

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorization to Accept Five Existing Positions and Staff from 11-1124 ARRA Dump**  
**Closure Budget to 01-1097 Tribal Budget Effective April 1, 2011)**

**RESOLUTION NO. 11-104**

1 **WHEREAS, the Tohono O'odham Solid Waste Management Program (SWMP) collects, recycles and**  
2 **disposes of solid waste including the clean-up and closure of the Nation's community**  
3 **open dumps; and**

4 **WHEREAS, the funding of dump closure has been a combination of Indian Health Service's**  
5 **sanitary deficiency, interagency work group, ARRA funds and tribal funds over a nine**  
6 **year period, starting in 2002, to eliminate the environmental and human health**  
7 **hazards of open dumps; and**

8 **WHEREAS, the dump closure project, consists of ninety-three (93) closed sites and eleven (11)**  
9 **nearing completion in FY-2011 with the potential of some funding in the future for a**  
10 **few remaining sites; and**

11 **WHEREAS, the Nation has purchased a grader, three loaders, three dump trucks, a track loader**  
12 **and a bull dozer over a nine year period of cleaning up and closing community dump**  
13 **sites; and**

14 **WHEREAS, SWMP has developed the heavy equipment capability to repair dirt roads, demolish**  
15 **buildings, construct building pads; and**

16 **WHEREAS, the SWMP through its purchase of heavy equipment has been providing heavy**  
17 **equipment assistance for nine years to families, communities, districts, and Nation's**  
18 **departments for the benefit of the Tohono O'odham; and**

19 **WHEREAS, the current funding for SWMP staff within 11-1124 budget runs out on March 31, 2011;**  
20 **and**

21 **WHEREAS, the transfer of SWMP's experienced staff from 11-1124 to 01-1097 on April 1, 2011 will**  
22 **enable the program to continue providing essential and emergency solid waste and**  
23 **heavy equipment services at the levels the Tohono O'odham Nation has grown**  
24 **accustom to; and**

25 **WHEREAS, the SWMP has identified funds from vacant positions within their existing 01-1097**  
26 **budget in the amount of \$93,986.41 that will cover the personnel and fringe for six (6)**  
27 **months; and**

28 **WHEREAS, the five positions will be recurring and increase the base budget from \$1,099,702.41**  
29 **to \$1,229,497.54 an increase of \$129,795.13 for FY 2012; and**

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1 **WHEREAS, the SWMP FY 2011 01-1097 budget has been reviewed and approved by the Legislative**  
2 **Natural Resources Committee and Legislative Budget and Finance Committee.**

3 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council authorizes the**  
4 **acceptance of two Heavy Equipment Operator positions, and one Equipment**  
5 **Operator/Driver II position and two laborer positions and that the existing staff be**  
6 **transferred with these positions.**

7 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council freezes the supervisor**  
8 **position (control number 01-1097-003-597) to assist in paying for the cost of staff**  
9 **transfers in FY-2011 and FY-2012.**

10 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the five transferred**  
11 **positions will be recurring in further fiscal years and increase the base budget for FY-**  
12 **2012 and subsequent years.**

13 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham**  
14 **Chairman and Vice-Chairman and any designated official are authorized to**  
15 **administer the Executive Branch FY-2012 Budget, provided however that any**  
16 **amendments affecting the aggregate total of the funds originally budgeted for the**  
17 **purposes for which the funds were budgeted shall be submitted to prior approval by**  
18 **the Tohono O'odham Legislative Council.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 23<sup>RD</sup> Day**  
20 **of MARCH, 2011 at a meeting at which a quorum was present with a vote of 2,160.70 FOR; 230.10**  
21 **AGAINST; 204.70 [03] NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council**  
22 **by Article VI, Section 1 (d)(2) and (3) of the Constitution of the Tohono O'odham Nation, adopted**  
23 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
25 **18, 1934 (48 Stat. 984).**

26  
27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

32  
33 25 day of March, 2011  
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1 **ATTEST:**

2 *Evonne Wilson*  
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4 **Evonne Wilson, Legislative Secretary**

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6 24 day of March, 2011.

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**  
9 **Nation on the 25 day of March, 2011 at 3:17 o'clock, P.M.,**  
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
11 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
12 **submittal.**

13 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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15 *Verlon Jose*  
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17 **Verlon M. Jose, Legislative Chairman**

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23  **APPROVED**

on the 28 day of March, 2011

24  
25  **DISAPPROVED**

at 3:10 o'clock, P.M.

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27 *Ned Norris, Jr.*  
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29 **NED NORRIS, JR., CHAIRMAN**  
30 **TOHONO O'ODHAM NATION**

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35 **Returned to the Legislative Secretary on the 28 day of**  
36 **March, 2011, at 3:22 o'clock, P.M.**

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39 *Evonne Wilson*  
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41 **Evonne Wilson, Legislative Secretary**

**ACTION: AUTHORIZATION TO ACCEPT FIVE EXISTING POSITIONS AND STAFF FROM 11-1124 ARRA DUMP CLOSURE BUDGET TO 01-1097 TRIBAL BUDGET EFFECTIVE APRIL 1, 2011**

**MOVED: COUNCILWOMAN MARY LOPEZ**

**SECOND: COUNCILWOMAN LORRAINE EILER**

**DATE: MARCH 23, 2011**

| DISTRICT                           | LEGISLATIVE REPRESENTATIVES                | # OF VOTES      | FOR             | AGAINST       | NOT VOTING                   | ABSENT      |
|------------------------------------|--|-----------------|-----------------|---------------|------------------------------|-------------|
| <b>SIF OIDAK</b><br><b>198.7</b>   | 1. WAVALENE ROMERO<br>(Nicholas Jose)      | 99.35           | X               |               |                              | X           |
|                                    | 2. MARY LOPEZ<br>( )                       | 99.35           | X               |               |                              |             |
| <b>SELLS</b><br><b>449.6</b>       | 1. KIMBERLY MULL<br>( )                    | 224.80          | X               |               |                              |             |
|                                    | 2. EVELYN B. JUAN MANUEL<br>( )            | 224.80          | X               |               |                              |             |
| <b>SCHUK TOAK</b><br><b>159.0</b>  | 1. FRANCES B. CONDE<br>(Fredrick Jose)     | 79.50           | X               |               |                              |             |
|                                    | 2. LINDA PARLEY<br>(Agnes Joaquin)         | 79.50           | X               |               |                              | X           |
| <b>SAN XAVIER</b><br><b>204.7</b>  | 1. FELICIA NUÑEZ<br>( )                    | 102.35          |                 |               | X                            |             |
|                                    | 2. OLIVIA VILLEGAS-LISTON<br>(Eugene Enis) | 102.35          |                 |               | X                            |             |
| <b>SAN LUCY</b><br><b>187.1</b>    | 1. LORRAINE EILER<br>( )                   | 93.55           | X               |               |                              |             |
|                                    | 2. GLORIA RAMIREZ<br>( )                   | 93.55           | X               |               |                              | X           |
| <b>PISINEMO</b><br><b>184.5</b>    | 1. CHESTER ANTONE<br>(Tony Murrietta)      | 92.25           | X               |               |                              |             |
|                                    | 2. EDWARD MANUEL<br>(Gerald Fayuant)       | 92.25           | X               |               | X                            |             |
| <b>HICKIWAN</b><br><b>174.5</b>    | 1. MICHELLE ORTEGA<br>( )                  | 87.25           | X               |               |                              |             |
|                                    | 2. SANDRA ORTEGA<br>( )                    | 87.25           | X               |               |                              | X           |
| <b>GU VO</b><br><b>206.3</b>       | 1. GRACE MANUEL<br>( )                     | 103.15          | X               |               |                              |             |
|                                    | 2. PAMELA ANGHILL<br>(Angela Ortiz)        | 103.15          | X               |               |                              |             |
| <b>GU ACHI</b><br><b>230.1</b>     | 1. TIMOTHY L. JOAQUIN<br>( )               | 115.05          |                 | X             |                              |             |
|                                    | 2. CYNTHIA E. MANUEL<br>(Louis L. Johnson) | 115.05          |                 | X             |                              |             |
| <b>CHUKUT KUK</b><br><b>277.0</b>  | 1. ETHEL GARCIA<br>(Sara Mae Williams)     | 138.50          | X               |               |                              |             |
|                                    | 2. VERLON M. JOSE<br>( )                   | 138.50          | X               |               |                              |             |
| <b>BABOQUIVARI</b><br><b>324.0</b> | 1. FRANCES MIGUEL<br>(Roberta Harvey)      | 162.0           | X               |               |                              | X           |
|                                    | 2. FRANCES G. ANTONE<br>(Vernon Smith)     | 162.0           | X               |               |                              |             |
| <b>TOTAL</b>                       |  | <b>2,595.50</b> | <b>2,160.70</b> | <b>230.10</b> | <b>204.70</b><br><b>[03]</b> | <b>[05]</b> |