



Resolution No. 08-2005-215

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

**(Authorizing the Charter and By-Laws for *Shiwoye Bigowa*)**

**WHEREAS**, the White Mountain Apache Tribe (WMAT) Long Term Care (LTC) Initiative was duly established by the WMAT Council pursuant to Resolution No. 05-2000-129 and managed by a Long Term Care Committee authorized by Tribal Council; and

**WHEREAS**, the *Shiwoye Bigowa (Our Elders' Home)* skilled nursing project, developed through the LTC Initiative, was authorized by the WMAT Council and is slated for construction in 2006 using Native American Community Block Grant funding from the U.S. Housing & Urban Development Administration (HUD); and

**WHEREAS**, it is anticipated that the *Shiwoye Bigowa* may require additional resources for construction and operation that will not be provided by the WMAT General Fund; and

**WHEREAS**, to adequately secure additional resources in the future, *Shiwoye Bigowa* must operate as a WMAT Enterprise governed by an 11-member board of directors to be appointed by the Tribal Council; and

**WHEREAS**, incorporation of the *Shiwoye Bigowa* pursuant to Tribal Laws will constitute an exercise of the Tribe's sovereign powers and will effectively enhance the Tribe's sovereignty; and

**WHEREAS**, *Shiwoye Bigowa* may avail itself of non-profit status for funding from private and government status as an enterprise of the Tribe through the Tribal Governmental Tax Status Act of 1982 (hereinafter, "the Act"), 25 U.S.C. §7871; and

**WHEREAS**, a draft Charter and By-Laws for the *Shiwoye Bigowa* has been prepared by the Tribal Attorney, as attached and incorporated by this reference; and

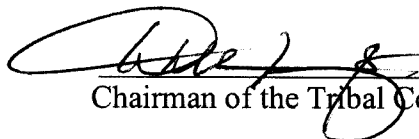
**WHEREAS**, the Tribal Council finds that incorporation of the *Shiwoye Bigowa* is in the interests of the members of the White Mountain Apache Tribe who will benefit from a long-term care facility located on the lands of the Fort Apache Indian Reservation.

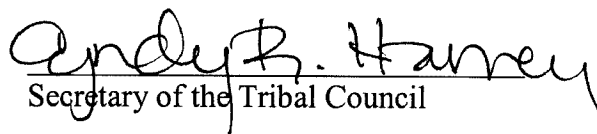
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**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

1. *Shiwoye Bigowa* is hereby chartered on this day, pursuant to the sovereign power and Constitution of the White Mountain Apache Tribe, according to the *Shiwoye Bigowa* Articles of Incorporation and By-Laws, as attached and incorporated by this reference.
2. *Shiwoye Bigowa* is hereby authorized to exercise the functions of a non-profit corporation as a subordinate economic enterprise of the White Mountain Apache Tribe.
3. *Shiwoye Bigowa* shall be subject to the applicable laws of the White Mountain Apache Tribe.

The foregoing resolution was on August 3, 2005, duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (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).

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council