



WHITE MOUNTAIN APACHE TRIBE

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

Resolution No. 06-2013-138

(Amending Resolution 06-2010-188 Eliminating the Roads Suspense Account for Fort Apache Timber Company Retroactive to January 2008)

WHEREAS, in 2010, the General Manager of the Fort Apache Timber Company (FATCO) informed the Tribal Council that the thirteen percent (13%) Roads Suspense account was not legally required by the BIA timber sales contracts; and

WHEREAS, at that time the BIA collected thirteen percent (13%) for the Roads Suspense Account from stumpage payments and reimburses FATCO upon the submittal of weekly reports; and

WHEREAS, the Fort Apache Timber Company (FATCO) has always managed and maintained all logging roadways throughout the Fort Apache Indian Reservation (FAIR); and

WHEREAS, in 2010 FATCO and BIA came to a consensus that the Roads Suspense Account should be eliminated, effective April 2008; and

WHEREAS, the Tribal Council has now determined that it is in the best interest of the Tribe and FATCO to amend Resolution 06-2010-188 to eliminate the Roads Suspense Account and make it effective as of January 2008.

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

1. It hereby eliminates the thirteen percent (13%) Roads Suspense Account, effective January 2008.
2. As of January 2008, FATCO will no longer be required to submit reports to BIA for reimbursement.
3. Any collections made by BIA prior to January 2008 should continue to be reimbursed to FATCO.

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.

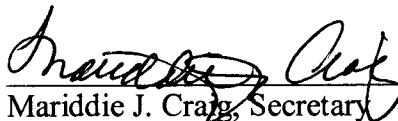
The foregoing resolution was on **JUNE 12, 2013** duly adopted by a vote of **SIX** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (f), (h), (i), (s), (t) and (u) of the Tribal Constitution, 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 Dupe, Chairman

7/2/13

Date



Mariddie J. Craig, Secretary

07/01/2013

Date