



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

(Approving Amended Articles of Incorporation for Apache Behavioral Health Services, Inc., and Appointing Certain Individuals to the ABHS, Inc., Board of Directors)

WHEREAS, pursuant to Article IV, Section 1(a) 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; and

WHEREAS, pursuant to Resolution No. 05-2007-175, the Tribal Council did approve the Articles of Incorporation and By-Laws for the Apache Behavioral Health Services ("ABHS"), Inc., a non-profit corporation organized pursuant to the laws of the White Mountain Apache Tribe; and

WHEREAS, the Tribe's Legal Department did this day request an amendment to the Articles of Incorporation such that Article XII be stricken in its entirety and replaced with a revised provision, as attached and incorporated by this reference; and

WHEREAS, ABHS staff did this day present a list of individuals suitable for appointment to the ABHS Board of Directors, who have agreed to serve in such capacity, including:

1. Leona Massey
2. Dion Nashio
3. Erwin Thompson
4. Travis Tessay
5. Mike Kasey
6. Victor Velasquez
7. Donna Vigil
8. David Yost, Ex Officio
9. Bonnie Kayson, Ex Officio
10. The Honorable Judge Joanna Hinton, Ex Officio; and

WHEREAS, the Tribal Council finds that the proposed amendment to be in the best interests of ABHS and the Tribe, and that the amendment should replace Article XII in its entirety; and

WHEREAS, the Tribal Council further finds that the individuals named herein to be suitable for appointment to the ABHS Board of Directors, and that such appointments are in the best interest of the ABHS and the provision of behavioral health services.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Article XII of the ABHS Articles of Incorporation is hereby stricken in its entirety and replaced with a revised provision, as attached and incorporated by this reference.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the following individuals are hereby appointed to the ABHS Board of Directors:


1. Leona Massey
2. Dion Nashio
3. Erwin Thompson
4. Travis Tessay
5. Mike Kasey
6. Victor Velasquez
7. Donna Vigil
8. David Yost, Ex Officio
9. Bonnie Kayson, Ex Officio
10. The Honorable Judge Joanna Hinton, Ex Officio; and

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on August 21, 2007, duly adopted by a vote of NINE for, ZERO against and ONE abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to the 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).



Chairman of the Tribal Council



Secretary of the Tribal Council

Amendment to Article XII of the Apache Behavioral Health Services Articles of Incorporation, as approved by Resolution No.05-2007-175, shall be stricken and replaced in its entirety with the following revised provision:

ARTICLE XII

“The control and management of the affairs of the Corporation shall be vested in a Board of Directors. The Board shall include the Chief Executive Officer and the Chief Financial Officer of ABHS in the conduct of all matters of business by the Board, but neither the CEO nor the CFO shall have the right to vote. Upon the occurrence of a vacancy on the Board, the Board shall identify and recommend to the Tribal Council of the White Mountain Apache Tribe those candidates who may be suitable for appointment to the vacant Director position. The initial Board members should include the following: one individual from the Tribe’s Health Board; two individuals who shall be a family members of a former client, of which one shall be from Cibecue and one from Whiteriver; one individual with state or federal grants and contracts experience; two individuals who shall be either employees or parents of a child enrolled in a school district, of which one shall be from the Whiteriver Unified School District and one from the Cibecue Unified School District; and, the Director of the Tribe’s Health Authority. The Board shall consist of not less than five (5) nor more than seven (7) voting members, with two (2) alternates. The Directors shall represent a cross-section of Tribal members and non-members possessing individual experience and knowledge that are relevant to the goals of the Corporation. A certain number of non-voting, *ex officio* Directors shall also be appointed, including, but not limited to: one individual from the Tribal Court; the Tribe’s Prosecution Office; one individual shall be an employee of the Indian Health Services Social Services; and the Indian Health Services Medical Director. The Corporation’s By-Laws shall prescribe the terms of office and the manner of appointment and filling of vacancies on the Board.”