

RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Executive Board of the White Mountain Apache General Livestock Association has advised the Tribal Council that the North Fork Livestock Association and the Canyon Day Livestock Association who are members of the White Mountain Apache General Livestock Association are in considerable debt to the General Livestock Association for operating costs advanced on their behalf by the Livestock Association; and
- WHEREAS, Article V, of the Articles of Association and Bylaws of the White Mountain Apache General Livestock Board states that "the Associations shall be liable for their share of General Livestock debts or obligation in same porportion"; and
- WHEREAS, the Executive Board of the General Livestock Association has advised the Tribal Council that the Canyon Day Livestock Association Board and its members have been working closely in cooperation with the General Livestock Association in order to improve the management of their Livestock operation and to reduce their indebtedness to the General Livestock Association; and
- WHEREAS, on the other hand, the Executive Board of the General Livestock Association has further advised the Tribal Council that the Board of Directors of the North Fork Livestock Association has ignored the advice of the General Livestock Association and its Executive Board and has deliberately acted in a non-cooperative manner regarding the sale of North Fork cattle and continue to refuse to pay their indebtedness to the General Livestock Association; and
- WHEREAS, the Executive Board of the General Livestock Association advises the Tribal Council that they do not have any more funds in which to support the North Fork Livestock Association which continues to operate at a great deficit and contrary to the policies and directives of the Executive Board of the General Livestock Association; and
- WHEREAS, the Executive Board of the General Livestock Association further advises the Tribal Council that the other Livestock Associations who are members of the General Livestock Association do not wish to further lend their financial support to the North Fork Association but instead demand to be repaid immediately for the considerable indebtedness owed them estimated at approximately two hundred and seventy thousand dollars (\$270,000.00); and

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby gives notice to the North Fork Livestock Association that no tribal funds will be made available to either repay the indebtedness owed by the North Fork Livestock Association to the General Livestock Association nor will tribal funds be made available to guarantee repayment of the indebtedness owed by the North Fork Livestock Association to the General Livestock Association including loans of any kind.

BE IT FURTHER RESOLVED by the Tribal Council that it is aware of the legal remedies available to the General Livestock Association and as a matter of policy supports any and all legal remedies that the General Livestock Association sees fit to utilize in order to recover the monies owed to it by the North Fork Livestock Association and for which the North Fork Livestock Association is liable as their share of the General Livestock debts and for the operating monies advanced to them by the General Livestock Association.

BE IT FURTHER RESOLVED that the Tribal Council urges that this indebtedness be paid immediately by whatever means necessary by the North Fork Livestock Association in order to avoid expensive and protracted litigation which will only cost everyone concerned legal fees and hardship.

BE IT FURTHER RESOLVED by the Tribal Council that it recognizes that the Canyon Day Livestock Association has been cooperative with the Executive Board of the General Livestock Association but also urges that the Canyon Day Livestock Association take whatever steps necessary in order to pay the monies owed to the General Livestock Association as soon as possible and further recognizes that the Executive Board of the General Livestock Association may take legal steps to secure their right to be repaid that indebtedness.

BE IT FURTHER RESOLVED by the Tribal Council that it reaffirms that pursuant to its constitutional powers granted to it by the White Mountain Apache Tribal Constitution By-Laws, the Tribal Council has the inherent authority to coordinate range conservation and cattle growing and marketing activities within the exterior boundaries of the Fort Apache Indian Reservation; and, to recognize cooperative, voluntary Associations whose purpose is to coordinate range conservation and cattle growing activities and to that end it supports the actions and policies of the White Mountain Apache General Livestock Board which has been delegated to it authority from the Tribal Council to set general policies and to administer matters of a general nature concerning the Indian Livestock Industry; including the collection and disbursement of funds for general livestock purposes and to coordinate the range conservation and cattle growing and marketing activities of the White Mountain Apache Indian Livestock Association.

- WHEREAS, the Executive Board of the General Livestock Association advises the Tribal Council that the indebtedness of the Canyon Day Livestock Association to the General Livestock Association is approximately one hundred and twenty-seven thousand dollars (\$127,000.00); and
- WHEREAS, the Tribal Council is advised by the Executive Board of the General Livestock Association that they have obtained the services of an attorney and intend to file a lien upon the cattle owned by the North Fork Livestock Association and if necessary file a lien upon the cattle of the individual members of the Livestock Association and further intends to execute on said lien and foreclose on the indebtedness for which the North Fork Livestock Association is liable to the General Livestock Association in order to protect the welfare and financial interests of the other members of the General Livestock Association; and
- WHEREAS, the Executive Board of the General Livestock Association advises the Tribal Council that it may similarly protect its interest with the Canyon Day Livestock Association, if the present cooperative relationship is somehow dissolved and the General Livestock Association's security for the indebtedness owed to them is felt to be in jeopardy; and
- WHEREAS, the Tribal Council advises the Executive Board of the General Livestock Association that the Council will not pay the indebtedness of the North Fork Livestock Association or loan money to either the North Fork Livestock Association or the Canyon Day Livestock Association or guarantee the repayment of their indebtedness to the General Livestock Association in any way, manner or form; and
- WHEREAS, the Tribal Council further advises the Executive Board of the General Livestock Association that as a matter of policy it supports any legal action or remedies that the Executive Board of the General Livestock Association initiates in order to protect the security of their investment and to recover the indebtedness due them from the North Fork Livestock Association and Canyon Day Livestock Association; and
- WHEREAS, the Tribal Council further recognizes that the individual members of the North Fork Livestock Association are not at fault and hereby publicly recognize that many of the members of that association are unaware of what the Board of Directors of the North Fork Livestock Association are doing or have done in regards to the indebtedness to the General Livestock Association and of their conduct contrary to the wishes of the Executive Board of the General Livestock Association and further recognizes that the Executive Board of the General Livestock is also in agreement with that conclusion.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby declares that the best interest and welfare of the majority of the Livestock Associations compels the Tribal Council to recognize the position of the Executive Board of the General Livestock Association and the purpose for which it was created and further recognizes the powers of the General Livestock Board granted to them by the Tribal Council in order to carry out those purposes for the benefit of the people of the White Mountain Apache Tribe and further for the preservation of their natural resources and grazing lands for this and future generations of the White Mountain Apaches.

The foregoing resolution was on August 11, 1982 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (f), (h), (i), (q) and (r) Article XI of the Amended Constitution and By-Laws of the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

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AUG 20 1982

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, AZ 857