



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement with U.S. Indian Health Service for Construction of Individual Water & Sewer Services, Project PH14-F12; Individual Water and Sewer Replacements, Project PH14-U53; Miner Flat Main Renovation, Project PH14-U60)

WHEREAS, the U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to construct **four projects totaling \$1,724,000.00:**

- 1) Individual water and sewer services for 15 scattered homes at a total estimated cost of \$345,000.00 (PH14-F12); and
- 2) Cedar Creek Water Replacements. Replace old, failing water mains and service lines for 108 homes at estimated cost of \$563,000.00 (PH14-U53); and
- 3) Critical Sewer Replacement Phase 4; Replace old, failing sewer mains and service lines for 61 homes in Rainbow City and Whisky Flat. Total funds from EPA Clean Water Act, \$586,000.00 (PH14-U60); and
- 4) Individual sewer services for 22 scattered homes at a total estimated cost of \$230,000.00 (PH14-U61); and

WHEREAS, upon completion of such service by the I.H.S, 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 Memorandum of Agreement, as presented on this day, to construct four projects totaling \$1,724,000.00 are hereby approved as follows:

- 1) Individual water and sewer services for 15 scattered homes at a total estimated cost of \$345,000.00 (PH14-F12).
- 2) Cedar Creek Water Replacements. Replace old, failing water mains and service lines for 108 homes at estimated cost of \$563,000.00 (PH14-U53).

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3) Critical Sewer Replacement Phase 4; Replace old, failing sewer mains and service lines for 61 homes in Rainbow City and Whisky Flat. Total funds from EPA Clean Water Act, \$586,000.00 (PH14-U60).

4) Individual sewer services for 22 scattered homes at a total estimated cost of \$230,000.00 (PH14-U61).

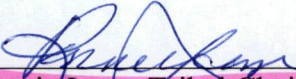
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby

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, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

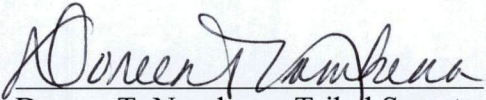
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JULY 10, 2014** duly adopted by a vote of **NINE** for and **ZERO** against with **ONE** abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

7/16/14
Date



Doreen T. Numkena, Tribal Secretary

7-16-2014
Date