



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

**(Approving MOA with U.S. IHS and Addendum for Alchesay Flat Sewer Main Extension, Project PH09-T62 and Seven Mile Lagoon Abandonment, Project PH09-T66)**

**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 (MOA) with the White Mountain Apache Tribe to construct two projects: (1) Alchesay Flat Sewer Main Extension, 3-4 miles from Cradleboard to any area near Post Office Canyon (PH09-T62); and (2) Seven Mile Lagoon Abandonment by installing the main sewer and bypassing old Seven Mile Lagoons and redirecting the sewer to a manhole near Stago Curve (PH09-T66), including a waiver of damages for rights-of-way; and

**WHEREAS,** the two projects are from the IHS Sanitation Deficiency System list and have been funded with the American Recovery and Reinvestment Act of 2009, or "stimulus" funds, also requiring an Addendum to the MOA; 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,** the Tribal Council finds that the MOA and Addendum are in the best interest of the Tribe as the facilities are needed for tribal members and benefits derived from the facilities will offset damages realized from the lost use of the transferred land.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Memorandum of Agreement to construct two projects: (1) Alchesay Flat Sewer Main Extension approximately 3-4 miles from Cradleboard to an area near Post Office Canyon (PH09-T62); and (2) Seven Mile Lagoon Abandonment by installing the sewer and bypassing old Seven Mile Lagoons and redirecting the sewer into a manhole near Stago Curve (PH09-T66), including a waiver of damages for rights-of-way.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Addendum to the Memorandum of Agreement for these two projects.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe 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.

**Resolution No. 06-2009-182**

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), (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).

*(acting)* Margaret Burr Wild  
Chairman of the Tribal Council

Cindy R. Harney  
Secretary of the Tribal Council