



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Revoking Gas Card and Suspending Tribal Vehicle Privileges)

WHEREAS, on this day, members of the White Mountain Apache Tribe's ("WMAT") Business Office, along with the Director of Tribal Enterprises, brought forth a serious concern to members of the governing body regarding an improper use of a government issued gas card and potential violations of the WMAT Vehicle Policy, among others; and

WHEREAS, the WMAT Tribal Offices presented evidence that Councilman Alvin DeClay misused his gas card privileges when he recently filled his government issued and his personal vehicle on a single gas card transaction. The major concern raised was that the Councilman was using Tribal resources for his personal gain. The money was strictly allocated as a budgetary expense for the purpose of filling Tribal Vehicles with gas for business and governmental related purposes only; and

WHEREAS, in addition to the Council's concern over the poor decision by a fellow council member, a Tribal member photographed the gas abuse and the photo was subsequently posted on facebook, acquiring thousands of views and shares throughout Indian Country within a matter of hours. This now creates a highly embarrassing and disreputable situation for the governing body and White Mountain Apache Tribe to contend with. Accordingly, the Tribal Council has considered all facts presented, including other incidences of gas card misuse – and recorded by video surveillance and business records, and considerably higher gas usage than any other Tribal Council member over the preceding six months, which suggests a history of misusing Tribal funds via gas card for personal gain; and

WHEREAS, as a result of his behavior and failure to conduct himself honorably and in a manner expected of elected government officials, members of the Council have no choice but to suspend Councilman Alvin DeClay's vehicle privileges and shall decline any and all gas card privileges that were previously afforded him by resolution, with the expectation that all previous improper spending will be returned to the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that for all of the reasons contained herein, Councilman Alvin DeClay's vehicle usage and gas card privileges are to be suspended effective immediately. This suspension of privileges shall be indefinite, and only the Tribal Council may take action to lift the ban on utilizing the Councilman's previous government issued vehicle. Gas privileges are hereby revoked in accordance with the terms of this resolution.

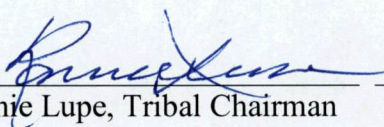
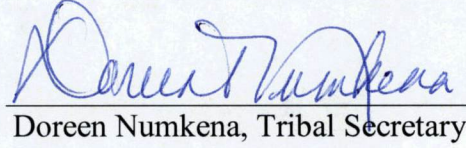
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

Resolution No. 11-2015-222

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 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 **NOVEMBER 4, 2015** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **TWO** 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).

	<u>2/23/16</u>		<u>2/23/2016</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen Numkena, Tribal Secretary	Date