

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

- WHEREAS, pursuant to Section VI, of Tribal Ordinance 56, as amended, the Tribal Council, assembled in open meeting has canvassed the abstract of the votes cast in the 1982 Tribal Election for Tribal Chairman, Vice Chairman, and Councilmen Positions in Districts I, II, III, and IV; and
- WHEREAS, pursuant to Section VI, of Ordinance 56, as amended, Candidate Phillip R. Stago for Tribal Chairman and Candidate Gertie Lupe for Councilman for District II, have individually contested the results of the election vote for the positions for which they were listed on the ballot, pursuant to Section IV, (C), of Ordinance 56, as amended; and
- WHEREAS, pursuant to Section VI, (C), of Ordinance 56, as amended, Candidates Phillip R. Stago and Gertie Lupe have demanded that the Tribal Council examine seventy five (75) rejected ballots to determine if said ballots were wrongfully rejected; and
- WHEREAS, the Tribal Council has examined the seventy five (75) rejected ballots, forty one (41) of which were cast at the precinct level and thirty four (34) which were cast as absentee ballots and have determined that all of the aforesaid seventy five (75) ballots were rightfully rejected and ought not be added to the abstract; and
- WHEREAS, Candidates Phillip R. Stago and Gertie Lupe, have individually concurred with the Tribal Council's decision that said seventy five (75) rejected ballots were rightfully rejected, but are still unsatisfied with the abstract tally and therefore, individually renew their demand for a recount of the total votes cast for the positions of Tribal Chairman and Councilman for District II; and
- WHEREAS, the Tribal Council approves of their demand for a recount of the total votes cast, pursuant to Section VI, (C), of Ordinance 56, as amended; and
- WHEREAS, the Tribal Council has not been requested to direct a recount or review of rejected ballots by any other candidate for any other elective position except as described herein and therefore, finds that the vote for those uncontested positions are valid and need not be recounted; and
- WHEREAS, the Tribal Council directs that the candidates involved in the contested votes for the positions of Tribal Chairman and Councilman for District II, may appoint observers as set forth below to check the recount procedure: Ronnie Lupe - three (3) observers, Phillip R. Stago - three (3) observers, Gertie Lupe - two (2) observers, Lufe Altaha - two (2) observers; and

WHEREAS, the Tribal Council directs that said recount require a retallying of the votes and an accounting of all used, unused, spoiled and rejected ballots as described in Ordinance 56, as amended.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the uncontested elective positions of Vice Chairman and for Councilmen seats in District I, III, and IV are hereby approved and those persons receiving the highest vote for said forenamed elective offices as set forth in the abstract made prior to the recount demand are declared to be elected pursuant to Section IV, (D).

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Election Board to recount the total votes cast for the elective positions of Tribal Chairman and Councilman for District II, pursuant to the tallying procedures set forth in Ordinance 56, as amended.

BE IT FURTHER RESOLVED that upon completion of the recount and final abstract by the recount committee that the Tribal Council declare said recount abstract as final and declare the candidates with the highest vote to be elected pursuant to Section VI, (D) of Ordinance 56, as amended.

The foregoing resolution was on April 12, 1982 duly adopted by a vote of 9 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 (a, i, s, t, & u) and Article VIII, Section 8, of the Tribal 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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APR 22 1982

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ

(ACTING)

[Signature]
Chairman of the Tribal Council

(ACTING)

[Signature]
Secretary of the Tribal Council