



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

**(Professional Services Agreement between White Mountain Apache Tribe and
Lawrence Ethelbah, Consultant, for a Mining and Minerals Assessment Project)**

- 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 White Mountain Apache Tribe (WMAT) has valuable mineral resources that require Consultant's services in identifying mineral aggregates for priority projects throughout the boundaries of the White Mountain Apache Reservation; and
- WHEREAS,** the WMAT needs sustainable economic development which will provide jobs and financial revenue to the Tribe; and
- WHEREAS,** the WMAT needs a professional consultant to conduct an assessment of its mineral resources which may have high potential for development; and
- WHEREAS,** the WMAT needs a market evaluation for mineral resources which should be developed, and the development costs for the most highly potential mineral resources; and
- WHEREAS,** the Office of Indian Energy and Economic Development, Division of Energy and Mineral Development (DEMD) is soliciting requests from Tribes for energy and mineral assessment or development projects for the 2009/2010 Fiscal Years; and
- WHEREAS,** the WMAT has used Tribal member Larry Ethelbah as a minerals consultant since 1996; and
- WHEREAS,** the WMAT Public Works Department has utilized Larry Ethelbah's technical services in mineral development at Carrizo, Williams Creek, and Bear Canyon, and does again need his services; and
- WHEREAS,** given the urgency of this situation, the Tribal Council further finds that the Professional Services Agreement with Lawrence Ethelbah 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

Resolution No. 01-2009-33

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 a Professional Services Agreement between the White Mountain Apache Tribe and Lawrence Ethelbah commencing January 19, 2009 and will terminate upon written direction of the White Mountain Apache Tribe.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Larry Ethelbah will assist in obtaining funding through DEMD Fiscal Years 2009/2010 grant.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Larry Ethelbah's technical service will be authorized only on an as needed basis and when funding is available.

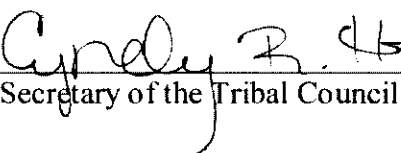
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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 January 19, 2009, duly adopted by a vote of SIX 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), (f), (j), (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. 01-2009-33 initiated the 19th day of January 2009.

Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

TCS Initials

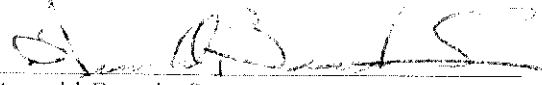
Ronnie Lupe
Tribal Chairman

Date Signed

TCS Initials

Margaret Baha-Walker
Vice Chairwoman

Date Signed



01-19-09
Date Signed

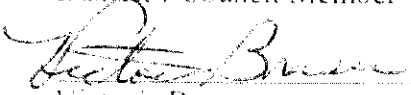
 TCS Initials

Arnold Beach, Sr.
District I Council Member

TCS Initials

Evangeline Gatewood
District I Council Member

Date Signed

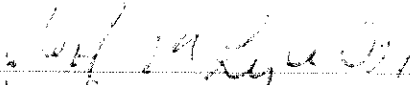


1-19-09
Date Signed

 TCS Initials

Victoria Brewer
District II Council Member

TCS Initials



1-2-09
Date Signed

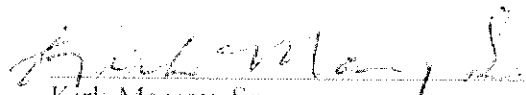
 TCS Initials

Rubert Lupe, Sr.
District II Council Member

TCS Initials

Alvin DeClay, Sr.
District III Council Member

Date Signed



1-20-09
Date Signed

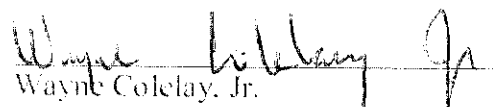
 TCS Initials

Kirk Massey, Sr.
District III Council Member

TCS Initials

Noland Clay
District IV Council Member

Date Signed

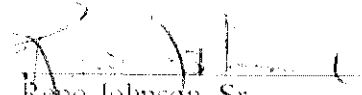


Jan 19, 09
Date Signed

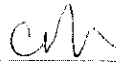
 TCS Initials

Wayne Colelay, Jr.
District IV Council Member

TCS Initials

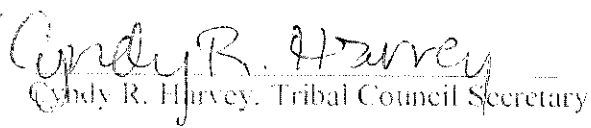


01-19-09
Date Signed

 TCS Initials

Reno Johnson, Sr.
District IV Council Member

ATTEST:


Cyndy R. Harvey, Tribal Council Secretary

1-28-09
Date Signed