



Resolution No. 08-2006-262

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

(Authorizing Establishment of Segregated, Special Revenue Bank Account for Welfare Assistance Grant Funds)

- WHEREAS**, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS**, the U.S. Department of Interior, Bureau of Indian Affairs, Federal Finance System shows \$772,867 in Undelivered Orders (“UDO”) attributable to the Tribe for Fiscal Year 2005-2006, obligated to P.L. 93-638 Contract No. CTH52T60783; and
- WHEREAS**, the Bureau has a 365-day limit on any right of action or other remedy relating to disallowance of costs within 365-days of receiving any required single agency audit (see Sec. 106(6)(f) of P.L. 96-638, as amended), and certain amounts cited as unfunded deferred revenue amounts had exceeded the limit; and
- WHEREAS**, it appears that the paybacks (tribal funded expenses) reported on the Bureau’s SF-269 forms were to be credited to active contracts, but the contracts credited were beyond the 365-day recovery period, and the reimbursement phase (cash advances) were to begin with Contract No. CTH52T60783 in FY 2002, and since the credits were applied to earlier contracts, the Tribe’s reimbursement resulted in a carryover, because FY 2002 was not fully expensed, resulting in a UDO increasing every year; and
- WHEREAS**, the UDO ended up as a finding for Technical Assistance under the Tribe’s Single Audit of July 14, 2006, since the matter was first reported in the audit for the year ending April 30, 2002; and
- WHEREAS**, the Bureau and the Tribe agree, based upon a letter from the Fort Apache Agency Superintendent, dated July 20, 2006, as attached and incorporated by this reference, that re-payments cannot be reconciled timely, thus requiring that these funds be advanced into a segregated, special revenue bank account with internal controls for approving expenditures and disbursements of the funds based on the submission of SF-269 forms; and
- WHEREAS**, the establishment of the account referenced herein must be completed as soon as possible, necessitating consideration of this matter by the Tribal Council outside of its regularly scheduled meetings on an urgent basis; and

Resolution No. 07-2006-262

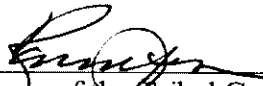
WHEREAS, the Tribal Council finds establishment of the segregated, special revenue bank account for WAG funds to be in the best interests of administering welfare assistance, those receiving such assistance, and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

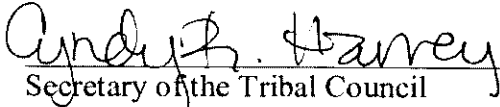
1. A segregated, special revenue bank account for WAG funds is hereby authorized.
2. The Controller, together with the appropriate financial bank, is hereby directed to establish such an account, subject to written internal controls for approving expenditures and disbursements of the funds, based on the submission of the Bureau's SF-269 forms.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on August 4, 2006, duly adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



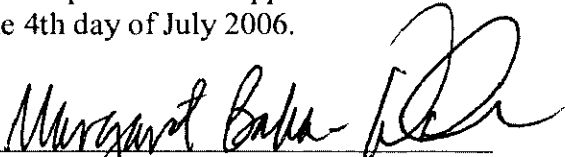
Secretary of the Tribal Council

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Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 08-2006-262 dated the 4th day of July 2006.



Ronnie Lupe
Tribal Chairman
WHITE MOUNTAIN APACHE TRIBE



Margaret Baha-Walker
Vice Chairwoman
WHITE MOUNTAIN APACHE TRIBE

Arnold Beach, Sr.
District I Council Member
WHITE MOUNTAIN APACHE TRIBE

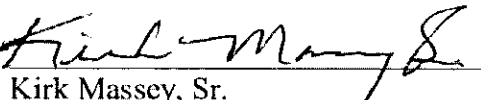
Evangeline Gatewood
District I Council Member
WHITE MOUNTAIN APACHE TRIBE



Lafa Altaha
District II Council Member
WHITE MOUNTAIN APACHE TRIBE

Victoria Brewer
District II Council Member
WHITE MOUNTAIN APACHE TRIBE

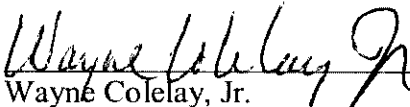
Alvin DeClay, Sr.
District III Council Member
WHITE MOUNTAIN APACHE TRIBE



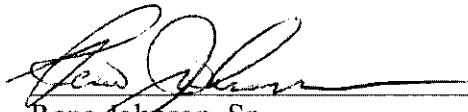
Kirk Massey, Sr.
District III Council Member
WHITE MOUNTAIN APACHE TRIBE



Noland Clay
District IV Council Member
WHITE MOUNTAIN APACHE TRIBE

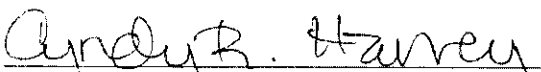


Wayne Colelay, Jr.
District IV Council Member
WHITE MOUNTAIN APACHE TRIBE



Reno Johnson, Sr.
District IV Council Member
WHITE MOUNTAIN APACHE TRIBE

ATTEST:



Cyndy R. Harvey, Tribal Council Secretary
WHITE MOUNTAIN APACHE TRIBE