

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

WHEREAS, the Tribal Council has received information in reference to one of its fellow council members to the effect that Council Member Herbert Tate has utilized tribal funds for personal use; specifically, for the purchase of gasoline for his personal vehicles and for repairs, parts, labor, tires, and other items for his personal vehicles and personal use; and

WHEREAS, the Tribal Council has had distributed to it invoices which are attached to this resolution evidencing as follows:

1. A voucher in the amount of \$1,125.00 to the Running P. Saddlery Company in Alabama for the purchase of two saddles bought by the Shopping Center to be donated to a rodeo but the winners of the rodeo allegedly never received the saddles won and allegedly Herbert Tate has one saddle and Lloyd Susan has the other and said saddles are worth \$562.50 a piece for which he has not paid for.
2. The Tribe paid for a personal subscription to the Arizona Republic as recently as March, 1990 which was paid for by Apache Propane in the amount of \$20.00 per quarter.
3. Four tires were purchased for a Jeep at Young's Future Tire Company in the amount of \$273.80 and the Supermarket does not have a Jeep and Mr. Tate was seen driving said Jeep and the invoice, dated November 15, 1988, states that said tires were received by Herbert Tate.
4. Doxol petty cash was used for Mr. Tate's personal expense to reimburse himself for meals at JB's Restaurant and for donations in the amount of \$70.00.

Resolution No. 07-90-159

5. A major tune-up and parts, plus labor at Storm's Tire Sales and Service in Pinetop in the amount of \$152.10 for work done on a 1965 Chevy 6 cylinder truck was paid for by the Shopping Center and received by Herbert Tate, January 23, 1989; and the Shopping Center does not have a 1965 Chevrolet truck.
6. It is alleged that Mr. Tate charged gas to the Shopping Center for personal gas expense and that for one month only, May 1990 to a diesel truck license plate number 4AW-151, charges amounted to \$117.18 and records indicate that this was his normal practice with an average of over \$100.00 per month for gas which does not include credit card charges.
7. That the Shopping Center paid for four (4) new tires for Mr. Tate's Ford Diesel Truck, license plate number 4AW-151, purchased at Young's Future Tire Company in the amount of \$595.84 on or about June 29, 1989.
8. That Mr. Tate charged auto parts to the Supermarket and Doxol at NAPA Auto Parts and none of the parts were for vehicles at the Supermarket or Doxol; said invoices for the last six (6) months totalling \$566.45.
9. That Professional Welding, Inc. of Pinetop, Arizona installed a receiver hitch and a male hitch on Mr. Tate's personal truck for a cost of \$480.34, which was charged to and paid by Apache Propane; and

WHEREAS, the Tribal Council desires to provide Council Member Tate ample opportunity to respond in writing to these allegations in order to remove any suspicion that he utilized tribal funds without authorization for his personal use; and

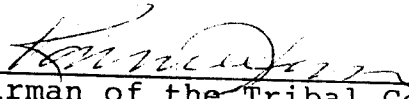
WHEREAS, the Tribal Council concludes that the allegations and the attached invoices raise serious concerns that tribal public monies may have been used for personal use.

Resolution No. 07-90-159

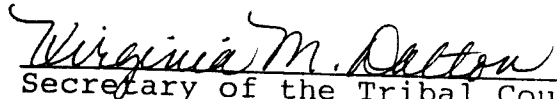
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs Council Member Herbert Tate to provide explanation in writing as to why the Tribal Doxol and Shopping Center and other tribal funds were used to pay for all of the attached invoices identified in this resolution and attached hereto.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs Mr. Tate to file his response with each and every member of the Tribal Council simultaneously by July 31, 1990.

The foregoing resolution was on July 20, 1990, duly adopted by a vote of seven for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by 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

JUL 24 1990