



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

**(Authorizing IGA between Tribe and Arizona Department of Health Services)**

- 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 that concern the welfare of the Tribe; and
- WHEREAS,** the White Mountain Apache Tribe was awarded a contract by the Arizona Department of Health Services "Local Incentive Award Program," part of the Arizona Nutrition Network; and
- WHEREAS,** the award is effective as of October 1, 2009, pending the Tribe's acceptance of the award and execution of related legal documents; and
- WHEREAS,** the Tribal Council finds that it is in the best interest of the Tribe to enter a Contract Award Agreement with the State of Arizona on behalf of the Department of Health Services in order to provide the Tribe with much needed nutrition education and general health services; and
- WHEREAS,** the Tribal Council finds that this decision should be made outside of its regularly scheduled meeting due to the deadline and to prevent further delay of the administration of this award; 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 members 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 agrees to enter into an Intergovernmental Agreement with the State of Arizona for the purpose of providing nutritional education to Tribal members and residents of the Fort Apache Indian Reservation.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that this decision shall be made outside of the Council's regularly scheduled meeting because of the timing and delay of services that will result if immediate action is not taken.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe 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 members is against this Resolution, (4) the Tribal Council Secretary should


**Resolution No. 10-2009-351**

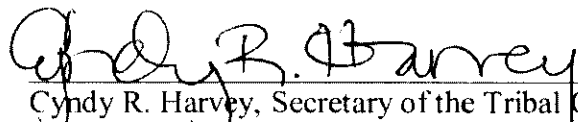
wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that 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 October 28, 2009, duly adopted by a vote of SEVEN 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), (j), (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).

  
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Ronnie Lupe, Chairman of the Tribal Council **ACTING**

  
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Cyndy R. Harvey, Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 10-2009-351 initiated the 28th day of October 2009. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

[Signature] 10/29/09 CM TCS Initials  
Ronnie Lupe  
Tribal Chairman  
Date Signed

[Signature] 10/27/09 CM TCS Initials  
Margaret Baha-Walker  
Vice Chairwoman  
Date Signed

\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member  
Date Signed  
TCS Initials

\_\_\_\_\_  
Evangeline Gatewood  
District I Council Member  
Date Signed  
TCS Initials

[Signature] 10/28/09 CM TCS Initials  
Victoria Brewer  
District II Council Member  
Date Signed

\_\_\_\_\_  
Rubert Lupe, Sr.  
District II Council Member  
Date Signed  
TCS Initials

[Signature] 10/28/09 CM TCS Initials  
Alvin DeClay, Sr.  
District III Council Member  
Date Signed

[Signature] 10/23/09 CM TCS Initials  
Kirk Massey, Sr.  
District III Council Member  
Date Signed

\_\_\_\_\_  
Noland Clay  
District IV Council Member  
Date Signed  
TCS Initials

[Signature] 10-28-09 CM TCS Initials  
Wayne Corelay, Jr.  
District IV Council Member  
Date Signed

[Signature] 10-28-09 CM TCS Initials  
Reno Johnson, Sr.  
District IV Council Member  
Date Signed

ATTEST:  
[Signature]  
Cyndy R. Harvey, Tribal Council Secretary

11.3.09  
Date Signed