

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

WHEREAS, the White Mountain Apache Tribe has applied to the Arizona State Justice Planning Agency for funding of a Tribal Police Manpower and Salary Improvement Project under Title I of the Omnibus Crime Control and Safe Streets Act of 1968, and said application has been approved by the Arizona State Justice Planning Agency, and

WHEREAS, the purpose of the subgrant to be awarded in the amount of \$34,999.00 is to assist in upgrading the salaries of the White Mountain Apache law enforcement personnel and to increase the manpower, and

WHEREAS, the Tribal Council desires that this purpose be executed and that the subgrant be utilized for this purpose in the interests of increasing and upgrading employment for members of the White Mountain Apache Tribe,

BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe hereby endorses the Tribal Police Manpower and Salary Improvement Project and accepts the subgrant award funds, duties and responsibilities, for the purpose of implementing said Project.

BE IT FURTHER RESOLVED that the Tribal Council directs that the Project shall be carried out, by the Tribe as Grantee, in compliance with the following Special Conditions to which this subgrant award is subject:

- 1) If the Project has not commenced within 60 days after the acceptance of the grant award, the grantee will report to Arizona State Justice Planning Agency by letter the steps taken to initiate the Project, the reasons for delay, and the expected starting date.
- 2) If this Project is not operational within 90 days after the acceptance of the grant award the grantee will report to Arizona State Justice Planning Agency by letter the reasons for the implementation delay. If the reasons are not sufficient justification for the delay, then the grant may be cancelled.
- 3) The person selected by the Tribal Council to become the newly-funded law enforcement officer (detective) must meet the previously established criteria set forth by the Tribe and must never have been convicted of a misdemeanor within the past twelve months. During the grant period this officer may be relieved of duty because of cause-related circumstances and purely for political reasons.

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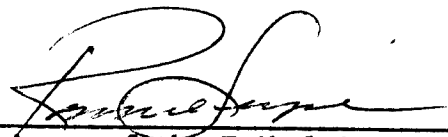
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FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.

BE IT FURTHER RESOLVED that the Tribal Council certified that this grant award is not a duplication of any other application for a grant, an award, or any type of funding from a State or Federal Agency, or private foundation to accomplish the same purpose of this grant.

BE IT FURTHER RESOLVED that the Chairman be authorized and directed to sign any and all documents to consummate this grant.

The foregoing resolution was on July 8, 1976 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

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- WHEREAS, the operations of the Fort Apache Timber Company since its inception have created a surplus of cash which is in excess of the needs of the Fort Apache Timber Company for current operations and future expansions, and
- WHEREAS, the White Mountain Apache Tribe owns the Fort Apache Timber Company and any excess profits unure to the White Mountain Apache Tribe, and
- WHEREAS, the current plan of operations of the Fort Apache Timber Company provides under Section D3 for the retention of only \$100,000.00 for contingencies and further provides that no funds may be transferred from the Company to the Tribe until such time as all of its indebtedness is liquidated, and
- WHEREAS, this section of the Plan of Operations is now outdated and unrealistic and does not provide for an effective and orderly transition of surplus funds to the tribe nor does it adequately provide for a retention of sufficient operating capital for the Company, and
- WHEREAS, the Board of Directors of the Fort Apache Timber Company at a regularly scheduled Board Meeting held at the Fort Apache Timber Company on July 6, 1976 has approved the following proposed amendment to the Plan of Operations.

BE IT RESOLVED that the Plan of Operations of the Fort Apache Timber Company be amended as follows:

Section D3 - Delete old section in its entirety and insert in its place the following:

3. Distribution of Profits The annual net loss or profit shall be distributed as follows:

A. Net profit and loss shall be transferred to the Retained Earnings Account.

B. A cash reserve of two million dollars (\$2,000,000.00) shall be immediately funded and maintained through future earnings should it become necessary to utilize it at any time. This reserve will be specifically identified and funded on the books of the Company and may be utilized by the Company only with the specific consent of the Board of Directors. Funds in this reserve must be retained in the United States Treasury or with approval of the Council and Area Director invested in U. S. Treasury Bonds or Time Deposit Certificates subject to approval of the Council and the Area Director.

An additional amount equal to the total on non-trade obligations of the Fort Apache Timber Company shall be added to the above requirements of two million dollars(\$2,000,000.00) to arrive at the total cash reserve to be maintained.

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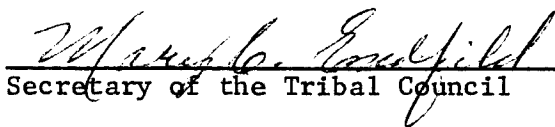
- C. Any cash surplus in excess of the above reserve requirements may, at the discretion of the Board of Directors and at the request of the Tribal Council, be released to the White Mountain Apache Tribe to be utilized in accordance with their constitution or other applicable regulations, ordinances or Plans of Operation. Any release of funds must be supported by a resolution of the Board of Directors of the Fort Apache Timber Company authorizing the disbursement.

BE IT FURTHER RESOLVED that Resolution Number 75-181 which previously requested an amendment to the Fort Apache Timber Company Plan of Operations and which was disapproved by the Commissioner of Indian Affairs is hereby rescinded.

The foregoing resolution was on July 8, 1976 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



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