



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

(Approving Memorandum of Agreement with U.S. Indian Health Service for Construction of Individual Water & Sewer Services, Project PH10-E23; Alchesay Flat Sewer Main Extension, Phase 2, Project PH10-E24; Cibecue South Water Main Loop, Project PH10-E36; WMAHA Ft. Apache Junction Water and Sewer, Project PH10-E39; Sewer Facilities Replacement for Scattered Homes, Project PH10-T93; & Critical Sewer Main Replacement, Phase 1, Project PH10-T94)

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 U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to construct six projects; **1)** Individual water and sewer services for 13 scattered new or like-new homes at a total estimated cost of \$205,864.00 (PH10-E23). **2)** Alchesay Flat Sewer Main Extension, Phase 2 at total estimated cost of \$700,000.00 (PH10-E24). **3)** Cibecue South Water Main Loop at total estimated cost of \$249,000.00 (PH10-E36). **4)** WMAHA Ft. Apache Junction Water and Sewer at total estimated cost of \$1,440,000.00 (PH10-E39). **5)** Sewer Facilities Replacement for Scattered Homes at total estimated cost of \$212,000.00 (PH10-T93). **6)** Critical Sewer Main Replacements, Phase 1 at total estimated cost of \$255,000.00 (PH10-T94). The Indian Health Service is contributing all project funding through "Regular" funds; and

WHEREAS, upon completion of such service by the Indian Health Service, the water and sewer connections will be transferred to the Tribe or individual home owner as appropriate; and

WHEREAS, such facilities are needed for the Tribal members of the Fort Apache Indian Reservation and benefits derived from such facilities will far offset any damages that may occur from the land utilized; and

WHEREAS, the Tribal Council finds that the Memorandum of Agreement is in the best interests of the Tribe and should be approved.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Memorandums of Agreement between the U.S. Indian Health Service and the White Mountain Apache Tribe to construct the following six projects; **1)** Individual water and sewer services for 13 scattered new or like-new homes at a total estimated cost of \$205,864.00 (PH10-E23). **2)** Alchesay Flat Sewer Main Extension, Phase 2 at total estimated cost of \$700,000.00 (PH10-E24). **3)** Cibecue South Water Main Loop at total estimated cost of \$249,000.00 (PH10-E36). **4)** WMAHA Ft. Apache Junction

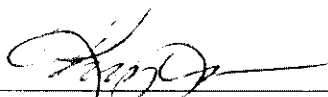
Resolution No. 06-2010-163

Water and Sewer at total estimated cost of \$1,440,000.00 (PH10-E39). **5)** Sewer Facilities Replacement for Scattered Homes at total estimated cost of \$212,000.00 (PH10-T93). **6)** Critical Sewer Main Replacements, Phase 1 at total estimated cost of \$255,000.00 (PH10-T94), including the waiver of damages for rights-of-way, are hereby approved.

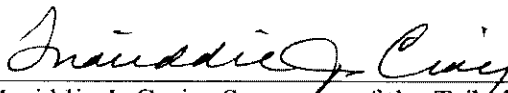
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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 document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JUNE 9, 2010** duly adopted by a vote of **NINE** for and **ONE** 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), (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 J. Craig, Secretary of the Tribal Council