



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## **(Waiving Lease Fees for the White Mountain Apache Baptist Church and LDS Churches)**

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**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 decisions not inconsistent with or contrary to this constitution”; and

**WHEREAS,** The Tribal Realty 638 Program duties include encoding all leases, permits, right-of-ways, etc. on the Fort Apache Indian Reservation into a Federal Trust Asset and Accounting Management System (TAAMS) which began in 2007; and

**WHEREAS,** Recorded realty documents from the BIA Land Titles & Records system were transferred into the new TAAMS system, which then required an update, review and approval process by BIA and BIA-contracted employees; and

**WHEREAS,** The White Mountain Apache Tribe had the option to receive direct payment of lease fees, or allow the BIA TAAMS Lockbox to invoice and accept lease payments on behalf of the Tribe (which BIA TAAMS Lockbox would submit to the Tribe on a monthly basis); the Tribe requested all lease payments be made directly to the Tribe; and

**WHEREAS,** The Tribal Realty 638 Program was recently informed by the BIA Western Region Realty Office that a delinquency is showing in the TAAMS Lockbox which indicates payments were not received from the White Mountain Apache Baptist Church lease and three LDS Church leases for the years 2007 through 2014; and

**WHEREAS,** The Tribal Realty 638 Program has reviewed this matter and advises the Tribal Council that the Baptist and three LDS Church leases were inadvertently encoded to allow the BIA to invoice and collect payments on behalf of the Tribe, which resulted in the delinquency shown in the TAAMS Lockbox system; and

**WHEREAS,** In order to resolve this delinquency issue, it is recommended that the Tribe waive all lease fees for the White Mountain Apache Baptist Church and the three LDS Churches for the period of 2007 to 2014.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it agrees with the recommendation stated herein, and hereby waives all lease fees for the White Mountain Apache Baptist Church and the three LDS Churches operating on the Reservation, for the period of 2007 to 2014.

**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. 11-2022-274**

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 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 **NOVEMBER 9, 2022** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

			
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date