

Hopi Tribal Council, 9-1-1976, Minutes of Regular Meeting of the Hopi Tribal Council.  
Tribal Headquarters, Kykotsmovi. Copy courtesy Hopi Tribal Secretary.

SEPTEMBER 1, 1976

The regular meeting of the Hopi Tribal Council reconvened and was called to order by Chairman Abbott Sekaquaptewa at 9:00 a.m. Roll call was taken and the following members were present or absent:

PRESENT

Abbott Sekaquaptewa  
Thomas Balenquah  
Esther Howard  
Jacob Coochise  
Austin Komalestewa  
Logan Koopee  
Hansen Tootsie  
Myron Polequaptewa  
Sankey George, Sr.  
Gary Norton  
Lorenzo Yoyokie  
Bert Puhueyestewa  
Wilson Williams  
Clifford Honahni  
Robert Sakiestewa  
Samuel Shing  
Leona J. Natseway

REPRESENTING

Chairman, Hopi Tribal Council  
Bakabi Village  
Bakabi Village  
First Mesa Consolidated Villages  
First Mesa Consolidated Villages  
First Mesa Consolidated Villages  
First Mesa Consolidated Villages  
Old Oraibi Village  
Kyakotsmovi Village  
Kyakotsmovi Village  
Kyakotsmovi Village  
Mishongnovi Village  
Mishongnovi Village  
Upper Moenkopi Village  
Upper Moenkopi Village  
Interpreter/Sgt-at-Arms  
Tribal Secretary, Hopi Tribal Council

ABSENT

Alvin Dashee (late)  
Charles Luke (late)

REPRESENTING

Vice-Chairman, Hopi Tribal Council  
Sipaulovi Village

There was a quorum of members present, so the meeting commenced with the business at hand.

ANNOUNCEMENTS

1. Mr. Koopee announced that the primary election will be on Tuesday, September 7, 1976, and he highly recommended that the members of the Hopi Tribe support Mr. Sam Steiger, whose opposition will be Mr. Conlan, for State Senator. Mr. Conlan has been in opposition to the Hopi Tribe especially in the land dispute matter. Mr. Balenquah also asked support for Mr. Steiger stating that he has certainly supported the Hopi Tribe on a number of issues.

received 8/31/76 to the Hopi Tribal Council, regarding a request to use funds from the general fund of the Hopi Tribe to hire an attorney and Hopi spokesman for their village. Chairman stated that no action will be taken up on this request now but will be taken up later on.

5. Letter of transmittal from Chairman Sekaquaptewa to H. Gregory Austin, Solicitor, Washington, D. C., dated 8/6/76, regarding the resolution that was passed by Council at their last meeting that requested that Mr. William LaVell, Field Solicitor, based in Phoenix, Arizona, be immediately relieved because it was felt by the Hopi Tribe that he could not render a just and fair decision on any disputes between the Navajo and Hopi Tribes due to his previous experience as Counsel for the Navajo Tribe.

6. Letter of transmittal from Chairman Sekaquaptewa to Commissioner Thompson, dated 8/9/76, regarding the resolution that was passed by Council that requested the transfer of jurisdiction of the Pasture Canyon area from the Navajo Area Office to the Phoenix Area Office in order to protect the Pasture Canyon Dam from further damage by the Navajo Tribe.

7. Letter from Ms. Dealva Honanie, dated 8/17/76, and Mr. James T. Bialac, Attorney, dated 8/5/76, both regarding their opposition to a Hopi Kachina impersonation that was used during a Smoki Dance which is sponsored annually by Prescott businessmen.

8. Letter from Mr. Bruce Powell, Manager, Oraibi Trading Post, dated 8/10/76, regarding his resignation from the Board of Directors for the Hopi Center for Human Services. This letter will be used as a documentation for a resolution which will be presented later on in relation to Mr. Powell.

cannot be made public at this time.

Lunch break was declared at 12:20 until 1:30 p.m.

#### AFTERNOON SESSION

The afternoon portion of the meeting reconvened and was called to order at 1:45 p.m.

#### EXECUTIVE SESSION

Mr. John Boyden, Sr., was before the Council to report on the land claims case. Because of the negotiating status of the case, minutes were not taken. The record for this portion will show the status of this case was reported on by the General Counsel.

End of Executive Session - 4:00 p.m.

Other matters were reported on by the General Counsel.

#### 1. Settlement of the Roof Repair Project for the Hopi Cultural Center

Mr. Boyden had reported that an offer of \$30,000 has been offered to the sub-contractors as a settlement for the roof repair of the Cultural Center. He needed to know if the Council was agreeable to this settlement.

The Chairman stated that the administration's stand on this is that the Council approve the settlement, because due to poor record keeping during that time, there were not records that would back up a court settlement.

Mr. Boyden further reported that this settlement would be coming from Hunt Building Corporation, Benny Gonzales (A/E Firm); and a sub-contractor, and that this would be the final settlement. The monies would go toward repairing the roof which would then be guaranteed for five years.

## MOTION

Mr. Thomas Balenquah made a motion that we (Council) accept the \$30,000 settlement for the roof repair project for the Cultural Center; seconded by Mr. George.

## VOTE

15 in favor, 0 opposed, 0 abstaining, with the Chairman not voting.

### 2. Brief Report on the 1934 Boundary Bill Law Suit

Mr. Boyden reported that they are preparing exhibits which will be submitted to the court and to the Navajo Tribe which is due on October 1. More material is being researched for in the Southwest Museum and the Northern Arizona Museum. Both Tribes will then have until December 1 to make any motion on it for additions, etc.

### 3. Emmett Tso Case

It was reported that Mr. Tso tried to intervene in the 1934 law suit and the Judge told him that he couldn't do that. This case was to be appealed to the 9th Circuit Court.

### 4. 1882 Executive Order Reservation JUA Partition

There was nothing new to report. They are still waiting for a decision from Judge Walsh.

### 5. Law Suit Filed Against Tribe

Mr. Boyden reported that a small college in Prescott which had gone bankrupt was suing the Hopi and Navajo Tribes. Some potteries and other things had been found in Colorado years ago and were taken to the College to be kept in its museum. Since then, the college had gone bankrupt. The trustee had to sue both Tribes to take care of the Indian artifacts which were

stored in the museum. The law office has answered them and told them that all artifacts belonging to the Hopis should be returned back to them.

The Chairman reported on some subjects relating to the Joint Use Area once the partition has been made. They had brought to the attention of the Joint Use Administrative Office that law enforcement has to be continued in this area after the partition has been made. Other items such as long range planning of the area and the range management plan, plus otherthings relating to continuance of services of the Joint Use Area, were commented on by the Chairman. The Joint Use Office had been told that no one should be allowed to go out into the JUA until the range has been restored. The BIA would have to control this. A copy of the range plan would be submitted to the Council for the record.

6. A new item which was not on the agenda was proposed by Mr. Boyden to also be taken up at this time, which was pertaining to an item from a firm called Snell & Wilmer. However, Mr. Gary Norton objected to it being entered into the agenda, so it was not discussed.

ADMINISTRATION REPORT by Davis Fred

Mr. Fred reported on the following items:

- 1) JUA Cross-fencing Project - The Navajos have gotten the contract to fence section 5A. Now, there is another fencing project coming up, which are areas 5B and 1. He explained that even if the Tribe opposes the fencing, it is still going to be done. He emphasized on the employment opportunity aspect of it, since it will be fenced anyway. After the land partition is made, those fenced areas which will be effected

can be torn down.

Mr. Coochise stated they had told the Joint Use Committee that they were not going to go with any fencing of the JUA unless both Tribes consented to it. At that time, both Tribes had been opposed to the fencing.

A resolution which would authorize the Executive Director or his designee to negotiate with the BIA for contracting of above fencing project was read by the Tribal Secretary and interpreted by Mr. Shing.

MOTION

Mr. Jacob Coochise made a motion that Council adopt the resolution as read; seconded by Mr. Charles Luke.

VOTE

14 in favor, 0 opposed, 1 abstaining (Mr. George), with the Chairman not voting.

- 2) Animal Control Contract - Money has run out for the Animal Control Predator who has been under contract to control predators in District 6. He still has some contract left and has not covered some of the area. He will look for monies in the next fiscal year so the work can continue.
- 3) PBX Telephone System - PBX telephone services for the Tribe will go into effect next week.
- 4) The telephone system will go under a new route to go through Mormon Mountain near Flagstaff. It will probably not come about until next April.
- 5) Hopitue Trailer - Repair to the road will be done by BIA Roads Branch.
- 6) A grant under P. L. 93-638 has been applied for. He is