



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Allocating \$1.5 Million of CARES Act Funds for Sunrise Ski Resort)

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(k) that the Tribal Council (“Council”) shall exercise the power, “To appropriate tribal funds for tribal purposes...; and

**WHEREAS,** The Tribe received funding from the Coronavirus Aid, Relief, and Economic Security Act of 2020 (the “CARES Act”) to assist in mitigating and responding to the threat of COVID-19; and

**WHEREAS,** The COVID-19 pandemic has forced many tribal businesses to close or operate on a limited basis. Sunrise Ski Resort, a Tribally-owned enterprise, was forced to close its doors to the public in March of 2020, and has not been able to reopen for business, resulting in missing part of the 2020 winter ski season and all of its summer resort and recreation revenue-making activities; and

**WHEREAS,** Sunrise Ski Resort is now facing a serious budget shortfall, incurred because of business losses it sustained as a direct result of the pandemic; and

**WHEREAS,** The US Treasury has stated that assistance to small businesses is an allowable expense under the CARES Act, even if the business also received Paycheck Protection Program (“PPP”) funds.

**WHEREAS,** Sunrise Ski Resort, this day, requests the allocation of \$1.5 million of the Tribe’s CARES Act funds to keep its operations sustainable for the next few months; and

**WHEREAS,** The Council has considered Sunrise Ski Resort’s request and finds that making the requested allocation will enable them to stay in business, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that \$1.5 million of the Tribe’s CARES Act funds are hereby allocated to Sunrise Ski Resort for the purpose of filling budgetary and income shortfalls incurred as a result of the pandemic.

**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

***Resolution No. 11-2020-268***

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 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 the Chairwoman, or in her 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 **NOVEMBER 5, 2020** duly adopted by a vote of **NINE** 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).

  
Gwendena Lee-Gatewood, Chairwoman

11/6/2020  
Date

  
Doreen T. Numkena, Tribal Secretary

11-9-2020  
Date