



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Waiving Rental Payment for Nohwiké Bagowa Museum Shop; Fort Apache Heritage Foundation)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation ("Constitution") provides, at Article IV, Sections 1(a) and 1(s) that the Tribal Council ("Council") shall exercise the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, The Tribal Council chartered the Fort Apache Heritage Foundation, Inc. ("Foundation") in 1998 to provide technical, financial, and other support to the Tribe's heritage perpetuation and economic development efforts; and

WHEREAS, The Foundation is wholly-owned by the White Mountain Apache Tribe and is the tribal government's designated agent responsible for the repair and restoration of Fort Apache and the retail operation and inventory management of the Nohwiké Bagowa Museum Shop; and

WHEREAS, The Tribe and Foundation entered into a lease agreement to authorize the Foundation to operate the Nohwiké Bagowa Museum Shop; and

WHEREAS, Pursuant to the Lease Agreement, the Foundation is required to pay to the Tribe annual rent in the sum of \$ 8,000; and

WHEREAS, The Nohwiké Bagowa Museum Shop has been closed to the public since March 2, 2020, due to the COVID-19 pandemic, so the Foundation has not been able to generate any revenue; and

WHEREAS, The Foundation, this day, requests that the Council waive its rent payment for the previous 12 months; and

WHEREAS, The Council has considered the Foundation's request and approves a waiver of the \$8,000.00 annual rent payment for the period between March 2020 and March 2021.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Council hereby waives the annual rental payment for the Fort Apache Heritage Foundation, between the period of March 2020 and March 2021.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that the COVID-19 pandemic is on-going at the end of March 2021, the waiver provided in this

Resolution No. 02-2021-28

Resolution shall continue automatically on a monthly basis until such time as the Tribal Council formally rescinds it by providing thirty (30) days prior written notice to Foundation that it may reopen and reconvene business.

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 FEBRUARY 17, 2021 duly adopted by a vote of TEN 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).

Gwendena Lee-Gatewood 2/17/21 Doreen T. Numkena 2/18/2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date