

RESOLUTION OF THE
 WHITE MOUNTAIN APACHE TRIBE OF THE
 FORT APACHE INDIAN RESERVATION

WHEREAS, it is the desire of the Council of the White Mountain Apache Tribe to assist cooperative associations of members of the Tribe, and

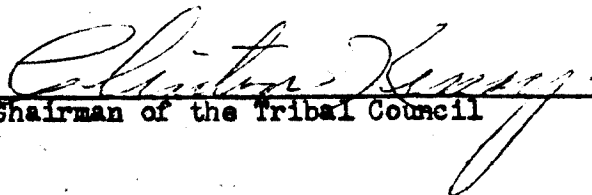
WHEREAS, the Tribal Council recognizes its responsibility toward the economic development of its members, and

WHEREAS, the farmers within the Whiteriver, North Fork, Canyon Day, East Fork and Seven Mile areas have associated into a cooperative on April 4, 1958 for the improvement of the social and economic welfare of these communities and to develop and improve farming lands in these areas,

THEREFORE BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Constitution and By-Laws of the White Mountain Farm Improvement Association are hereby approved.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman of the Tribal Council is hereby authorized to execute a cooperative agreement with the White Mountain Farm Improvement Association and is directed to make an equipment grant of not to exceed ten thousand dollars (\$10,000.).

The foregoing resolution was on April 8, 1958 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1, (j) and (n) of the Constitution and By-Laws of the Tribe ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


 Chairman of the Tribal Council


 Secretary of the Tribal Council

CONSTITUTION AND BY-LAWS
OF THE
WHITE MOUNTAIN FARM IMPROVEMENT ASSOCIATION

PREAMBLE

That we, the White Mountain Apache Indians, all of whom reside in the State of Arizona in convenient proximity to one another, and all of whom are engaged in the production of agricultural products, do voluntarily associate together to promote conservation and improvement of farm lands and thereby better our standard of living.

ARTICLE I - NAME

The name of said association shall be White Mountain Farm Improvement Association.

ARTICLE II - PURPOSE

The specific purposes for which it is formed are: to organize and operate as an association and have as its objective better land and water use; to increase productivity and fertility of all farm land and conserve the natural resources; to develop leadership among Indian people and to assume the responsibility of managing our own affairs.

ARTICLE III - LOCATION AND PLACE OF BUSINESS

Whiteriver in the County of Navajo, State of Arizona.

ARTICLE IV - MEMBERSHIP/PARTICIPATION

The association shall operate on a cooperative basis, each member in good standing shall be entitled to one vote and only one vote. There shall be no voting by proxy. Eligibility for membership shall be determined by the by-laws.

ARTICLE V - MANAGEMENT

A board of seven directors, elected in accordance with the by-laws, shall manage its business in accordance with its Articles and by-laws and the decision of its membership meetings.

ARTICLE VI - DISPOSITION OF SAVINGS

Reserves and operating capital shall be created as provided in the by-laws. Net savings shall at the discretion of the board be used for repair and maintenance of equipment and for the purchase of equipment in replacement of equipment on hand.

ARTICLE VII - POWERS

The association shall comply with such Federal and State laws as may be applicable and the Constitution and By-Laws of association and Tribal Council,

2. To pass and enforce rules and regulations, within its stated purpose, which shall be subject to the approval of the Tribal Council.

ARTICLE VIII - EXISTENCE, AMENDMENTS AND DISSOLUTION

These Articles and By-Laws shall become effective upon approval of the Tribal Council.

Amendments may be made at any annual or other meeting called for the purpose, provided a quorum is present and provided two-thirds of the quorum approve the amendment, with Tribal Council approval.

The association may be dissolved by a vote of two-thirds of the members in good standing and approved by the Chairman of the Tribal Council or designated representative. Upon such request, the Tribal Council shall take possession of the assets of the association and exercise or arrange for the exercise of its powers as may be necessary or proper to liquidate its assets, pay debts and distribute the balance, if any, to the members in good standing on a prorated basis.

BY-LAWS

SECTION I - MEMBERSHIP

1. Eligibility: Any Indian 18 years of age or older who is willing and able to participate in the association activities and who resides within the Whiteriver-East Fork-7 Mile-Turkey Creek-North Fork-Canyon Day farming area shall be eligible for membership and may be admitted upon application and unanimous approval of the board of directors.
2. Withdrawal: Members may withdraw by serving notice in writing to the board.
3. Percent of Interest: Members who die or withdraw shall forfeit their rights and interest in the permanent operating capital of the association.

SECTION II - MEETING OF MEMBERS

1. Annual Meetings: The annual meetings of the members shall be held the first Monday in March of each year, or if this is a holiday, on the following Tuesday.
2. Special Meetings: The president may call special meetings and shall call meetings upon the request of a majority of the board, or upon written petition signed by at least twenty percent (20%) of members in good standing.
3. Notice of Meetings: The secretary shall serve written notices of the time and place of holding each meeting, and on special meetings shall state the purpose thereof to be delivered at least three days prior to the meeting date to each member.
4. Quorum: Twenty-five percent (25%) of the members shall constitute ~~quorum~~ a quorum at annual meetings.

SECTION III - BOARD OF DIRECTORS

1. Election: The president shall be elected by the members at annual meetings for a three-year term. The directors shall be elected by the members at annual meetings. The president shall be elected from any district and the board members shall be elected as follows: two board members from East Fork-7 Mile-Turkey Creek, two from Whiteriver-North Fork and two from Canyon Day.
2. Term Of Office: The first year two directors shall be elected for a term of three years, two for the term of two years and two for the term of one year, thereafter all directors shall be elected for a three-year term. Directors shall hold office until their successors have been elected and have entered duty.
3. Quorum: Four members shall constitute a quorum.

4. Removal: A director may be removed for cause by a vote of not less than two-thirds of the quorum in attendance at any regular or special meeting called for the purpose at which a quorum is present. Officers may be removed for cause by a vote of a majority of the members of the board.
5. Meetings: The board shall meet at least once every quarter at the time and place set by the board.
6. Election of Officers: The board shall meet within two days after the election by the members and elect by ballot among themselves a vice-president, a secretary and a treasurer who shall hold office until the election or appointment of their successors, or until removed by death, resignation or for cause.
7. Compensation: The president, vice-president, secretary, treasurer or member may be employed by the association only with the unanimous approval of the board. The president and the board of directors shall receive the sum of \$6.00 per diem per meeting.
8. Vacancies: Vacancies caused by removal or resignation of members of the board may be filled by: (1) the remaining members of the board or (2) by the members at the annual or special meetings called for the purpose. Vacancies shall be filled for the unexpired term only.

SECTION IV - DUTIES OF BOARD OF DIRECTORS AND OFFICERS

1. Duties: The board shall manage the business and affairs of the association and have the power to employ a qualified manager under the contract subject to the approval of the Tribal Council Chairman. The board shall formulate a plan of operation and budget for the coming year and present same to members for consideration at annual meetings.
2. Duties of President: The president shall preside at meetings, perform acts and other duties usually performed by a presiding officer and sign such papers as authorized or directed by the board.
3. Duties of Vice-President: The vice-president shall perform the duties of the president in the absence of the president, or as authorized by the board.
4. Duties of Secretary: The secretary shall keep a complete record of meetings, serve required notices, make reports and perform such duties as may be prescribed by the board.
5. Duties of Treasurer: The treasurer shall disburse funds by check after authorization by the board of directors. Each check shall be countersigned by the president. The treasurer shall keep a record of accounts and disbursements. He shall be responsible for the preparation of the annual financial report and budget.

5. Duties of Manager: The duties of the manager shall be set forth in a written contract by the board of directors. Such duties shall include the keeping of adequate records and accounts.

SECTION V - MEMBER INTERESTS AND RESERVES

1. Reserves: Fifty percent of the net profit each year shall be set aside for replacement, purchase of new equipment or major overhaul. This reserve may not be distributed to the members except in case of dissolution.

SECTION VI - MISCELLANEOUS

1. Bonds: Any officer or employee handling funds of the association shall be bonded in the amount satisfactory to the board, the cost of which may be paid by the association.
2. Accounts and Audits: Accounts and records shall be maintained by the Manager in such a manner as prescribed by the Tribal Council. It shall be the responsibility of the board of directors to cause an annual audit to be made of the accounts and records of the association and present such audit to the members at the annual meeting. Copy also shall be furnished to the Agency Superintendent and Tribal Council Chairman.
3. Depository: Funds shall be deposited in a commercial depository suitable to the board of directors and approved by the Tribal Council Chairman or his designated representative.
4. Fiscal Year: The fiscal year shall be from July 1 to June 30.

CERTIFICATION OF ADOPTION

This Constitution and By-Laws is hereby approved by a majority vote of the adult members of the White Mountain Farm Improvement Association assembled the 14th day of April, 1958.

Approved:

Mary V. Riley
President

Paul Moody
Treasurer

Joe Crocker
Vice-President

Rustin Cherry
Board Member

Shirley Stapp
Secretary

Ed. O'Neil
Board Member

William Bone
Board Member