



# **WHITE MOUNTAIN APACHE TRIBE**

A Sovereign Tribal Nation

**(Approving the Demolishment of the Old Maintenance Building Located Adjacent to the WMAT Head Start Building, for the Expansion of the Head Start Building, as well as to Mitigate the Asbestos Contamination)**

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**WHEREAS,** the White Mountain Apache Tribe's Tribal Maintenance and Public Works Department would like to demolish the old Tribal Maintenance building located behind Head Start for safety reasons and to avoid any fire hazards. The property contains two large wooden structures that are not occupied or used and are in poor condition. The building located on the southern portion of the property was a former maintenance building and the building on the northern portion was a garage; and

**WHEREAS,** under a Phase I environmental assessment conducted at the old Maintenance Building through the Tribal Environmental Protection Office (EPO), studies showed there were Asbestos-Containing Materials (ACMs) inside the building. A total of 45 samples of various suspect building materials were collected for laboratory testing which revealed the presence of regulated asbestos containing material (RACM) in vinyl floor tiles and mastic on wood flooring. The EPO, utilizing US Environmental Protection Agency (USEPA) funds, will hire an Asbestos Abatement Contractor to conduct the asbestos abatement activities prior to the demolition of the building. The work will be governed in accordance with the terms and conditions of the Environmental Services "Pollutants" and regulations set forth according to USEPA policies and protocols; and

**WHEREAS,** the following departments are in agreement to demolish the building and consider it to be necessary and beneficial to the White Mountain Apache Tribe: Tribal Maintenance, Public Works, Head Start, the Fire Department, the Police Department, Apache Enterprise, Water Resources, Property & Management, the WMAT Environmental Protection Office, as well as the surrounding residential homeowners; and

**WHEREAS,** the future use of the site has potential development for use by Whiteriver Head Start or the White Mountain Apache Tribe; and

**WHEREAS,** the Tribe's Historic Preservation Office was established by the Tribal Council in 1996, and it assumed all responsibilities previously administered by the State Historic Preservation Office (SHPO). Responsibilities, which include the management, compliance, and inventory of the WMAT's Cultural Heritage Resources and Historic Buildings on the Fort Apache Indian Reservation; and



**Resolution No. 09-2015-191**

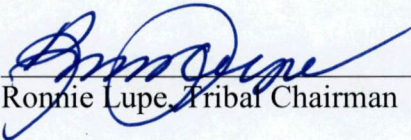
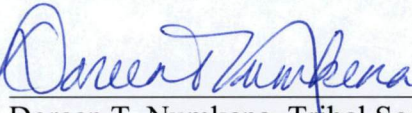
**WHEREAS**, the Tribal Council has determined that demolishing the old maintenance building is in the best interest of the Tribe.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the demolition of the old maintenance building located next to the Head Start building, as there are no funds to nominate the building as an historic building, and furthermore to mitigate the hazardous asbestos and lead material which currently contaminates the building.

**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 any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **SEPTEMBER 9, 2015** duly adopted by a vote of **TEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>11/16/15</u>		<u>11-18-2015</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen T. Numkena, Tribal Secretary	Date