

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

- WHEREAS,** Mr. Danny Sedillo, Director of the Tribal Employment Rights Office, comes before the Tribal Council with a request that the Tribal Council prohibit Baglino Corp., from conducting any further business within the Fort Apache Indian Reservation; and
- WHEREAS,** this requested prohibition would also apply to the owner of Baglino Corp., Mr. Ralph Baglino, and his associates, Mr. Bucky Haver and Mr. Steve Haver, and any other companies, partnerships, or joint ventures in which they are owners, managers or partners; and
- WHEREAS,** Mr. Sedillo reports that Baglino Corp. has, since January 24, 1995, refused to pay five subcontractors for work performed on the "Miscellaneous District Modifications and Cafeteria Addition to Whiteriver Middle School" project; and
- WHEREAS,** the five subcontractors, who employ and train tribal members, are owed at least **\$53,857.76** by Baglino Corp., but have not received payment; and
- WHEREAS,** one of the subcontractors, Dios Drywall, is owned by Tribal member Mr. Mario Minjarez, and is owed \$4,308.00 by Baglino Corp.; and
- WHEREAS,** in addition to the unpaid debt, Baglino refuses to pay Dios Drywall \$495.00 for a change order which Mr. Minjarez was instructed to perform; and
- WHEREAS,** Mr. Steve Haver, Project Superintendent, directed Dios Drywall to do the change order, and Mr. Bucky Haver, Project Manager, authorized the change order, but both individuals have refused payment because there was no documentation authorizing the change order; and
- WHEREAS,** Insurance Company of the West, as surety with Baglino Corp. was requested, by Whiteriver Unified School District # 20, to complete the contract and all payments due under the contract on or before January 30, 1996; and
- WHEREAS,** the TERO Director asks that the Tribal Council recommend or request that Whiteriver Unified School District #20 ensure that all subcontractors are paid immediately; and

**WHEREAS**, the Tribal Council concurs in the recommendation from the Tribal Employment Rights Office Director that Baglino Corp., and its owner Ralph Baglino, as well as Bucky Haver, and Steve Haver, and any other entity they own or operate, whether jointly or severally, be prohibited from engaging in any future operations within the Fort Apache Indian Reservation of the White Mountain Apache Tribe until said company or individuals can show good cause for the prohibition to be lifted.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby prohibits Baglino Corp., and any other entity owned or operated by Ralph Baglino, from engaging in future operations within the Fort Apache Indian Reservation of the White Mountain Apache Tribe until said companies or Mr. Baglino can demonstrate good cause to the Tribal Council for the prohibition to be lifted.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby prohibits both Mr. Steve Haver and Mr. Bucky Haver, and any other entity owned or operated by Steve Haver or Bucky Haver, whether jointly or severally, from engaging in future operations within the Fort Apache Indian Reservation of the White Mountain Apache Tribe until said individuals can demonstrate good cause to the Tribal Council for the prohibition to be lifted.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs Whiteriver Unified School District #20 to ensure that all subcontractors are paid before Baglino Corporation is allowed to collect their last draw.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the prohibition imposed upon Baglino Corp., Ralph Baglino, Bucky Haver, and Steve Haver and any other entities they own or operate jointly or severally does not in any way prevent said entity, entities and/or individuals from entering the Reservation to complete or in any other manner honor any commitments they have made prior to the date of this Resolution.

**BE FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the acts and deeds of the members of the Tribal Council 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.

**Resolution No. 02-96-040**

The foregoing resolution was on February 14, 1996, duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV Section 1(a), (i), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

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Secretary of the Tribal Council