

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

- WHEREAS,** the Tribal Council is the governing body of the White Mountain Apache Tribe; and
- WHEREAS,** the Tribal Council is authorized, by virtue of the Tribe's inherent sovereignty and powers granted to the Tribal Council by the Tribal Constitution, to manage all economic affairs and enterprises of the Tribe, including that of the Game and Fish Department, also known as the White Mountain Apache Recreation Enterprise; and
- WHEREAS,** the preliminary results of the regular annual audit of the tribal programs, departments, and enterprises disclosed numerous and significant unexplained expenditures by the Game and Fish Department, including \$200,000 expended in one year for the repair of approximately fifteen (15) motor vehicles assigned to the Tribal Game and Fish Department; that it was also reported to the Tribal Council that the then Director's spouse, a person unauthorized to operate a tribal vehicle, was driving a Game and Fish Department vehicle in Flagstaff, Arizona when it was involved in an accident; that further questions arose regarding improper purchases charged to the Tribal Game and Fish Department; and that there was information that the then Director of the Game and Fish Department had solicited political campaign donations from patrons of the annual Tribal Trophy Elk Hunt which is managed by that department; and
- WHEREAS,** pursuant to the Tribal Council's fiscal responsibilities, powers, and authorities, the Tribal Council adopted Resolution No. 04-94-107 on April 19, 1994 directing that a special audit be conducted of the Tribal Game and Fish Department; and
- WHEREAS,** said special audit was completed and subsequently reviewed by the Tribal Council which then adopted Resolution 08-94-264 on August 11, 1994 ordering then Tribal Game and Fish Department Director, Phillip R. Stago, Jr., to explain in writing the questioned costs, management practices and other issues raised by the audit report, including the reconciliation of sales to revenues, the location of tribal properties, and the justification of certain expenditures for items appearing unrelated to Department purposes; and

WHEREAS, a copy of Resolution No. 08-94-264, the special audit report and underlying documentation were delivered to then Tribal Game and Fish Department Director, Phillip R. Stago, Jr., on August 16, 1994; and

WHEREAS, contrary to the explicit directives of Resolution No. 08-94-264, then Game and Fish Department Director Phillip R. Stago, Jr. failed to explain any item questioned in the special audit report; and

WHEREAS, the Tribal Council is authorized, pursuant to the authorities cited above and by the Game and Fish Code of the White Mountain Apache Tribe, to employ a General Manager or Director for the Game and Fish Department, and to terminate such Manager or Director with or without cause; and

WHEREAS, the Tribal Council subsequently adopted Resolution 09-94-291 on September 8, 1994 which delegated to Tribal Chairman Ronnie Lupe the Council's power and authority, without restriction, to take action in respect to then Game and Fish Department Director Phillip R. Stago, Jr.'s failure to comply with Resolution No. 08-94-264; and

WHEREAS, pursuant to said delegated authority, Tribal Chairman Ronnie Lupe terminated Phillip R. Stago, Jr. as Director of the Game and Fish Department on September 13, 1994; and

WHEREAS, the Tribal Council wishes to reaffirm and ratify Chairman Ronnie Lupe's termination of former Director Phillip R. Stago, Jr. as a Tribal Council termination pursuant to Section 2.3 of the Game and Fish Code; and

WHEREAS, Phillip R. Stago, Jr.'s termination as General Manager or Director of the Tribal Game and Fish Department is not subject to the grievance and appeal procedures of the Tribal Personnel Policies and Procedures; and

WHEREAS, questioned costs and expenses, management practices and the location of tribal properties and funds identified in the special audit report remain unanswered.

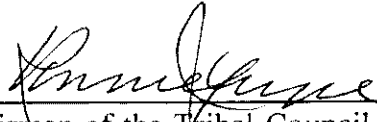
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby affirms and ratifies the termination of Phillip R. Stago, Jr. by Tribal Chairman Ronnie Lupe as a Tribal Council termination pursuant to Section 2.3 of the Game and Fish Code.

BE IT FURTHER RESOLVED by the Tribal Council that the termination of Phillip R. Stago, Jr. as General Manager and Director of the Tribal Game and Fish Department is final, and not subject to the grievance procedures of the Tribal Personnel Policies and Procedures.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs the Tribal Chairman or his designee to continue efforts to obtain explanations of questioned costs, expenditures, and management practices, including, but not limited to, those identified in the special audit report of the Game and Fish Department and to require an accounting and recovery of any missing Game and Fish Department property from any person having information thereof.

BE IT FURTHER RESOLVED by the Tribal Council that the acts and deeds of the members of the Tribal Council, including those of the Tribal Chairman, and his designee, necessary to carry out the intent and purpose of this Resolution be, and the same are hereby ratified, confirmed and adopted as the acts and deeds of the Tribe.

The foregoing resolution was on October 11, 1994 duly adopted by a vote of six for, three against, and one abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribe Constitution, including Article IV, Section 1(a), (b), (f), (h), (i), (k), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council