



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

(Consolidating Emergency Cost Containment Measures for 2009-2010)

- 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 Budget and Finance Committee drafted and recently approved a cost-containment policy intended to complement the 2009-2010 Fiscal Year (FY) Budget.
- WHEREAS,** the Tribal Council previously adopted a cost containment measure that affected the Central Tribe's budget for FY 2009-2010, *see Resolution No. 11-2008-272*; and
- WHEREAS,** despite the cost-containment measures already in place, the Budget and Finance Committee reports that expenditures continue largely unabated; and
- WHEREAS,** because of lax enforcement and accountability, payables have not been timely released or paid and this problem has led to deficit spending, placing the Tribe in financial risk; and
- WHEREAS,** the Tribal Treasurer has a constitutional duty to "safeguard all funds" pursuant to Article XI, Section 4, of the Constitution of the White Mountain Apache Tribe; and
- WHEREAS,** the Treasurer and the Office of Grants and Contracts have reported that funding from Public Law 93-638 grants and contracts has not timely been received, resulting in the Tribe having to subsidize numerous critical programs for extended periods of time; and
- WHEREAS,** for the above cited reasons, among others, the Tribe requires emergency cost-containment measures above and beyond those previously instituted by the Tribal Council; and
- WHEREAS,** the Budget and Finance Committee recommends the following emergency cost containment measures for the Fiscal Year 2009-2010 for the purpose of promoting operational efficiency, monitoring, reporting and accountability:
1. Travel. All Travel shall be handled on a cost reimbursement basis and original receipts shall be provided. No Travel advances shall be approved for employees with outstanding/delinquent TR-100 Reports. **NO EXCEPTIONS.** All employees should use the TR-100 Form for travel. Payments for hotel incidental expense deposits and additional luggage shall be solely the responsibility of the employee. Reimbursements shall be reviewed for allowable costs; disallowed expenses shall be the responsibility of the employee and shall not be reimbursed by the Tribe.
 2. Credit Cards. All credit cards shall be immediately cancelled, except for Tribal Forestry, which may use such cards in responding to dispatch of services to fires. All charges made require original receipts. Any use requires justification and authorization by a Supervisory Agent. Charges not supported by an authorized justification and receipts shall be the financial responsibility of the employee or agent making the charge.
 3. Treasurer Authority. The Treasurer is authorized to institute any and all further measures necessary to contain costs in effort to safeguard the Tribe's assets. In the event that

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additional measures are required, the Treasurer shall review such measures with the Budget and Finance Committee, and provide reasonable notice thereof to the Tribal Council.

4. Cell Phones. All programs, departments and divisions shall switch over to the new, cost effective plan available through CellularOne. Only one cell phone shall be assigned to a manager or director in each department. All other cell phones shall be suspended until further notice, unless otherwise justified or approved by the Tribal Treasurer. Cell Phone usage and cost shall be subject to periodic review.
5. Vehicles. All tribal vehicles, as may be determined by Frank Endfield, Jr., Enterprise and Planning, shall be parked in the following designated areas after work hours and on weekends Department of Public Works and FATCO at the Reman Area.
6. Expenditures. No payment of invoices or reimbursements shall be made on behalf of the Tribe, its programs, departments, divisions or its subsidiary economic development enterprises without (i) prior approval from Supervisors (ii) funds being actually available, and (iii) a purchase order authorized by the Accounting Department.
7. Policy Changes. The following shall be permanent changes in policy for immediate implementation by all Central Tribe (01) Programs and Departments:
 - a. Effective immediately, no annual leave payment shall be authorized for Tribal employees, other than for separation from employment. No annual leave transfers shall be authorized.
 - b. No payroll advances may be permitted.
 - c. Early release of payroll checks shall not be authorized, except for a death or medical emergency involving a catastrophe or a major illness for the employee or the employee's immediate family: spouse, child, mother, father, brother, sister). All other emergencies shall be evaluated on a case by case basis. Early check releases shall be approved through the Accounting Department by the Senior Chief Accountant.
 - d. Any and all new hires shall replace all current budgeted vacancies or positions previously established.
 - e. Overtime Expenses. Overtime shall be pre-approved with justification prior to being authorized by the Program Manager, Treasurer, and Chief Financial Officer. If there is no approval of overtime, overtime work shall not be permitted.
 - f. It is the responsibility of Department Managers to monitor their budget periodically and understand that they are prohibited from overspending the applicable program budget, or otherwise face appropriate disciplinary action, including, but not limited to, reprimand and/or termination by the Administrative Manager.
 - g. Personnel funded under grants and contracts shall not be transferred to a Tribal funded program when funds are depleted.
 - h. Donations from the Tribe of any kind, for any purpose are prohibited and shall not be authorized.
 - i. Salary Increases and Pay Adjustments. Managers or Program Directors preparing Budgets should include the minimum for pay increases or pay adjustments for staff under their division. It is understood that salary increases or pay adjustments are NOT guaranteed. Increases or pay adjustments are subject to funding availability and shall be approved by the Treasurer and the Chief Financial Officer. In addition, the increase or adjustment shall be subject to a review of a positive performance evaluation and shall have justification of such action. No increase shall occur after the budget has been adopted by resolution.

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- j. Administrative Leave for non-job related activities is hereby disallowed and shall no longer be authorized (i.e. sports activities or other major public events) by the Chairman or Program Manager, unless otherwise approved by the Tribal Council.
- k. All Department Managers and Employees shall follow the terms and conditions of the Tribal Personnel Policies and Procedures.
- l. All Tribal Departments, Entities, and Employees including Grants and Contract funded Programs should follow the Tribal Financial Policies and Procedures.
- m. All tribally funded government positions (Central Tribe-01), excluding enterprises shall be reduced to a 32 hour work week; however, this provision shall not apply to key positions or positions funded by a State or Federal Grant, the Tribe's Legal Department, Treasurer Key Personnel, Controller Key Personnel, Computer Department, Prosecution Unit and to essential employees who provide emergency services, such as the Police Department, Fire Department, EMS, Woodland Patrol, Game and Fish Law Enforcement, CHR, and other Law Enforcement Officers, provided this provision shall still apply to non-essential administrative officers of such emergency service departments.
- n. Compliance. Any failure to comply with the measures set forth herein should be cause for discipline, including termination.
- o. The Tribe's official holidays shall be reduced to New Years Day, Memorial Day, Independence Day, Labor Day, Indian Day, Veteran's Day, Thanksgiving and Christmas Day.
- p. All employees shall utilize the TR-100 (at 90%) for approved Tribal business travel.

8. All sick leave accrual is suspended.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all prior cost containment resolutions are hereby rescinded.

BE IT FURTHER RESOLVED the Budget and Finance Committee recommended the following emergency cost containment measures for Fiscal Year 2009-2010 for the purpose of operational efficiency, monitoring and reporting, and accountability:

- 1. Travel. All Travel shall be handled on a cost reimbursement basis and original receipts shall be provided. No Travel advances shall be approved for employees with outstanding/delinquent TR-100 Reports. **NO EXCEPTIONS**. All employees should use the TR-100 Form for travel. Payments for hotel incidental expense deposits and additional luggage shall be solely the responsibility of the employee. Reimbursements shall be reviewed for allowable costs; disallowed expenses shall be the responsibility of the employee and shall not be reimbursed by the Tribe.
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 - f. It is the responsibility of Department Managers to monitor their budget periodically and understand that they are prohibited from overspending the applicable program budget, or otherwise face appropriate disciplinary action, including, but not limited to, reprimand and/or termination by the Administrative Manager.
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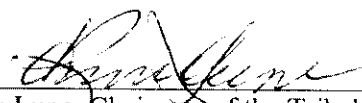
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that effective immediately, the Tribal Council shall not consider any request for funds for any purpose by any program, department, division or individual without the request first being reviewed by the Budget and Finance Committee for its recommendations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the following emergency cost containment measures are hereby instituted for Central Tribe for the purpose of operational efficiency, monitoring and reporting, and accountability.

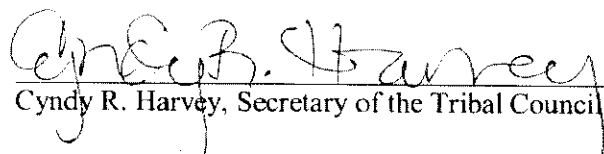
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event of any inconsistency between this Resolution and any other resolution and any other policy of the Tribe, this Resolution shall govern, supersede and apply.

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 26, 2009, duly adopted by a vote of SEVEN for and ONE 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), (i), (k), (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