



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Adopting Tribal Financial Improvement Plan and Implementing Emergency Cost Saving Measures)

WHEREAS, the White Mountain Apache Tribe (“WMAT”) has operated under a budgetary deficit for decades due to recurring financial and administrative problems in managing the overall Tribal Budget. Additionally, the Bureau of Indian Affairs designated the WMAT as “high risk” for the purpose of managing Federal Grant Awards and P.L. 93-638 contract funding, therefore, making it extraordinarily difficult to operate when the Tribal cash flow becomes limited, regardless of the reason for the cash-flow problems; and

WHEREAS, the WMAT’s limited cash reserves have contributed to constant financial stress upon our government, and this indirectly has impacted the greater Tribal community. After a lengthy discussion in executive session about the reasons for the growing Tribal deficit, the Council is determined to take immediate action and institute any measures that may help to help alleviate the problems that plague the WMAT in the interim; and

WHEREAS, the Tribal Council unanimously agrees that the only way to correct for and address the WMAT’s recurring financial difficulties is to change the manner in which the Tribe does business. The Tribe must eliminate wasteful spending and pursuant to *Resolution No. 03-2015-46*, the Tribal Council has instructed all Central (01) Department Managers to submit a reduced budget for the FY2015-2016 cycle; and

WHEREAS, in addition to the 20% reduction required pursuant to *Resolution No. 03-2015-46*, the following actions shall be immediately enforced by the governing body:

1. **Hiring Freeze:** All new hiring shall cease effective immediately. This restriction shall expire on April 30, 2015, at the end of FY 2014-15.
2. **Emergency Changes to Business Hours and Reduced Payroll:** Central (01) Tribally funded programs shall be subject to one of the following, *but not both*:
 - a. **Hourly employees shall receive compensation for no more than 72 hours every pay period.** Directors are not permitted to make exceptions or to authorize overtime work until the FY 2015-16 budget is approved.
 - b. **Salaried employees** are also subject to the above restrictions. Because the Fair and Labor Standards Act (FLSA) would exempt salaried employees from reduced pay pursuant to (a) above, *a temporary 10%*

Resolution No. 03-2015-47

reduction in salary shall be imposed to accomplish the Tribe's objective of becoming more fiscally responsible and reducing the Tribal deficit.

i. Exemption I: Emergency Service Providers:

1. Patrol Officers, Dispatch (No Administrative Staff or Background Investigators)
2. Emergency Medical Services (No Administrative Staff)
3. Fire and Rescue Department (No Administrative Staff)
4. Game Rangers (No Administrative Staff)

ii. Exemption II: Critical Operations and Administration

1. Attorneys (No Administrative Staff)
2. Tribal Council (No Administrative Staff)
3. Prosecution (Attorney General's Discretion)

3. Eliminating Gas Cards & Slips: Tribal Council must purchase gas and maintain assigned vehicles with regular oil changes, and gas cards and gas slips are prohibited by this resolution until new budgets are passed.

4. Terminate Council Cell Phone Plans: All Tribal Council cell phones are prohibited and plans should be terminated prior to the end of this billing cycle. Council may retain their phone numbers, but any plans purchased thereafter must be made with personal funds.

5. Eliminate Non-Essential Travel for Council:

a. Exception: AIGA, NIGA, ITCA, Apache Alliance. Staff are not allowed to travel; however, Executive Assistant Jerry Gloshey may travel as needed in order to assist the Tribal Chairman.

6. No Administrative Leave: Administrative leave shall no longer be authorized for purposes involving personal business or local Tribal events, including but not limited to sporting events or other functions not critical to Tribal business. In the event of requests for leave, employees shall be directed to use their annual leave and final authorization is at the discretion of the Program Manager or Director.

7. All Employees, including Council, shall be subject to the Vehicle Policy:

a. By Resolution, the Tribal Council previously exempted itself from the WMAT Vehicle Policy. Effective immediately, the Tribal Council is subject to the Tribal Vehicle policy, but shall not be required to park vehicles permanently. Cibecue Public Works and Public Utility is also not required to park assigned vehicles.

Resolution No. 03-2015-47

- b. Any violations of the Tribal Vehicle Policy shall result in a suspension without pay for 3 business days. This penalty is primarily imposed to ensure that Tribal Vehicles are not used for personal purposes.

- 8. **No Overtime** shall be authorized for any purpose until the FY 2015-16 budget has been approved, provided that overtime is authorized in approved departmental budgets. **Exemption:** Law Enforcement, Emergency Medical Services, Game Rangers, and Fire & Rescue.

WHEREAS, for all of the reasons explained hereto, and in order to reduce the WMAT's operating budget, and to help reduce payroll and the overall deficit, the Tribal Council of the White Mountain Apache Tribe finds it in the best interest of the White Mountain Apache Tribal government and the Apache people, to impose these cost saving measures. The Tribal Council shall lift restrictions imposed in 1, 2, and 8 above on April 30, 2015, to coincide with the implementation of newly adopted and reduced Tribal operating budgets.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby imposes the following emergency cost-saving measures, in order to begin the process of financial recovery and to begin a path towards fiscal responsibility and deficit reduction going forward:

- 1. **Hiring Freeze:** All new hiring shall cease effective immediately. This restriction shall expire on April 30, 2015, at the end of FY 2014-15.
- 2. **Emergency Changes to Business Hours and Reduced Payroll:** Central (01) Tribally funded programs shall be subject to one of the following, *but not both*:
 - a. **Hourly** employees *shall receive compensation for no more than 72 hours every pay period.* Directors are not permitted to make exceptions or to authorize overtime work until the FY 2015-16 budget is approved.
 - b. **Salaried** employees are also subject to the above restrictions. Because the Fair and Labor Standards Act (FLSA) would exempt salaried employees from reduced pay pursuant to (a) above, *a temporary 10% reduction in salary* shall be imposed to accomplish the Tribe's objective of becoming more fiscally responsible and reducing the Tribal deficit.

i. Exemption I: Emergency Service Providers:

- 1. Patrol Officers, Dispatch (No Administrative Staff or Background Investigators)
- 2. Emergency Medical Services (No Administrative Staff)
- 3. Fire and Rescue Department (No Administrative Staff)

4. Game Rangers (No Administrative Staff)

ii. Exemption II: Critical Operations and Administration

1. Attorneys (No Administrative Staff)
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3. **Eliminating Gas Cards & Slips:** Tribal Council must purchase gas and maintain assigned vehicles with regular oil changes, and gas cards and gas slips are prohibited by this resolution until new budgets are passed.
 4. **Terminate Council Cell Phone Plans:** All Tribal Council cell phones are prohibited and plans should be terminated prior to the end of this billing cycle. Council may retain their phone numbers, but any plans purchased thereafter must be made with personal funds.
 5. **Eliminate non-Essential Travel for Council:**
 - a. **Exception:** AIGA, NIGA, ITCA, Apache Alliance. Staff not allowed to travel, however, Executive Assistant Jerry Gloshey may travel as needed in order to assist the Tribal Chairman.
 6. **No Administrative Leave:** Administrative leave shall no longer be authorized for purposes involving personal business or local Tribal events, including but not limited to sporting events or other functions not critical to Tribal business. In the event of requests for leave, employees shall be directed to use their annual leave and final authorization is at the discretion of the Program Manager or Director.
 7. **All Employees, including Council, shall be subject to the Vehicle Policy:**
 - a. By Resolution, the Tribal Council previously exempted itself from the WMAT Vehicle Policy. Effective immediately, the Tribal Council is subject to the Tribal Vehicle policy, but shall not be required to park vehicles permanently. Cibecue Public Works and Public Utility is also not required to park assigned vehicles.
 - b. Any violations of the Tribal Vehicle Policy shall result in a suspension without pay for 3 business days. This penalty is primarily imposed to ensure that Tribal Vehicles are not used for personal purposes.
 8. **No Overtime** shall be authorized for any purpose until the FY 2015-16 budget has been approved, provided that overtime is authorized in approved departmental budgets. **Exemption:** Law Enforcement, Emergency Medical Services, Game Rangers, and Fire & Rescue.

Resolution No. 03-2015-47

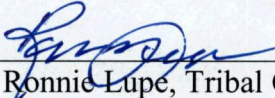
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that sections 1, 2, and 8 shall be lifted in order to coincide with newly adopted and necessarily reduced (20%) operating expenses for the FY 2015-16 budget cycle. Any remaining restrictions may be addressed in the future and at the discretion of the governing body.

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.

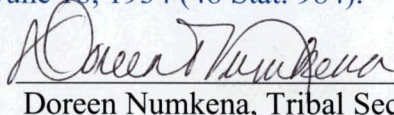
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **March 10, 2015** duly adopted by a vote of **ELEVEN** for and **ZERO** against and **ZERO** abstention 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

3/10/15
Date



Doreen Numkena, Tribal Secretary

3/10/15
Date