



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

**(Approving FY 2009 Land Assignments for the United States Department of Agriculture's Rural Development Rural Utilities Service Broadband Infrastructure Program)**

- 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 concerning the welfare of the Tribe; and
- WHEREAS,** the White Mountain Apache Tribe lacks suitable infrastructure to accommodate the technological needs of residents of the Fort Apache Indian Reservation to have access to affordable broadband internet service; and
- WHEREAS,** constructing up to 20 broadband towers on the Reservation to transmit wireless broadband (Internet, Web, E-mail, etc.) signals to each home and business on the Reservation will meet essential broadband needs of public safety, education, commercial and individual tribal members; and
- WHEREAS,** the Tribal Council understands that funds are available through the United States Department of Agriculture's Rural Development Rural Utilities Service Broadband Infrastructure Program for the construction of towers needed to provide wireless broadband to every home and business on the Reservation; and
- WHEREAS,** the Tribe, with the assistance of its Communications Manager, has identified 20 sites needed to have broadband towers constructed to provide the aforementioned services to every home, Tribal building and business on the Reservation; and
- WHEREAS,** the Tribal Council approves the land assignments for the 20 proposed broadband towers, subject to a full environmental review and community input, and the proposed tower locations are included in the appendix to this Resolution; and
- WHEREAS,** the Tribal Council believes it is in the best interest of the Tribe to assign the land identified to advance the Tribe's technological capability and lay a foundation for the future of broadband wireless Internet services on the Reservation; and
- WHEREAS,** given the timing of the grant application deadlines and taking into account the great technological void that will be filled on the Reservation, the Tribal Council finds that this request for land assignments should be considered and decided on 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 the Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable time period 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.

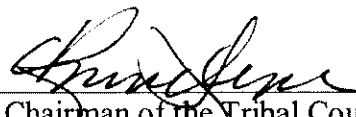
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the land assignments for the 20 proposed broadband towers, described in the appendix to this Resolution, and subject to a full environmental review and community input.

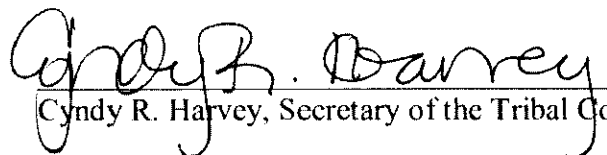
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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 that in the event of any inconsistency between this Resolution and any 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 August 6, 2009, duly adopted by a vote of TEN 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), (c), (h), (i), (k), (m), (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).



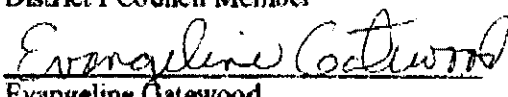
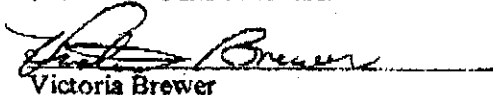
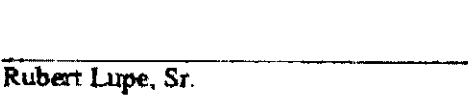
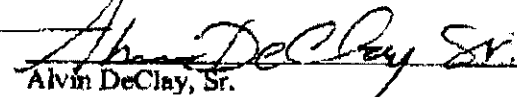
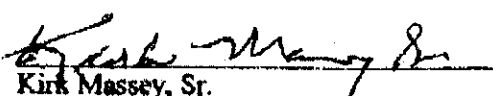
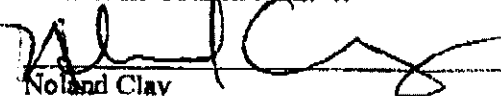
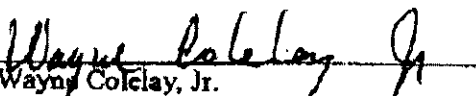


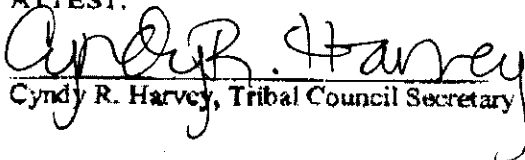
  
\_\_\_\_\_  
Ronnie Lupe, Chairman of the Tribal Council

  
\_\_\_\_\_  
Cyndy R. Harvey, Secretary of the Tribal Council

Resolution No. 08-2009-263

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 08-2009-263 initiated the 6th day of August 2009.

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

	Date Signed	TCS Initials
Ronnie Lupe Tribal Chairman 	8/7/09	RL
Margaret Baha-Walker Vice Chairwoman 	8-6-9	MBW
Arnold Beach, Sr. District I Council Member 	8.6.09	AB
Evangeline Gatewood District I Council Member 	8/6/09	EG
Victoria Brewer District II Council Member 	8/6/09	VB
Rubert Lupe, Sr. District II Council Member 	08/06/09	RL
Alvin DeClay, Sr. District III Council Member 	8/6/09	AD
Kirk Massey, Sr. District III Council Member 	8/4/09	KM
Noland Clay District IV Council Member 	Aug 2, 2009	NC
Wayne Colclay, Jr. District IV Council Member 	8-6-09	WC
Reno Johnson, Sr. District IV Council Member 	8.7.09	RL
ATTEST:  Cyndy R. Harvey, Tribal Council Secretary	8.7.09	

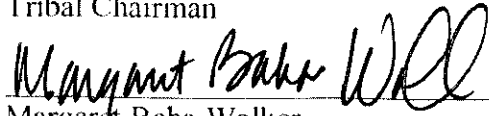
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Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

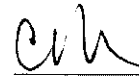
TCS Initials

Ronnie Lupe  
Tribal Chairman

Date Signed



8/7/09



TCS Initials

Margaret Baha-Walker  
Vice Chairwoman

Date Signed

TCS Initials


Arnold Beach, Sr.  
District I Council Member

Date Signed

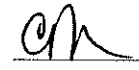
TCS Initials

Evangeline Gatewood  
District I Council Member

Date Signed



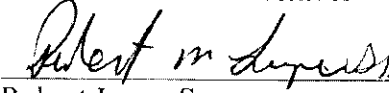
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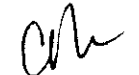
TCS Initials

Victoria Brewer  
District II Council Member

Date Signed



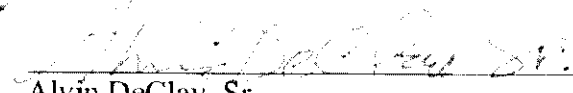
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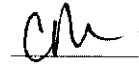
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Rubert Lupe, Sr.  
District II Council Member

Date Signed



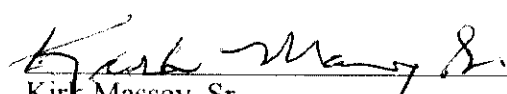
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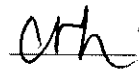
TCS Initials

Alvin DeClay, Sr.  
District III Council Member

Date Signed



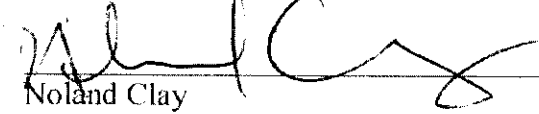
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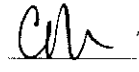
TCS Initials

Kirk Massey, Sr.  
District III Council Member

Date Signed



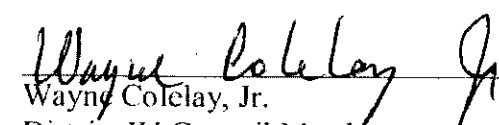
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TCS Initials

Noland Clay  
District IV Council Member

Date Signed



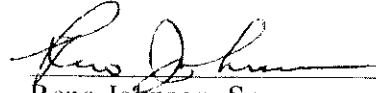
Aug. 6<sup>th</sup>, 2009



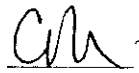
TCS Initials

Wayne Colelay, Jr.  
District IV Council Member

Date Signed



8-6-09

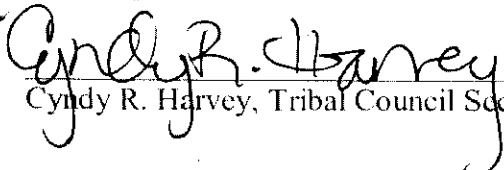


TCS Initials

Reno Johnson, Sr.  
District IV Council Member

Date Signed

ATTEST:



8-7-09

Cindy R. Harvey, Tribal Council Secretary

Date Signed