



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

(Authorizing an Agreement by and Between the White Mountain Apache Tribe and the Yavapai-Prescott Tribe to Perform Contract Thinning and Piling)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) 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 Tribal Forestry Department has come to the end of the BAER program and is seeking work for its employees before they are laid off for the season; and
- WHEREAS,** the Yavapai-Prescott Tribe has a need for contract thinning and piling of 23 acres and have contacted the White Mountain Apache Tribal Forestry Department to perform the work; and
- WHEREAS,** Tribal Forestry employees are willing and capable of performing the work; and
- WHEREAS,** Tribal Forestry has proposed and submitted a budget and work plan to the Yavapai-Prescott Tribe to do the required thinning and piling; and
- WHEREAS,** the Yavapai-Prescott Tribe has approved the budget and work plan and has submitted an Agreement for Services for one week of work on this project, as attached and incorporated by this reference; and
- WHEREAS,** upon review and after consideration of the terms and conditions expressed in the proposed Agreement for Services, the Tribal Council finds that the Agreement is in the best interests of the Tribe; and
- WHEREAS,** given the fact that funding may be lost for this project if approval is not received as quickly as possible, the Tribal Council further finds that the Agreement for Services needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves an Agreement by and between the White Mountain Apache Tribe and the Yavapai-Prescott

Resolution No. 09-2008-215

Tribe for WMAT Tribal Forestry to perform the work stated in the Agreement, with the possibility of additional work being made available if current work is completed in a satisfactory manner by WMAT Tribal Forestry and if funds are made available by the Yavapai-Prescott Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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 September 4, 2008, adopted by a vote of 6 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (i), (k), (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

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 09-2008-214²¹⁵ *cm* initiated the 4th day of September 2008. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

Ronnie Lupe
Tribal Chairman
Date Signed
TCS Initials

Margaret Baha-Walker
Vice Chairwoman
Date Signed
TCS Initials

Arnold Beach, Sr.
District I Council Member
Date Signed
TCS Initials

Evangeline Gatewood

Evangeline Gatewood
District I Council Member
9/4/08
Date Signed
cm TCS Initials

Victoria Brewer

Victoria Brewer
District II Council Member
9/4/08
Date Signed
cm TCS Initials

Robert Lupe Sr

Rubert Lupe, Sr.
District II Council Member
9-4-08
Date Signed
cm TCS Initials

Alvin DeClay, Sr.
District III Council Member
Date Signed
TCS Initials

Kirk Massey Sr

Kirk Massey, Sr.
District III Council Member
9/4/08
Date Signed
cm TCS Initials

Noland Clay

Noland Clay
District IV Council Member
9/5/08
Date Signed
cm TCS Initials

Wayne Colalay Jr

Wayne Colalay, Jr.
District IV Council Member
9-4-08
Date Signed
cm TCS Initials

Reno Johnson, Sr.
District IV Council Member
Date Signed
TCS Initials

ATTEST:
Cyndy R. Harvey

Cyndy R. Harvey, Tribal Council Secretary
9.9.08
Date Signed

**PROPOSAL FOR
CONTRACT THINNING AND PILING
BETWEEN
WHITE MOUNTAIN APACHE TRIBAL FORESTRY
AND
YAVAPAI-PRESCOTT INDIAN TRIBE**

The White Mountain Apache Tribal (WMAT) Forestry would like to submit this proposal for a thinning and hand piling project on the Yavapai-Prescott Indian Tribal lands.

In order to accomplish the 23 acres of thinning and hand piling, we would like to utilize a 10 person crew to accomplish the objectives. Logistically, we would like to use 5 persons for the sawing and 5 for the piling and rotate them as needed. All 10 personnel will be at least "A" sawyers based on traditional wildland firefighting standards. Once the sawing is completed, all 10 personnel will work on the piling.

Based on our past thinning projects, our crews can thin 1 ½ acres per day per person, but due to the steeper topography of this project, this proposal is based on ½ acre thinning per person per day. Our piling averages around 5 acres per day for a 5 person crew, but with the slope, we estimate 2 acres per day for 5 people. The wages used in the proposal are an average hourly wage taken from our crew members' salaries. Also included is the Tribe's 29% cost for employee taxes and benefits (EBT).

The crew will be utilizing hotel rooms to reduce the amount of travel and to get the work done in a more efficient manner. Travel time from Whiteriver to Prescott is 4 ½ hours (225 miles) which makes it irrational to drive back and forth on a daily basis. The crew will have 2 people to a room, which means 5 rooms will be included in the cost.

Based on the ½ acre of thinning per person per day (2.5 acres/day) and the 2 acres of piling for 5 people, it would take a maximum of 12 days ($23/2 = 11.5$) to complete the entire project. However, these estimates of 2.5 acres of thinning and 2 acres of piling a day may be generous considering the steep slopes, the amount of material to be removed, and the fact that it is monsoon season and 10 hour days may not be possible. For these reasons we will include budgets for a 14 day project period and a 28 day project period.

We propose that the crew will work 14 days on with 2 days of rest until the project is completed or funds are no longer available, whichever comes first. We anticipate the project will be completed within 3 weeks.

Please review the attached budget for a breakdown of costs for the 2 week and 4 week projected work periods. The budget also includes a daily and weekly cost to help calculate cost projections for any given timeframe.