



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## **(Approving Partnership Between War Pony Towing and Twin Rivers Towing LLC and Authorizing Twin Rivers Towing LLC to be Utilized as a Towing Vendor by the White Mountain Apache Police Department)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “To represent the Tribe and act in all matters that concern the welfare of the tribe, and to make decisions not inconsistent with or contrary to [the] Constitution”; and

**WHEREAS,** Tribal member, Myrtle Bragg and her husband Joe Bragg own and operate War Pony Towing on the Fort Apache Indian Reservation (“Reservaton”), and have a tow lot located in the community of Seven-Mile; and

**WHEREAS,** The White Mountain Apache Police Department (“Police Department”) regularly utilizes the services of War Pony Towing, but has a need for more towing assistance than War Pony Towing can provide, alone; and

**WHEREAS,** War Pony Towing, this day, proposes that the Council approve a partnership between the Mr. and Mrs. Bragg of War Pony Towing and John Teneyck of Twin Rivers Towing LLC, a limited liability company organized under the laws of the State of Arizona, and located in Pinetop; and

**WHEREAS,** Under the proposed partnership, the Police Department and any other Tribal department, or Reservation business, or private person would utilize both companies in rotation, and Twin Rivers Towing would be permitted to use War Pony’s tow lot in Seven-Mile; and

**WHEREAS,** the Tribal Councils finds that approving the proposed partnership and authorizing Twin Rivers Towing LLC to serve as an additional towing vendor for the Police Department, provided that vehicles towed are stored at the War Pony tow yard in Seven-Mile will help to keep vehicles within the Tribe’s jurisdiction, and is in the best interests of the Tribe and its members.

**NOW THEREFORE, BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the proposed partnership between War Pony Towing and Twin Rivers Towing LLC for the purposes

**Resolution No. 08-2019-179**

of providing towing services in rotation for the White Mountain Apache Police Department and other customers is hereby approved.

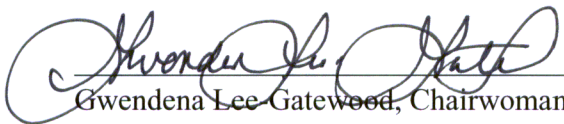
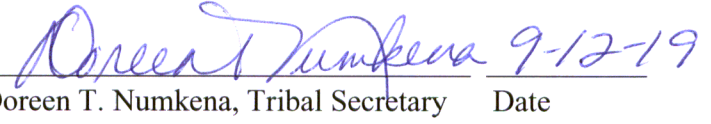
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that pursuant to this Resolution and the agreement between it and War Pony Towing, Twin Rivers Towing is hereby authorized to provide towing services on the Fort Apache Indian Reservation, provided that it not tow any vehicles off of the Reservation, and shall utilize War Pony's Tow Yard in Seven Mile Community.

**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 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 the Chairwoman, or in her 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 AUGUST 22, 2019 duly adopted by a vote of TEN for, ZERO against, and ONE 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).

 9.12.19  9-12-19  
Gwendena Lee Gatewood, Chairwoman      Date      Doreen T. Numkena, Tribal Secretary      Date