



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

**(Authorizing Annual Leave Transfer of 80 Hours From Wilbert Albert to Delta Kindelay)**

**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 Tribal Council has been informed that Delta Kindelay, a Tribal Member Employee of the Elderly Services Program, has suffered a severe knee injury and is undergoing the rehabilitation and healing process and for this reason requires medical leave; and

**WHEREAS,** Mrs. Kindelay's doctor has asked her to rest her knee and minimize movement until January 14<sup>th</sup>, at which time she is scheduled to see a specialist at IHS; and

**WHEREAS,** Wilbert Albert, also a Tribal Member Employee, has offered to transfer 80 hours of annual leave to Delta Kindelay so that she may take the time needed to heal and recover from the injury; and

**WHEREAS,** the Tribal Council finds it in the best interest of the Tribe to support Tribal Members, when possible, during times of need and although it is prohibited by the Cost Containment Resolution, allow a one-time exception to Resolution No. 08-2009-292 for Wilbert Albert to transfer 80 hours of annual leave to Delta Kindelay; and

**WHEREAS,** given the urgency of this request, the Tribal Council further finds that the authorization of an annual leave transfer 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 authorizes a transfer of 80 annual leave hours from Wilbert Albert to Delta Kindelay in order to help her recover from her knee injury and to give her time to heal.

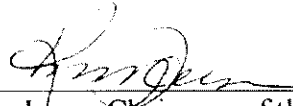
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event of an inconsistency between this Resolution and any prior Resolution or Policy, this Resolution shall govern.

**Resolution No. 01-2010-08**

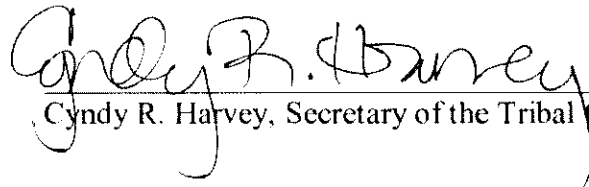
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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 document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on January 13, 2010, 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), (h), (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



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

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 01-2010-08 initiated the 13<sup>th</sup> day of January 2010. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

[Signature] \_\_\_\_\_ 1-18-10 \_\_\_\_\_ CM TCS Initials  
Ronnie Lupe  
Tribal Chairman  
Date Signed

\_\_\_\_\_ TCS Initials  
Margaret Baha-Walker  
Vice Chairwoman  
Date Signed

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

[Signature] \_\_\_\_\_ 1/13/10 \_\_\_\_\_ CM TCS Initials  
Evangeline Gatewood  
District I Council Member  
Date Signed

\_\_\_\_\_ TCS Initials  
Victoria Brewer  
District II Council Member  
Date Signed

[Signature] \_\_\_\_\_ 1/14/10 \_\_\_\_\_ CM TCS Initials  
Rubert Lupe, Sr.  
District II Council Member  
Date Signed

[Signature] \_\_\_\_\_ 01-15-10 \_\_\_\_\_ CM TCS Initials  
Alvin DeClay, Sr.  
District III Council Member  
Date Signed

[Signature] \_\_\_\_\_ 1/13/10 \_\_\_\_\_ CM TCS Initials  
Kirk Massey, Sr.  
District III Council Member  
Date Signed

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

[Signature] \_\_\_\_\_ 1-15-10 \_\_\_\_\_ CM TCS Initials  
Wayne Colelay, Jr.  
District IV Council Member  
Date Signed

[Signature] \_\_\_\_\_ 1-15-10 \_\_\_\_\_ CM TCS Initials  
Reno Johnson, Sr.  
District IV Council Member  
Date Signed

ATTEST:

[Signature] \_\_\_\_\_ 1-18-10 \_\_\_\_\_  
Cyndy R. Harvey, Tribal Council Secretary  
Date Signed