



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

(Approving Memorandum of Agreement with U.S. Indian Health Service for Construction of Water and Sewer Services for Scattered Homes, Project PH09-T52 & Surface Water Treatment Plant Short Fall, Project PH09-T44)

- 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 (IHS) desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to construct two projects: (1) water and sewer services for scattered new or like-new homes at a total estimated cost of \$198,000.00 (PH09-T52); and (2) address surface water treatment plant short fall, cost increases in crude oil, concrete, site relocation at a total estimated cost of \$500,000.00 (PH09-T44), including a waiver of damages for rights-of-way; and
- WHEREAS,** the IHS is contributing all project funding through "regular" funds; and
- WHEREAS,** upon completion of such service by the IHS, the water and sewer connections will be transferred to the Tribe or individual home owner as appropriate; and
- WHEREAS,** such facilities are needed for the Tribal members of the Fort Apache Indian Reservation and benefits derived from such facilities will far offset any damages that may occur from the land utilized; and
- WHEREAS,** the Tribal Council finds that the Memorandum of Agreement is in the best interests of the Tribe and should be approved.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Memorandum of Agreement to construct water and sewer services for scattered new or like-new homes at a total estimated cost of \$198,000.00 (PH09-T52); and (2) address surface water treatment plant short fall, cost increases in crude oil, concrete, site relocation at a total estimated cost of \$500,000.00 (PH09-T44), including the waiver of damages for rights-of-way.

BE IT FURTHER RESOLVED by the Tribal Council that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 **JUNE 11, 2009** duly adopted by a vote of **EIGHT** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (h), (i), (j), (l) 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).

ACTING

Handwritten signature of Margaret Brown Walker in black ink.
Chairman of the Tribal Council

Handwritten signature of Cindy R. Hancey in black ink.
Secretary of the Tribal Council