



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

(Authorizing a 1.6 million dollar loan from the Permanent Trust Fund to Hon-Dah Casino)

- 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 Government Code, which contains the statutory language governing the Permanent Trust Fund, has been previously amended to allow for loans to tribal entities; and
- WHEREAS,** Hon-Dah Casino has continuously contributed its revenues to the Tribe for tribal government purposes; and
- WHEREAS,** the Tribe has requested additional monetary contributions from Hon-Dah Casino to assist with the Tribe's payroll next week; and
- WHEREAS,** to ensure that Hon-Dah Casino can continue to meet its obligations, it is recommended that the Casino secure a 1.6 million dollar loan from the Permanent Trust Fund; and
- WHEREAS,** the Tribe's Finance and Budget Committee has approved of the loan; and
- WHEREAS,** the Tribal Council finds that it is in the best interest of the Tribe to approve of the loan referenced herein and given the urgency of meeting the Tribe's payroll, the Tribal Council further finds that this matter 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 of a loan in the amount of 1.6 million dollars to Hon-Dah Casino from the interest of the Permanent Trust Fund at the rate of 0% interest, to be paid directly back to the Permanent Trust Fund monthly beginning thirty (30) days from its receipt of the loan, for a term of 24 months.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it directs Wells Fargo, as the trustee of the Permanent Trust Fund, to release 1.6 million dollars to Hon-Dah Casino after the Promissory Note is executed.

Resolution No. 08-2009-266

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event of any inconsistency between this Resolution and any prior Resolution, Policy or Agreement, this Resolution shall govern.

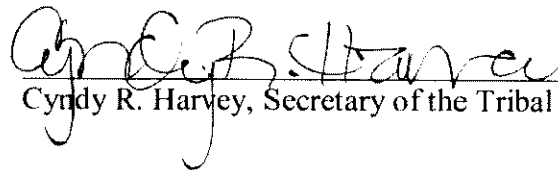
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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 August 6, 2009, duly adopted by a vote of NINE 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), (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

Fax sent by :

Resolution No. 08-2009-266

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 08-2009-266 initiated the 6th day of August 2009.

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

Ronnie Lupe
Tribal Chairman



Date Signed

8/7/09

CRH TCS Initials

Margaret Baha-Walker
Vice Chairwoman



Date Signed

8-6-9

CRH TCS Initials

Arnold Beach, Sr.
District I Council Member



Date Signed

8-6-09

CRH TCS Initials

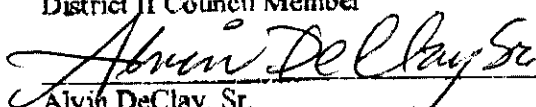
Evangelina Gatewood
District I Council Member

Victoria Brewer
District II Council Member

Date Signed

TCS Initials

Rubert Lupe, Sr.
District II Council Member



Date Signed

08/06/09

TCS Initials

Alvin DeClay, Sr.
District III Council Member

Date Signed

TCS Initials

Kirk Massey, Sr.
District III Council Member

Date Signed

TCS Initials

Noland Clay
District IV Council Member

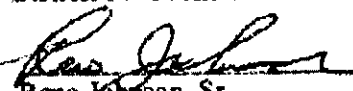


Date Signed

Aug-6-09

CRH TCS Initials

Wayne Colelay, Jr.
District IV Council Member



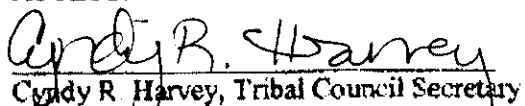
Date Signed

8-6-09

CRH TCS Initials

Reno Johnson, Sr.
District IV Council Member

ATTEST:


Cindy R. Harvey, Tribal Council Secretary

Date Signed

8.7.09

This copy was faxed
to acquire
Signatures. CRH

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 08-2009-266 initiated the 6th day of August 2009.

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

TCS Initials

Ronnie Lupe
Tribal Chairman

Date Signed



8/7/09

CM 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

TCS Initials

Victoria Brewer
District II Council Member

Date Signed



8-7-09

CM TCS Initials

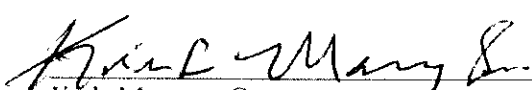
Rubert Lupe, Sr.
District II Council Member

Date Signed

TCS Initials

Alvin DeClay, Sr.
District III Council Member

Date Signed

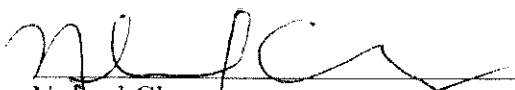


8/7/09

CM TCS Initials

Kirk Massey, Sr.
District III Council Member

Date Signed




8/6/09

CM TCS Initials

Noland Clay
District IV Council Member

Date Signed

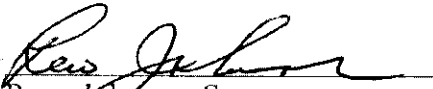


Aug-6-09

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Wayne Colelay, Jr.
District IV Council Member

Date Signed



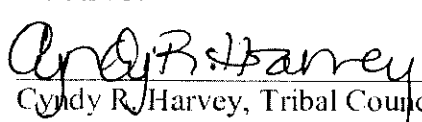
8-6-09

CM TCS Initials

Reno Johnson, Sr.
District IV Council Member

Date Signed

ATTEST:


Cyndy R. Harvey, Tribal Council Secretary

8.7.09
Date Signed