



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

**(Authorizing the White Mountain Apache Tribe to provide
Payroll, Payroll Tax, and Employee Benefits Services for
the Apache Behavioral Health Services, Inc.)**

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 Apache Behavioral Health Services (ABHS), an I.R.S. designated 501(c)(3) nonprofit corporation, was chartered by the Tribal Council of the White Mountain Apache Tribe in 2007 to provide technical, financial, and other support to the Tribe's behavioral health services efforts; and,

WHEREAS, the Tribe has well established capacities to provide Payroll, Payroll Tax, and Employee Benefits services and currently provides such services to the Community Development Corporation and the Fort Apache Heritage Foundation, also I.R.S. designated 501(c)(3) nonprofit corporations; and

WHEREAS, ABHS wishes to maximize administrative efficiency by utilizing the Tribe to act as Fiduciary for purpose of providing ABHS with Payroll, Payroll Tax, and Employee Benefits services in exchange for prepayment to the Tribe for those obligations; and

WHEREAS, the Tribal Council finds that the Tribe may act as the Fiduciary for ABHS, and that to act in such capacity would be in the best interest of the Foundation and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe is hereby authorized to act as fiduciary for the ABHS for the purposes of providing ABHS with Payroll, Payroll Tax, and Employee Benefits services.

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

1. The Tribe's Accounting Department, by and through the Grants and Contracts Office, is hereby authorized to establish a fiduciary account for the receipt of Payroll and Payroll expense funds from ABHS from which the ABHS's Payroll and Payroll expenses will be debited.
2. The Tribe's Personnel Office, Health Benefits Office, Pension and Retirement Office, and Payroll Department are hereby authorized to accept and process all necessary paperwork to provide Payroll and Benefits services to ABHS Employees as may be required by ABHS.

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3. Be it known that the White Mountain Apache Tribe has no employment or other relationship to ABHS Employees; that this Resolution is limited to the transaction for payroll services contemplated herein and does not establish any employment or other beneficial relationship between the Tribe and ABHS employees; and that ABHS employees are employees of ABHS, not the White Mountain Apache Tribe, and are employed at the sole pleasure of the ABHS Board.

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 21, 2007, duly adopted by a vote of TEN 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), (i), (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