



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

**(Approving Agreement with Lehigh Capital for Secured Line of Credit in the amount of \$4.5 million)**

**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 Tribal Council previously directed the Tribe's Budget and Finance Committee to identify additional lines of credit to support the cash flow requirements of the Tribe's government operations; and

**WHEREAS**, the Tribe's Budget & Finance Committee recommends that the Tribe increase its line of credit up to \$4.5 million, but with certain limitations which shall be presented to the Tribal Council at a later date; and

**WHEREAS**, the Tribe has received an offer from three banks, including Bar Harbor Bank & Trust, First State Bank of Livingston and First State Bank of Williston, Texas, to provide a short-term secured loan of \$1.5 million each, for a total of \$4.5 million at the rate of 8.5 percent for two years; and

**WHEREAS**, the Tribe's Budget and Finance Committee recommends that the Tribal Council approve and authorize the Tribal Treasurer, working with the Committee, to transfer and deposit \$1.5 million in each bank for a total amount of \$4.5 million for which the Tribe will earn 4.5 percent on these deposits; and

**WHEREAS**, the Tribe's Budget & Finance Committee recommends that the Tribal Council approve and authorize the Tribal Treasurer to finalize a short-term loan agreement with the three banks, including the Bar Harbor Bank & Trust, the First State Bank of Livingston, and the First State Bank of Williston, Texas, to loan the White Mountain Apache Tribe, \$1.5 million each for a total amount of \$4.5 million to support the White Mountain Apache Tribe's operating cash requirements; and

**WHEREAS**, the Tribal Council finds that the short-term, secured loan agreement described herein to be in the best interests of the Tribe.

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

1. A short-term, secured loan agreement between the White Mountain Apache Tribe and Lehigh Capital is hereby approved for the purposes of funding the Tribe's operating cash flow requirements.

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2. Proceeds from the loan shall be subject to certain limitations to be developed by the Budget and Finance Committee for review and action by the Tribal Council at its next regularly scheduled meeting.
3. The Tribal Treasurer, in coordination with the Tribal Budget & Finance Committee, is hereby authorized to establish accounts in the name of the White Mountain Apache Tribe, transfer and deposit \$1.5 million with the Bar Harbor Bank & Trust, the First State Bank of Livingston and the First State Bank of Williston, Texas, into said accounts, for a total deposited amount of \$4.5 million, for the purposes of securing a short-term loan by Lehigh Capital in the amount of \$4.5 million at the rate of 8.5 percent for a term of two years.
4. 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, subject to review by the Tribe's Legal Department.

The foregoing resolution was on November 29, 2006, duly adopted by a vote of SIX for and ZERO 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), (h), (i), (k), (l), (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).

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Chairman of the Tribal Council

*Cindy B. Hawrey*  
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Secretary of the Tribal Council