



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Directing Completion of a Forensic Audit at Sunrise Park Resort and Suspending Sunrise Park Resort General Manager)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power “To manage all economic affairs and enterprises of the Tribe”; and
- WHEREAS,** On October 20, 2012, via Resolution No. 10-2012-159, the Council adopted a Plan of Operations to govern the operations of Sunrise Park Resort; and
- WHEREAS,** The Plan of Operations provides, at Article 4, Section 4.1 that the Sunrise Park Resort Board of Directors shall have the authority to select and supervise a General Manager, who shall be responsible for the daily management and supervision of Sunrise Park Resort, and who shall have the authority to select and supervise all other enterprise personnel; and
- WHEREAS,** The Tribal Council, on January 17, 2018, via Resolution No. 01-2018-10 appointed Tara Chief and Jonathan Brooks to the Sunrise Park Resort Board of Directors for a three-year term, Brenda Begay and Keith Johnson for a two-year term, and Rica Girardi for a one-year term; and
- WHEREAS,** The Council, on November 13, 2018, via Resolution No. 11-2018-239 appointed Carlos Valadez to the Sunrise Park Resort Board of Directors for a three-year term after Jonathan Brooks resigned; and
- WHEREAS,** Three of the five Sunrise Park Resort Board of Directors’ terms have expired and they have not been reappointed or replaced; and
- WHEREAS,** On this day, the Council discussed allegations of financial impropriety made against the General Manager; and
- WHEREAS,** Due to an inability of the Sunrise Park Resort Board of Directors to meet the quorum requirements in Article 7, Section 7.2 of the Sunrise Park Resort Plan of Operations, the Sunrise Board of Directors is unable to conduct business; and
- WHEREAS,** In the absence of Sunrise’s Board of Directors, the Council finds that it must act in the stead of the Board of Directors to make necessary managerial decisions; and

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WHEREAS, The Council finds it in the best interest of the White Mountain Apache Tribe and Sunrise Park Resort to immediately take action by: (1) Mandating a forensic audit of the Sunrise Park Resort; (2) Placing the General Manager on administrative leave without pay, effective immediately, pending the results of the forensic audit; (3) Appointing Sunrise Park Resort's Assistant Manager, Marcus Baca, as the Interim General Manager; (4) Designating Tribal Treasurer Deron Peaches and Marcus Baca as the only signatories for Sunrise Park Resort; and (5) Suspending Board of Directors members Tara Chief and Carlos Valadez and Sunrise's Attorney of Record, effective immediately, pending the outcome of the forensic audit.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Council hereby directs that a forensic audit be completed of the finances of Sunrise Park Resort by REDW LLC.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Sunrise Park Resort's General Manager, Taren Burke, is hereby placed on administrative leave without pay, effective immediately, pending the results of the forensic audit.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints the Assistant General Manager, Marcus Baca, to serve as the Interim General Manager until subsequent action by the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby designates Tribal Treasurer Deron Peaches and Marcus Baca as the only authorized signatories for all Sunrise Park Resort accounts, including banks, lenders, and all commercial and business operations at the Sunrise Park and Resort that specifically require designated authorized agents for conducting business and other transactions.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby suspends Sunrise Park Resort Board of Directors members Tara Chief and Carlos Valadez, and Sunrise Park Resort's Attorney of Record, effective immediately, pending the outcome of the forensic audit.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribe's Office of the Attorney General to assume interim advice and representation duties over the legal matters of Sunrise Park Resort until subsequent action by the Tribal Council or a properly appointed and convened quorum of the Board of Directors.



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.

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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 14, 2020** duly adopted by a vote of **NINE** for, **ONE** 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 | Doreen T. Numkena, Tribal Secretary |
| 8/19/2020 | 8-19-2020 |
| Date | Date |