



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandums of Agreement with U.S. Indian Health Service for Construction of Sewer Mains for 312 Homes, Project PH13-U49; Individual Water & Sewer Services, Project PH15-F22; and Abandonment of wells from the Miner Flat Water Distribution System, Project PH15-U70)

WHEREAS, the U.S. Indian Health Service desires to enter into Memorandums of Agreement with the White Mountain Apache Tribe to construct **three projects totaling \$1,425,000.00:**

- 1) Replace deteriorated sewer mains for 312 homes at a total estimated cost of **\$724,000.00** (PH13-U49). The Environmental Protection Agency, through a Clean Water Act grant (EPA-CWA), is contributing \$554,286.00, and the I.H.S. is contributing \$169,714.00 to replace the sewer mains; and
- 2) Construct water and sewer facilities for 20 scattered homes at estimated cost of \$335,000.00 (PH15-F22); and
- 3) Disconnect old wells in Alchesay Flats, Diamond Creek, Miner Flats, Canyon Day, and Fort Apache Junction from the Miner Flat Water Distribution System. The Indian Health Service is contributing \$366,000.00 (PH15-U70); 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 Memorandums of Agreement are 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 Memorandums of Agreement, as presented on this day, to construct **three projects totaling \$1,425,000.00** are hereby approved as follows:

- 1) Replace deteriorated sewer mains for 312 homes at a total estimated cost of \$724,000.00 (PH13-U49).

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2) Construct water and sewer facilities for 20 scattered homes at estimated cost of \$335,000.00 (PH15-F22).

3) Disconnect old wells in Alchesay Flats, Diamond Creek, Miner Flats, Canyon Day, and Fort Apache Junction from the Miner Flat Water Distribution System. The Indian Health Service is contributing \$366,000.00 (PH15-U70).

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby recognizes that Indian Health Services and the Environmental Protection Agency shall contribute all project funding using "regular" funds as explained by the Tribal Engineer and understood by the Tribal governing body.

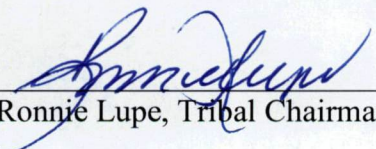
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby declares that upon completion of the services rendered by I.H.S., all water and sewer connections shall be transferred to the Tribe or individual home owners, as appropriate.

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.

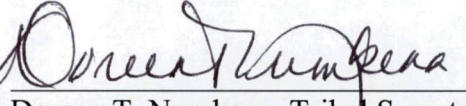
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on MAY 18, 2015 duly adopted by a vote of EIGHT for, ZERO against, and ZERO abstentions 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

5/27/15
Date



Doreen T. Numkena, Tribal Secretary

5/28/2015
Date