



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Temporary Payrate Increase for Public Works Pick-up Crew and Landfill Employees)


- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(k) that the Tribal Council (“Council”) shall exercise the power, “To appropriate tribal funds for tribal purposes...”; and
- WHEREAS,** The Tribe received Fiscal Recovery Funds from the federal government as provided by the American Rescue Plan Act (Pub. L. 117-2)(“ARPA”), which are intended to provide support of state, local and tribal governments in responding to the impacts of COVID-19, and in their efforts to contain the spread of this disease amongst their communities; and
- WHEREAS,** Among eligible uses of Fiscal Recovery Funds, provided for in federal guidelines, include covering payroll for certain employees responding to the public health emergency; and
- WHEREAS,** As a result of the Tribe’s Public Works trash truck being inoperable, the trash pick-up crew and the landfill employees have no choice but to manually pick up trash from trash bins, which is unsanitary and poses a risk to their health; and
- WHEREAS,** It is proposed that the Tribe temporarily increase the pay rate of the affected employees to \$25.00 per hour during the duration of the trash truck being inoperable. This increase will be funded 50% from ARPA funds and the other 50% will from the Public Works budget account; and
- WHEREAS,** The Council finds that approving the proposed temporary pay increase with funding provided in the above-manner will recognize and fairly compensate Public Works employees at this time, 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 agrees to temporarily pay the above-designated Public Works employees a rate of \$25 per hour for the time that the trash trucks are inoperable, to funded with 50% coming from ARPA and 50% coming from the Public Works account.
- 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.

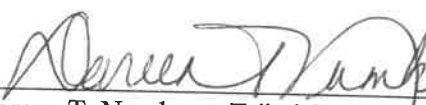
Resolution No. 10-2021-217

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 OCTOBER 18, 2021 duly adopted by a vote of NINE 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).

 11/22/2021
Gwendena Lee-Gatewood, Chairwoman Date

 11-22-2021
Doreen T. Numkena, Tribal Secretary Date