



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Tribal Utility Authority to Resume Normal Operations and Start Shutting-off Water for Non-payment After September 19, 2022)

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 decision not inconsistent with or contrary to this constitution”; and

WHEREAS, In March 2020, the White Mountain Apache Tribe adopted several mitigations measures due to the Coronavirus (Covid-19) pandemic, including Resolution No. 03-2020-58 which. Among other things, waived water utility fees for tribal utility customers and directed Tribal Utility to resume water services to customers whose service was interrupted due to non-payment or other reasons; and

WHEREAS, In September, 2020, Resolution No. 09-2020-210 lifted the Water Utility Fee Waiver, but did not again allow shut-off for non-payment; and

WHEREAS, With the Tribe presently in the “Back to Normal” Tribal Utility Authority recommends that it be authorized to resume normal operations, which includes shutting off water for non-payment or other reasons beginning in August 2022; and

WHEREAS, The Council has considered Tribal Utility Authority’s request and finds that allowing it to fully resume normal operations 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 directs Tribal Utility to resume normal operations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes Tribal Utility Authority to start shutting off water again for non-payment, beginning September 19, 2022.

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.

Resolution No. 08-2022-212

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his 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 3, 2022 duly adopted by a vote of EIGHT 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).

<u>Kasey Velasquez</u>	<u>8.5.22</u>	<u>Vaneysa Johnson</u>	<u>8/8/22</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date