



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

**(Rescinding Resolution No. 04-2007-145, and Revoking Permission Granted to James and Kathy Sullivan to Distribute Dog Food)**

- 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,** on April 25, 2007, pursuant to Resolution No. 04-2007-145, "Request Permission to Distribute Dog Food and Other Human Efforts of Animal Control," James and Kathy Sullivan, who are non-tribal members, non-Indians, were granted permission to distribute donated surplus dog food to dog owners on the Fort Apache Indian Reservation; and
- WHEREAS,** it has come to the attention of the Tribal Council that the stray dog population has greatly increased in the McNary community and throughout the Reservation, partly as a result of the on-going feeding of strays; and
- WHEREAS,** the U.S. Indian Health Service has reported a significant increase in dog bites; and
- WHEREAS,** on the Fort Apache Indian Reservation, there have been documented cases of deaths related to Rocky Mountain Spotted Fever, which may be directly related to the increase in the stray dog population, as these animals cannot be controlled for ticks; and
- WHEREAS,** both the dog bites and Rocky Mountain Spotted Fever pose a safety and health risk on the Fort Apache Indian Reservation; and
- WHEREAS,** it is reported that the Sullivans are providing dog food to owners but are feeding stray dogs, and leaving bags of dog food out in the open, which further attracts other dogs and creates litter and a nuisance in the community of McNary; and
- WHEREAS,** on April 25, 2007, an Animal Control Committee was appointed by the Tribal Council to review the Domestic Animal Control Ordinance and report back to the Tribal Council within 6 months, with membership consisting of Cornelia Hoffman, Consoni Hill, June Patten, Blessing Goklish and Frank Larzelere, Jr.; and
- WHEREAS,** the Tribal Council finds that, given the explosion in the stray dog population and related problems, it is in the best interest of the White Mountain Apache Tribe for the Resolution granting permission to James and Kathy Sullivan to distribute Dog Food be rescinded; and
- WHEREAS,** the Tribal Council further finds that in the event that the Sullivans continue such distribution, their actions will be considered a trespass and subject to exclusion pursuant to the White Mountain Apache Government Code; and

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**WHEREAS**, the Tribal Council further finds that it is in the best interest of the White Mountain Apache Tribe for the Animal Control Committee to report back to the Council on the stray dog issue.

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

1. Resolution No. 04-2007-145 is hereby rescinded.
2. The permission for James and Kathy Sullivan to distribute dog food is hereby revoked. In the event that the Sullivans are found to continue the distribution of dog food within the external boundaries of the Fort Apache Indian Reservation, such action shall be considered a trespass and the Sullivans shall be accordingly subject to exclusion pursuant to the White Mountain Apache Government Code.
3. The Animal Control Committee shall provide a written report to the Tribal Council as directed by the next regularly scheduled meeting of the Tribal Council.

**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 February 13, 2008, 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), (f), (h), (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).

ACTED for Margaret Bunker White  
Chairman of the Tribal Council

Andy B. Starney  
Secretary of the Tribal Council