



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## (Rescinding Resolution No. 12-2022-298C)

**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 at Section 1(k) that the Council shall exercise the power “[t]o appropriate tribal funds for tribal purposes and to expend such funds in accordance with an annual budget”; and

**WHEREAS,** On December 9, 2022, the Council enacted Resolution No. 12-2022-298C, “Amending Resolution 12-2022-298A and 12-2022-298B to Change the Funding Source from American Rescue Plan Act Funds to Tribal General Funds;” and

**WHEREAS,** Resolution Number 12-2022-298A approved a \$1,000 year-end bonus for Tribal and grant-funded employees using American Rescue Plan Act funds; and

**WHEREAS,** Resolution Number 12-2022-298B approved a \$1,000 year-end bonus for other Tribal entities; specifically WMATCO, WMA Housing Authority and Force Account, Hon-Dah Casino and Sunrise Ski Resort (“Tribal Entities”) employees using American Rescue Plan Act funds; and

**WHEREAS,** After broader review and consideration by the Tribal Treasurer, the American Rescue Plan Act funds would be the more appropriate funding source for employee bonuses as reflected in both Resolutions Numbers 12-2022-298A and 12-2022-298B; and

**WHEREAS,** In light of the above, the Council finds it in the best interest of the Tribe to rescind Resolution No. 12-2022-298C.

**NOW THEREFORE, BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that Resolution No. 12-2022-298C “Amending Resolution 12-2022-298A and 12-2022-298B to Change the Funding Source from American Rescue Plan Act Funds to Tribal General Funds” is hereby rescinded.

**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.

**Resolution No. 12-2022-303**

**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 **DECEMBER 19, 2022** duly adopted by a vote of **SEVEN** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>12-14-22</u>	<u>Vaneyssa Johnson</u>	<u>12/19/22</u>
Kasey Velasquez, Chairman	Date	Vaneyssa Johnson, Tribal Secretary	Date