



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

(Prohibiting Annual Leave Payout and COBRA Benefits for the Five Terminated Employees)

- 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,** *Resolution No. 05-2010-102* terminated the employment of Tribal Employees, Suzie Tenijieth, Charles E. Peone, Cathy Tate, Doreen Gatewood, and Milfred Cosen based on the independent investigation findings reported by Troy A. Eid; and
- WHEREAS,** the independent investigation has determined that the five employees have violated the Tribal Election Code and the Personnel Policies and Procedures during their employment with the White Mountain Apache Tribe; and
- WHEREAS,** *Section VII, B 2, of the Personnel Policies and Procedures Manual* authorizes annual leave payout upon termination at the discretion of the Supervisor; and
- WHEREAS,** COBRA health benefits provides temporary continuation of health coverage upon an employee's voluntary or involuntary termination of employment regardless of reasons other than gross misconduct; and
- WHEREAS,** the Tribal Council has determined that the termination of the five above named employees were due to gross misconduct and therefore, should denied any annual leave payout and considered ineligible for COBRA health benefits.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby:

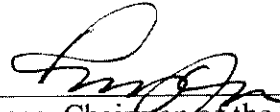
1. Denies any annual leave payout to Suzie Tenijieth, Charles E. Peone, Cathy Tate, Doreen Gatewood, and Milfred Cosen.
2. Determines Suzie Tenijieth, Charles E. Peone, Cathy Tate, Doreen Gatewood, and Milfred Cosen are ineligible to receive COBRA health benefits.

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.

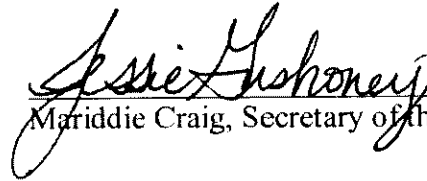
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Resolution No. 05-2010-120

The foregoing resolution was on **MAY 17, 2010** duly adopted by a vote of **FIVE** for and **TWO** against and **ONE** abstention 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



Mariddie Craig, Secretary of the Tribal Council **ACTING**