



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

**(Authorizing Application for Administration on Aging,  
Title VI, Parts A and C, funding and Authorizing Participation in Providing  
Nutrition Services and Non-Medical and Community Based Services for  
The Elderly and Handicapped)**

**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**, it is the intention of the White Mountain Apache Tribal Council endorses the Administration on Aging, Older Americans Act, which provides a Title VI Part A & C Program that promotes the delivery of nutritional and Non-Medical and Community Based Services to Native Americans aged fifty five (55) years and older in the vicinity of Whiteriver, Fort Apache, Hon Dah and McNary communities; and,

**WHEREAS**, the White Mountain Apache Tribal Council has previously authorized and supported participation of the Title VI Part A & Part C Program for the time period FY 2001-2008; and

**WHEREAS**, the White Mountain Apache Tribe contributes funding to the Elderly Program and does not require Tribal elders to make donation and contributions for Nutrition Services and Non-Medical and community Based Services; and

**WHEREAS**, the White Mountain Apache Tribal Elderly Services Program this day requests that the White Mountain Apache Tribal Council authorize an application to the U.S. Department of Health and Human Services, Administration on Aging to participate in the Title VI Program for 2008-2011, and allow the Indirect Cost to remain at its current rate of 13% for fiscal year 2008-2011, because there was no correlative increase in federal funds for the Older American Act, provided that if Federal appropriations are increased for the Title VI Part A and Part C Program the Tribal Council should reevaluate the Indirect Cost rate; and

**WHEREAS**, the Tribal Council concurs with the request and finds that the application should be authorized as it is in the best interests of the elderly members of the Tribe and the Tribe itself; and

**WHEREAS**, given the urgency of the deadlines for the Program, the Tribal Council further finds that the Tribe's participation therein needs to be considered and made outside of its regularly scheduled meeting; and

**WHEREAS**, the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the

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Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that is hereby authorized and directs the Program Director to prepare and submit an application and proposal to enter into an agreement with the Department of Health and Human Services, Administration on Aging, Older American Act, to participate in the Title VI Program Part A and Part C program to promote the delivery of Nutrition Services and Non-Medical and Community Based Services to Native Americans aged sixty (60) years and older and handicapped in the vicinity of the Whiteriver, Fort Apache, Hon Dah and McNary communities within the Fort Apache Indian Reservation.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that funds are received for the purposes described herein, a budget for expenditure is hereby authorized, subject to the terms and conditions of the granting agency, and review thereof by the Tribe's Legal Department.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it does hereby waive the donation policies of the Older American Act in order to ensure all elders and contributes funding to the Elderly Program and does not require Tribal elders and handicapped to make donation and contributions for Nutrition Services and Non-Medical and Community Based Services.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes that the Indirect Cost for operation of the White Mountain Apache Tribal Elderly shall be set at the current 13% rate for the program for Fiscal Years 2008-2011 until such time as the Federal appropriations are increased for the Title VI Part A and Part C Program.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**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 January 16, 2008, duly adopted by a vote of SEVEN 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), (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. 01-2008-25 initiated the 16th day of January 2008.

**Presented Personally by Tribal Council  
Secretary (TCS)-Indicated by Initials  
TCS Initials**

\_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

Margaret Baha Walker  
Margaret Baha-Walker  
Vice Chairwoman

Jan. 17 '08  
Date Signed

CM TCS Initials

\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

\_\_\_\_\_  
Evangeline Gatewood  
District I Council Member

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

\_\_\_\_\_  
Lafe Altaha  
District II Council Member

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

Victoria Brewer  
Victoria Brewer  
District II Council Member

1-16-08  
Date Signed

CM TCS Initials

Alvin DeClay Sr  
Alvin DeClay, Sr.  
District III Council Member

1-17-08  
Date Signed

CM TCS Initials

Kirk Massey Sr  
Kirk Massey, Sr.  
District III Council Member

1/17/08  
Date Signed

CM TCS Initials

Noland Clay  
Noland Clay  
District IV Council Member

1/17/08  
Date Signed

CM TCS Initials

Wayne Colelay Jr  
Wayne Colelay, Jr.  
District IV Council Member

1-17-08  
Date Signed

CM TCS Initials

Reno Johnson  
Reno Johnson, Sr.  
District IV Council Member

1-17-08  
Date Signed

CM TCS Initials

ATTEST:

Cyndy R. Harvey  
Cyndy R. Harvey, Tribal Council Secretary

1-17-08  
Date Signed