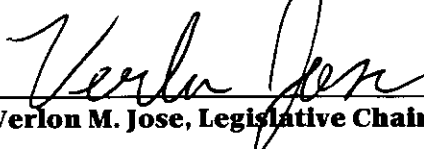
RESOLUTION NO. 10-370

(Rescind Resolution No. 10-324 which had Authorized the Acceptance and Expenditure of \$379,133.30 from Indian Health Service (I.H.S.) Memorandum of Agreement of the Solid Waste Management Program FY 2011 I.H.S. Budget 10-1097 due to lack of funding)

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1 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
2 **of SEPTEMBER, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0-**
3 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article**
4 **VI, Section 1 (d)(2)(d)(3) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the**
5 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
6 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
7 **18, 1934 (48 Stat. 984).**

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9 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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13 **Verlon M. Jose, Legislative Chairman**

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16 23 day of September, 2010

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18 **ATTEST:**

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21 **Evonne Wilson, Legislative Secretary**

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23 22 day of September, 2010.

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25 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
26 **Nation on the 25 day of September, 2010 at 5:03 o'clock, p.M.,**
27 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
28 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
29 **submittal.**

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31 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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35 **Verlon M. Jose, Legislative Chairman**

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39 **APPROVED**

on the 27 day of September, 2010

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41 **DISAPPROVED**

at 10:00 o'clock, a.M.

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46 **NED NORRIS, JR., CHAIRMAN**
47 **TOHONO O'ODHAM NATION**
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RESOLUTION NO. 10-370

(Rescind Resolution No. 10-324 which had Authorized the Acceptance and Expenditure of \$379,133.30 from Indian Health Service (I.H.S.) Memorandum of Agreement of the Solid Waste Management Program FY 2011 I.H.S. Budget 10-1097 due to lack of funding)

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1 Returned to the Legislative Secretary on the 27 day of

2 September, 2010, at 12:24 o'clock, P.M.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: RESCIND RESOLUTION NO. 10-324 WHICH HAD AUTHORIZED THE ACCEPTANCE AND EXPENDITURE OF \$379,133.30 FROM INDIAN HEALTH SERVICE (I.H.S.) MEMORANDUM OF AGREEMENT OF THE SOLID WASTE MANAGEMENT PROGRAM FY 2011 I.H.S. BUDGET 10-1097 DUE TO LACK OF FUNDING

MOVED: COUNCILWOMAN KIMBERLY LISTO

SECOND: COUNCILMAN FREDRICK JOSE

DATE: SEPTEMBER 15, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			
	2. MARY LOPEZ ()	99.35	X			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 <i>(Absent)</i> (Fredrick Jose) <i>(Present)</i>	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 <i>(Absent)</i> (Eugene Enis) <i>(Present)</i>	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			X
BABOQUIVARI 324.0	1. FRANCES MIGUEL <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i>	162.0	X			
	2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i>	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[05]