



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

Resolution No. 05-2013-122

(Rescinding Resolution 09-2011-178)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe (“Tribe”) is entrusted by the Tribe’s Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

WHEREAS, the White Mountain Apache Tribe TERO Department has come before the Tribal Council with a request to have resolution 09-2011-178 rescinded; and

WHEREAS, Resolution 09-2011-178 was passed on September 7, 2011 Awarding the (2.5%, \$187,500 of the 5% TERO fees generated from the AHS Building Project to the White Mountain Apache Tribe Youth Performing Arts Program; and

WHEREAS, the WMAT Performing Arts Program was transferred to the White Mountain Apache Housing Authority, therefore such funds will no longer be needed by this program; and

WHEREAS, the actual AHS Building Project cost is \$7,030,586.00 and the 2.5% is \$175,764.65; and

WHEREAS, TERO request to have the 2.5%, \$175,764 remain in the TERO Operational Budget and such funds be utilized for training and certifying our Tribal Member in various trades.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby rescinds Resolution 09-2011-178 and directs the 2.5% \$175,764.65 of the TERO fee collected on the AHS Building Project remain in the TERO Operational Budget for the training and certifying our Tribal Members.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

The foregoing resolution was on MAY 22, 2013 duly adopted by a vote of FIVE for, ZERO against and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Tribal Constitution, 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

5/22/13

Date



Mariddie J. Craig, Secretary

05/30/2013

Date