



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Hon-Dah Resort-Casino to Continue Operations During Tribe's 72-Hour Lockdown)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation ("Constitution") provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power "[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution"; and

WHEREAS, The Tribe has implemented numerous COVID-19-related policies, including its COVID-19 Shelter-in-Place Activation system, which includes a 72-hour lockdown activated by a three-day period of positive cases in excess of a designated number; and

WHEREAS, In response to an increase of 40 new COVID-19 cases over a three day period, the White Mountain Apache Tribe (the Tribe) activated its COVID-19 Shelter-in-Place Activation system by implementing a 72-hour lockdown, beginning Friday, December 4, 2020 at 8:00 P.M. until Monday, December 7, 2020 at 8:00 P.M.; and

WHEREAS, After an extended closure of the Tribe's gaming facility due to COVID-19, the Hon-Dah Resort-Casino ("Casino") resumed its gaming operations in November 2020 while the hotel and conference center remained closed to normal operations; and

WHEREAS, Hon-Dah Casino has implemented its own COVID-19-related policies and procedures in accordance with the guidelines set forth by the Center for Disease Control ("CDC") as well as any guidelines and policies adopted by the Tribe and its Emergency Operations Center ("EOC") in order to ensure the safety of both its employees and patrons; and

WHEREAS, Hon-Dah Casino Management reports that they have consulted with the EOC regarding the continuation of operations during the Tribe's impending lockdown and that based upon the precautionary measures that the Casino has implemented, including weekly COVID-19 testing for all of its employees and continual deep cleaning of the facility, the EOC does not recommend closure of the Casino; and

WHEREAS, Hon-Dah Casino Management requests that the Casino be permitted to continue operations during the Tribe's 72-Hour Lockdown in order to avoid business interruptions and closure, which would require notifications to the Tribal gaming regulatory authority and the Arizona Department of Gaming; and

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WHEREAS, After review and consideration, the Council finds that the request by the Casino Management to continue its business operations is in the best interest of the Tribe and Hon-Dah Resort-Casino.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Hon-Dah Resort-Casino to continue its business operations during the Tribe's 72-Hour Lockdown from December 4, 2020 through December 7, 2020.

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 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 **DECEMBER 4, 2020** duly adopted by a vote of **EIGHT** for, **THREE** 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).

 11/28/2021  1.28.2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date