

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

- WHEREAS, the Tribal Council is charged with the responsibility of managing the financial affairs of the White Mountain Apache Tribe and to act in all matters that concern the general welfare of the tribe and its members; and
- WHEREAS, the Tribal Council in the exercise of its responsibilities and pursuant to its authority has established a tribal employee pension plan, having as its purpose the provision of a reasonable retirement income for tribal employees wishing to participate in the plan; and
- WHEREAS, the Tribal Council has become aware of certain inadequacies which are inherent in the existing employee pension plan and in particular is aware that some tribal employees have retired from employment with the tribe after many years of faithful service but with little or no retirement benefit and moreover, in some instances have retired after 20 to 30 years of service on a pension of \$200 to \$300 per month; and the council is further aware that the existing plan has not been well administered and is not well communicated to tribal employees, and in general tribal employees are not enthusiastic about participating in the plan and in recent years employee participation has fallen off because of rumors that the existing plan is not effective, is not well managed and in general does meet the retirement needs of tribal employees; and
- WHEREAS, in May of 1988 the Tribal Council responded to the pension problem by asking Chairman Reno Johnson to assume responsibility for performing an evaluation of the existing plan and to explore a possible restructuring of the plan in order to more effectively serve the needs of tribal employees and to report back to the Tribal Council with recommendations concerning the future course of the pension plan; and
- WHEREAS, acting on this direction from the Tribal Council, Chairman Johnson organized an executive committee whose task was to study the pension plan problem and develop a proposal to the Tribal Council for improving the tribe's pension plan, and the Executive Pension Committee has now completed its review of the existing

plan, has performed a sufficiency study concluding that the current plan is inadequate and has brought to the Tribal Council recommendations for restructuring the pension plan, which recommendations include:

1. That the Tribal Council adopt a new pension plan,
2. That the Tribal Council authorize termination of the existing pension plan and reinvestment of pension funds into the new plan,
3. That the Tribal Council authorize an investment relationship with Massachusetts Mutual Insurance Co.
4. That the Tribal Council consider enacting a Tribal Council benefit plan,
5. That the Tribal Council consider enacting a disability plan,
6. That the Tribal Council consider enacting a severance pay plan; and

WHEREAS, the Tribal Council has reviewed the report and recommendations of the Pension Committee and is of the opinion that the existing pension plan is not meeting the retirement needs of tribal employees and that the plan can economically be restructured to more adequately provide a reasonable retirement income to tribal employees, to provide an incentive for tribal employees to participate in the plan, and as an incentive for employees to remain in the employment of the White Mountain Apache Tribe, and the Tribal Council is of the opinion that adopting a new pension plan is in the best interest of the White Mountain Apache Tribe and its employees.

THEREFORE BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and adopts a new pension plan according to the broad principals outlined by the Pension Committee and authorizes the Tribal Chairman and the Pension Committee to do all things necessary to implement the new plan including but not limited to (1) preparing a final draft of the new pension plan; (2) arranging for termination of the existing plan and reinvestment of pension funds; (3) establish a client-investment relationship with Massachusetts Mutual Insurance Company; (4) arrange for administration of the plan

including the necessary annual filings of tax reports, etc., (5) do all things necessary to bring about the implementation of the pension plan.

The foregoing resolution was on April 6, 1989, duly adopted by a vote of SIX for and TWO 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 Bylaws 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).

ACTING

Matthew T. Noye  
Chairman of the Tribal Council

Maiddie G. Craig  
Secretary of the Tribal Council