



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

**(Authorizing PL 93-638 ARRA Contract for Bridge Maintenance and Repair)**

**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 Tribal Transportation Committee unanimously supports and recommends that the White Mountain Apache Tribe and the Bureau of Indian Affairs enter into a PL 93-638 contract to use funds obligated to the Tribe under the *American Recovery and Reinvestment Act 2009 for ARRA Bridge Maintenance and Repair*; and

**WHEREAS,** the Tribe shall use *American Recovery and Reinvestment Act 2009, ARRA Bridge Maintenance Repair funds* to provide labor, materials and equipment for a completed bridge project at the sites slated for repair and maintenance under this contract; and

**WHEREAS,** after careful review and consideration, the Tribal Council finds that the Tribal Transportation Committee's recommendation to negotiate a contractual agreement with the BIA is in the best interest of the Tribe; and

**WHEREAS,** given the urgency of the request, the Tribal Council further finds that this 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** that the Tribal Council of the White Mountain Apache Tribe hereby authorizes the Tribe to enter into an agreement with the Bureau of Indian Affairs to utilize American Reinvestment and Recovery Act funding to maintain and repair bridges on the Reservation.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes this Resolution to be made outside of the Council's regularly scheduled meeting.

**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

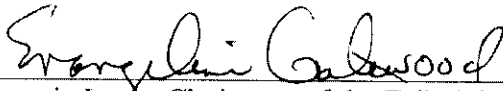
**Resolution No. 12-2009-398**

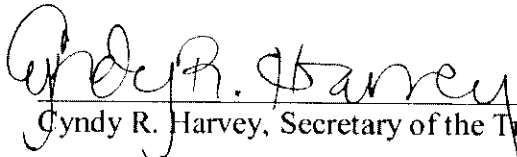
Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that 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 December 28, 2009, duly adopted by a vote of SIX 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), (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 Lupte, Chairman of the Tribal Council **ACTING**

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

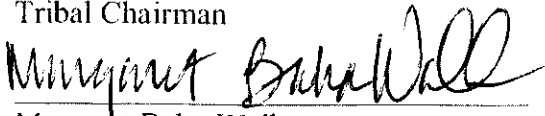
**Resolution No. 12-2009-398**

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 12-2009-398 initiated the \_\_\_\_\_ day of December 2009. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

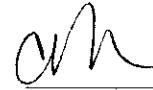
\_\_\_\_\_ TCS Initials

\_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman

\_\_\_\_\_  
Date Signed



12/28/09

 TCS Initials

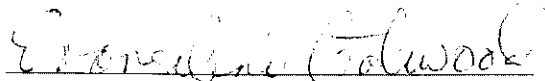
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Margaret Baha-Walker  
Vice Chairwoman

\_\_\_\_\_  
Date Signed

\_\_\_\_\_ TCS Initials

\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member

\_\_\_\_\_  
Date Signed

  
\_\_\_\_\_  
Evangeline Gatewood  
District I Council Member

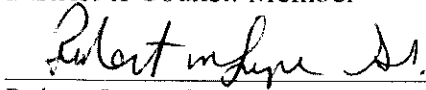
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\_\_\_\_\_  
Victoria Brewer  
District II Council Member

\_\_\_\_\_  
Date Signed

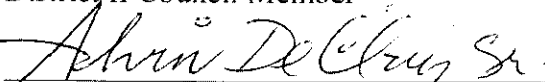


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Rubert Lupe, Sr.  
District II Council Member

\_\_\_\_\_  
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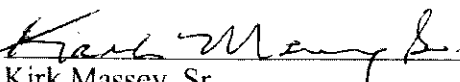
  
\_\_\_\_\_  
Alvin DeClay, Sr.  
District III Council Member

12-28-09

 TCS Initials

\_\_\_\_\_  
Alvin DeClay, Sr.  
District III Council Member

\_\_\_\_\_  
Date Signed

  
\_\_\_\_\_  
Kirk Massey, Sr.  
District III Council Member


12/28/09  
\_\_\_\_\_  
Date Signed

 TCS Initials

\_\_\_\_\_ TCS Initials

\_\_\_\_\_  
Noland Clay  
District IV Council Member

\_\_\_\_\_  
Date Signed

  
\_\_\_\_\_  
Wayne Colelay, Jr.  
District IV Council Member

12-28-09  
\_\_\_\_\_  
Date Signed

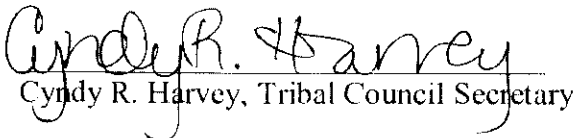
 TCS Initials

\_\_\_\_\_ TCS Initials

\_\_\_\_\_  
Reno Johnson, Sr.  
District IV Council Member

\_\_\_\_\_  
Date Signed

ATTEST:

  
\_\_\_\_\_  
Cindy R. Harvey, Tribal Council Secretary

12.31.09  
\_\_\_\_\_  
Date Signed