



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

RESOLUTION No. 05-2012-27

(Appointing New Housing Board Chairman Joe Waters and Board Members Pat Cruz, Colbert Burnette, Lowell Altaha, and Jacob Henry)

WHEREAS, on this day, the Tribal Council of the White Mountain Apache Tribe (“Tribe”), unanimously passed an ordinance posting *Resolution No. 05-2012-23*, adopting new rules to govern the Housing Authority that are compliant with federal regulations set forth by NAHASDA, and the Tribal Council further passed *Resolution No. 05-2012-24* that prohibits members of the Tribal Council from serving on any Tribal Regulatory Boards or Commissions to prevent conflicts of interest and to minimize opportunities for impropriety to occur at the highest level of government; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe recommends that Joe Waters should be appointed as the Chairman of the Housing Authority Board, while Pat Cruz, Colbert Burnette, Lowell Altaha, and Jacob Henry should serve as Board Members using staggered terms in order to best serve the interests of the Housing Authority on behalf of the people of the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to the Housing Code, and in anticipation of the passage of a new NAHASDA compliant Housing Code in ten days, it hereby appoints Joe Waters to serve the White Mountain Apache Housing Authority as Chairman of the Board for a four year term, two of which are deemed served.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to the Housing Code, and in anticipation of the passage of a new NAHASDA compliant Housing Code, it hereby appoints Pat Cruz for four years, two of which are deemed served, and further appoints Colbert Burnette for four years, Lowell Altaha for three years, and Jacob Henry for three years as members of the Housing Authority Board.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby recognizes the expiration of Board member terms as follows:

Joe Waters, Housing Board Chairman	May 1, 2014
Pat Cruz, Housing Board Member	May 1, 2014
Lowell Altaha, Housing Board Member	May 1, 2015
Jacob Henry, Housing Board Member	May 1, 2015
Colbert Burnette, Housing Board Member	May 1, 2016

The Tribal Council shall appoint or reappoint the position(s) every year during the first Council meeting of May, provided that such action is authorized by the Housing Authority Code.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that because of the Tribal Council's decision not to assign terms pursuant to the provisions set forth in the formerly adopted Housing Code, Rubert Lupe and Ed Machuse shall be considered as having fully served their terms to expiration.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe, that pursuant to *Resolution No. 05-2012-24*, the Tribe's governing body has adopted a policy prohibiting members of the Tribal Council from serving on boards of directors, supervisory boards, or any other regulatory body that serves to oversee or regulate a Tribal Agency or Enterprise and therefore, Councilman Justin Williams may no longer serve on the Housing Board. In the event that a dispute arises as to enforcement, the anticipated adoption of the recently posted Housing Authority Code shall govern which also prohibits members of the Tribal Council from serving on the Housing Board, making such a dispute moot upon passage of the updated Housing Code.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

BE IT FINALLY RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.

The foregoing resolution was on May 4, 2012 duly adopted by a vote of FIVE for and ZERO against and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Tribal Constitution, 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).



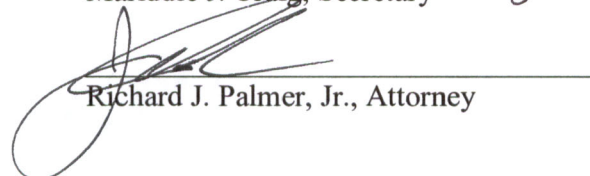
Ronnie Lupe, Chairman

5-11-12
Date



Mariddie J. Craig, Secretary

05-11-2012
Date



Richard J. Palmer, Jr., Attorney

5/11/12
Date