



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

(Rescinding Resolution 03-2010-45)

- 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,** on March 3, 2010, the Tribal Council approved *Resolution No. 03-201-45*, granting a Tribal Member broad authority to operate as an agent of the Tribe in the field of Telecommunications under the advice of a consultant; and
- WHEREAS,** the Legal Department objected to the passing of this Resolution based on serious liability concerns, a lack of a formal business plan, the enrichment of one Tribal Member over the welfare of the entire Tribe, and other policy concerns; and
- WHEREAS,** the Tribal Council nevertheless issued the Resolution in its frustration with a lack of progress by the former Director of Enterprise; and
- WHEREAS,** the Tribal Council also recognizes that it should not act hastily on such a matter because this issue deprives the Tribe of millions of dollars of future income; and
- WHEREAS,** the Tribe would also assume additional liabilities for activity occurring under the direction of the Tribal Member promoting his venture; and
- WHEREAS,** the Tribal Council finds it in the best interest of the White Mountain Apache Tribe to rescind this Resolution on advice of its Legal Department and to reserve this opportunity for the prospect of a Tribal Enterprise that will benefit the Tribe as a whole instead of a single individual; and
- WHEREAS,** given the urgency of this request and the severe harm that could come to the Tribe in the form of liabilities and lost potential income to the Tribe, the Tribal Council further finds that this Resolution should be considered 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 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.

Resolution No. 03-2010-55

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby rescinds *Resolution No. 03-2010-45* because the Resolution grants broad authority to an individual Tribal Member for the purpose of building and running a telecommunications business without taking into consideration the serious liability concerns raised by the Legal Department.

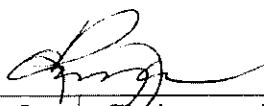
BE IT FURTHER RESOLVED by the Tribal Council that it hereby reserves the right to continue exploring the Telecommunications Enterprise idea in a manner that would take into account the best interest of the Tribe, in the present and future, and not that of any particular individual.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein and the severity of the consequences should the Tribe continue supporting *Resolution No. 03-2010-45*, that this Resolution may be voted upon outside of Council's regularly scheduled meeting 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.

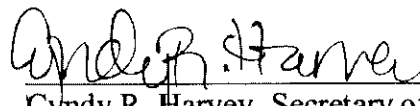
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 March 5, 2010 duly adopted by a vote of 6 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (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. 03-2010-55 initiated the _____ day of March 2010. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

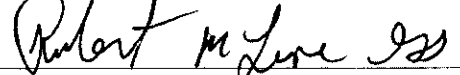
 Ronnie Lupe
 Tribal Chairman
 Date Signed _____
 TCS Initials _____

 Margaret Baha-Walker
 Vice Chairwoman
 Date Signed _____
 TCS Initials _____

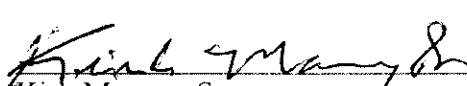
 Arnold Beach, Sr.
 District I Council Member
 Date Signed _____
 TCS Initials _____

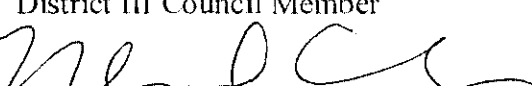
 Evangeline Gatewood
 District I Council Member
 Date Signed _____
 TCS Initials _____

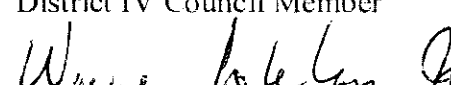
 Victoria Brewer
 District II Council Member
 Date Signed _____
 TCS Initials _____


 Rubert Lupe, Sr.
 District II Council Member
 Date Signed 3-5-10
 TCS Initials RL


 Alvin DeClay, Sr.
 District III Council Member
 Date Signed 03/05/2010
 TCS Initials AD


 Kirk Massey, Sr.
 District III Council Member
 Date Signed 3/5/10
 TCS Initials KM


 Noland Clay
 District IV Council Member
 Date Signed 3/5/10
 TCS Initials NC


 Wayne Colelay, Jr.
 District IV Council Member
 Date Signed 3-5-10
 TCS Initials WC


 Reno Johnson, Sr.
 District IV Council Member
 Date Signed 3-5-10
 TCS Initials RJ


 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed 3.5.10
 TCS Initials _____

ATTEST:

 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed _____
 TCS Initials _____

 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed _____
 TCS Initials _____

 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed _____
 TCS Initials _____

 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed _____
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 Cyndy R. Harvey, Tribal Council Secretary
 Date Signed _____
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