

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

(Authorizing Non-Tribal Member Burial of Margie Cheney on the Fort Apache Indian Reservation)

WHEREAS, pursuant to Article IV, Section 1(a) and 1(s) 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 was informed that Margie Cheney, a non-tribal member and long time resident of Fort Apache Indian Reservation, has passed away; and

WHEREAS, Cheney's family requests the Tribal Council to consider authorizing her burial at the Whiteriver Cemetery on the Reservation; and

WHEREAS, the Tribal Council finds that the this request should be honored and the Council should authorize Margie Chency's burial at the Whiteriver Cemetery; and

WHEREAS, given the urgency and timing of this request, the Tribal Council further finds that this matter should 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 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 it hereby authorizes the burial of Margie Cheney at the Whiteriver Cemetery.

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 in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

Resolution No. <u>11-2009-354</u>

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 November 3, 2009, duly adopted by a vote of EIGHT 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), (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).

Ronnie Lupe, Chairman of the Tribal Council

Lyndy R. Harvey, Secretary of the Tribal Council

Resolution No. 10-2009-354

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 10-2009-354 initiated the 3rd day of November 2009. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials TCS Initials Date Signed Ronnie Lupe Tribal Chairman Suna Wall TCS Initials Date Signed Vice Chairwoman TCS Initials Date Signed Arnold Beach, Sr. District I Council Member TCS Initials Date Signed **Evangeline Gatewood** District I Council Member TCS Initials Victoria Brewer District II Council Member **TCS** Initials Rubert Lupe, Sr. Districtal Council Member TCS Initials Alvin DeClay, Sr. District III Council Member **TCS** Initials Kirk Massey, Sr. District III Council Member TCS Initials Noland Clay District IV Council Member 1(-5-0 9 Date Signed TCS Initials Wayne Colelay, Jr. District IV Council Member TCS Initials Reno Johnson, Sr. District IV Council Member ATTEST: Cyhdy R. Harvey, Tribal Council Secretary