

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

**(Authorizing Professional Services Agreement for Paul Nickens)**

**WHEREAS**, pursuant to 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**, the Tribal Historic Preservation Office requests a professional services agreement between the Tribe and Paul Nickens; and

**WHEREAS**, it is proposed that Mr. Nickens provide expert assistance in the implementation of the Site Protection Plan for Kinishba Ruins at Kinishba Wash, a preservation treatment plan and engineering design for stream bank stabilization for Kinishba Ruins National Historic Landmark prepared in 2004 and 2005 by Doug Shields and Consultant pursuant to the Burned Area Emergency Stabilization and Rehabilitation ("BAER") Plan for the Kinishba Fire, submitted by Dave Smith, FSW, BAER Team Leader on July 28, 2003, (Specification #18, C-1, Site Protection for Kinishba Pueblo Ruin, page 65); and

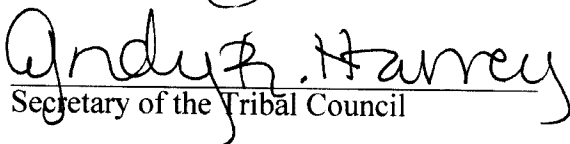
**WHEREAS**, the Tribal Council, after careful review and consideration, believes the professional services agreement to be in the best interests of the Tribe.

**NOW THEREFORE BE IT RESOLVED** by the White Mountain Apache Tribal Council that

1. A professional services agreement between the Tribe and Paul Nickens is hereby authorized.
2. The Chairman, or in his absence the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.
3. Mr. Nickens shall be paid out of BAER Funds.

The foregoing resolution was on DECEMBER 8, 2005 duly adopted by a vote of FIVE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Sections 1 (a), (b), (f), (g), (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