



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## **(Classifying White Mountain Apache Housing Authority Force Account and Maintenance Employees as Essential for Purposes of Res. No. 03-2020-58)**

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe (Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o 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 this constitution”; and
- WHEREAS,** In response to the Coronavirus pandemic, the Council enacted Resolution No. 03-2020-58, which adopted temporary emergency measures, one of which, orders the White Mountain Apache Housing Authority (“WMAHA”), and others, to work from home until March 31, 2020 or until receiving further direction; and
- WHEREAS,** The same resolution also identifies essential tribal departments and programs that are ordered to continue to work as customary, and “others as may be directed by the Council”; and
- WHEREAS,** WMAHA was not considered essential in this initial Resolution, however, the WMAHA Security Department and several others have since been classified as essential; and
- WHEREAS,** WMAHA now requests that the Council classify its Force Account and Maintenance workers as essential, so that they may continue with construction operations and maintaining our housing stock; and
- WHEREAS,** The Coronavirus has caused a four-month delay in construction, and WMAHA must meet construction deadlines to be in compliance with federal grant obligations and Arizona Department of Housing deadlines for WMAHA’s Low Income Housing Tax Credit Project at Apache Pine; and
- WHEREAS,** Construction of new housing will also help remediate the impact of the Coronavirus, by alleviating overcrowding in tribal homes; and
- WHEREAS,** Allowing the WMAHA Force Account workers to return to work will also help these workers financially, as the enhanced unemployment benefits they were receiving expired; and

**Resolution No. 08-2020-178**

**WHEREAS**, The Council finds classifying WMAHA Force Account and Maintenance workers as essential workers will enable it to meet outstanding obligations and help alleviate housing overcrowding, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby classifies WMAHA Force Account and Maintenance workers to be as "essential workers" for the purposes of Resolution No. 03-2020-58, effective immediately.


**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.

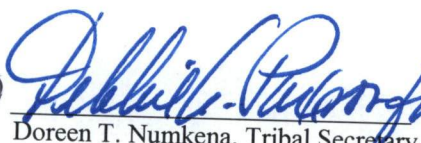
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of the Resolution.

**CERTIFICATION**

The foregoing resolution was on **AUGUST 05, 2020** duly adopted by a vote of **ELEVEN** 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).

  
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Gwendena Lee-Gatewood, Chairwoman

8/12/2020  
Date

  
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Doreen T. Numkena, Tribal Secretary

8/12/2020  
Date