



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

**(Authorization for Richard Di Valentino Jr. to Sub-Contract with the
White Mountain Apache Tribe for Fence Construction)**

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, in an effort to assist Tribal Livestock Associations, the Land Operations Department has applied for funding from the Natural Resources Conservation Service (NRCS) to replace barbed wire fences within the Canyon Day and Turkey Creek Range Units and to construct new barbed wire fence within the Grasshopper and North Fork Range Units; and

WHEREAS, in 2010 the construction costs for a total of 82,747 ft. (15.67 miles) of fence was funded under NRCS' Environmental Quality Incentive Program (EQIP), with additional fence practices expected to be funded by NRCS in the future; and

WHEREAS, Mr. Richard Di Valentino Jr., independent contractor has made a request to the Tribal Council to complete the aforementioned fence work in accordance with NRCS fence specifications and at NRCS payment rates; and

WHEREAS, in an effort to complete fencing sooner and providing opportunity to Tribal member entrepreneurs, Mr. Di Valentino is requesting to enter into a sub-contract with the Tribe to build 77,467 ft. (14.67 miles) of fence in 2010 and subsequent fence projects in the future; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribe to encourage tribal member entrepreneurs and supports the efforts of the Land Operations Department and Richard Di Valentino Jr..

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby supports Land Operations' effort to assist Tribal Livestock Associations in acquiring funding from the NRCS to construct fences needed for the management of livestock.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes the Tribe to enter into agreements with Richard Di Valentino Jr., an independent contractor, for the purpose of completing the fence work (77,467 ft.) in accordance with NRCS fence specifications and at NRCS payment rates.

BE IT FURTHER RESOLVED by the Tribal Council that the Tribe's Grants & Contracts Office is ordered to establish an account and monitor the progress of the 2010 EQIP contracts (EQIP 2008

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74945710068, EQIP 2008 7494571001V, EQIP 2008 749457100FB) and subsequent NRCS contracts to ensure that incoming funds are properly administered.

BE IT FURTHER RESOLVED by the Tribal Council that Victor Velasquez, Administrative Manager is hereby authorized to assume responsibility and administer the NRCS contracts to avoid any potential conflicts of interest and shall be granted authority to sign and oversee all sub-contracts and requests for payment submitted by Mr. Di Valentino for the duration of this project.

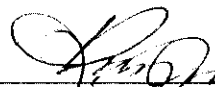
BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes Richard Di Valentino Jr., to maintain a business license through the Tribal Treasurer for this work.

BE IT FURTHER RESOLVED by the Tribal Council that this Resolution and subsequent agreement(s) shall not, in any manner, preempt or modify the respective rights and responsibilities of either party.

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.

The foregoing resolution was on **JUNE 9, 2010** duly adopted by a vote of **TEN** 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), (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