



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

**(Approving a Waiver of TERO Fees for the Whiteriver Unified School District Alternative Learning Center and Teachers Housing Projects)**

- WHEREAS**, pursuant to Article IV, Section 1(a), 1(b), and 1(i) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe, negotiate, make and perform contracts, and manage all economic affairs and enterprises; and
- WHEREAS**, Don Bump, Construction Manager for the Whiteriver Unified School District ("WUSD"), presented a request to reduce applicable Tribal Employment Rights Ordinance ("TERO") fee for the District's Alternative Learning Center and Teachers Housing construction projects from the established rate of five percent down to two and one-half percent; and
- WHEREAS**, the Alternative Learning Center will include a day-care facility; and
- WHEREAS**, WUSD receives federal impact aid for construction of the proposed projects; and
- WHEREAS**, federal impact aid has been reduced, which is the basis for WUSD's request for a reduction of the TERO fee; and
- WHEREAS**, both projects are design/build, which means that the amount available effects the scope of construction; and
- WHEREAS**, WUSD represents that if the TERO fee is not reduced, the scope of construction will have to be reduced; and
- WHEREAS**, the Tribal Council, after careful consideration and review, finds that the projects are in the best interests of the children and the Tribe.

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

The foregoing resolution was on November 16, 2005, duly adopted by a vote of FIVE 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), (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

*Candace B. Harvey*  
Secretary of the Tribal Council