



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

(Approving a Memorandum of Agreement between the Indian Health Service and the White Mountain Apache Tribe for sanitation facilities in Whiteriver, and authorizing \$500,000 in cost sharing by the Housing Authority through U.S. Housing and Urban Development Funds)

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, the U.S. Indian Health Service ("I.H.S.") this day presented a request to enter into a Memorandum of Agreement with the White Mountain Apache Tribe in furtherance of a project (No. PH08-D64) for the installation and improvement of certain sanitation facilities, pursuant to the Indian Sanitation Facilities Act, P.L. 86-121, which is described in the Project Summary, as attached and incorporated by this reference, and which shall serve approximately 1,667 homes; and

WHEREAS, the White Mountain Apache Tribe is in the process of constructing a surface water treatment facility for the greater Whiteriver area; and

WHEREAS, in order to improve the operation of the facility, a pre-settling pond for raw sewage water storage was initiated I.H.S. Project PH07-T21; and

WHEREAS, the I.H.S. proposes that the White Mountain Apache Housing Authority contribute funds received from the U.S. Department of Housing and Urban Development in the amount of \$500,000, as a Tribal contribution to I.H.S. Project PH08-D64, in order to supplement funds required to construct a larger pre-settling pond before the raw water enters the water treatment plant and to meet higher demand flow through the plant; and

WHEREAS, according to the I.H.S. and the WMAHA, the use of the HUD funds as proposed herein has been approved by HUD for the purposes of this Project; and

WHEREAS, the originally proposed pre-settling pond size was limited in size due to funding constraints when IHS Project PH07-T21 was originally approved; and

WHEREAS, upon completion of such service by the Indian Health Service, the sanitation facilities will be transferred to the Tribe; and


WHEREAS, the Tribal Council finds that the Memorandum of Agreement, as described herein, should be approved, and that the contribution of HUD funds to the Project by the WHAHA is appropriate and in the best interest of the Tribe.

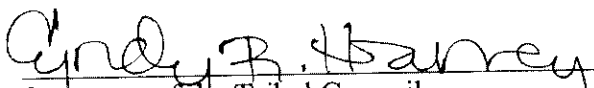
NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Memorandum of Agreement between the Tribe and the Indian Health Service is hereby approved for the purposes described herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the White Mountain Apache Housing Authority is hereby authorized to contribute up to Five Hundred Thousand Dollars (\$500,000.00) in H.U.D. funds to the Project.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairman, is hereby authorized to negotiate and execute such Memorandum of Agreement and any and all other such documents necessary to effectuate the intent of this Resolution, subject to review by the Tribe's Legal Department.

The foregoing resolution was on November 6, 2007 duly adopted by a vote of NINE 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), (j), (k), (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