



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Issuing a Declaration of Emergency and a Declaration of Rabies Emergency on the Fort Apache Indian Reservation)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Reservation”) provides, at Article IV, Section 1(a) that the Tribal Council shall exercise the power “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe...”; and

WHEREAS, The Tribal Council has been advised that a positive case for rabies has been confirmed in the central part of the Whiteriver Community; and

WHEREAS, The Division of Health Programs (“DHP”) has established an Incident Command Team to address the positive cases, establish a Plan of Operations, promote community awareness, and to ensure the health and safety of the community members; and

WHEREAS, Pursuant to Section 10.23(C) of the White Mountain Apache Health and Safety Code, DHP Representatives and the Incident Command Team have requested that they be granted authority to seek compliance from all Tribal entities and to seek additional assistance from non-tribal entities to establish and implement a Plan of Operations regarding free roaming dogs, and to establish any necessary protocols regarding positive rabies cases; and

WHEREAS, The Tribal Council met, this day, to consider the recommendations of the Incident Command Team and finds it in the best interest of the Tribe and its members to issue a Declaration of Emergency on the Fort Apache Indian Reservation to further mitigate and protect the community.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman to issue a Declaration of Emergency for the Fort Apache Indian Reservation to address the positive case(s) for rabies.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Incident Command Team to mitigate and implement emergency measures to address the positive rabies cases and to ensure compliance from all Tribal entities as deemed necessary, including but not limited to, the enforcement of all provisions of the Tribe’s Health and Safety Code.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that pursuant to Section 10.23(C) of the Tribe’s Health and Safety Code, it hereby issues a Declaration of Rabies Emergency, which requires owners and custodians of dogs, cats, and ferrets to keep the animals confined upon their premises unless under leash and under the control of the owner or custodian so as not to subject their animals to contact with the rabid animal.


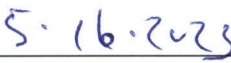
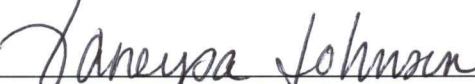
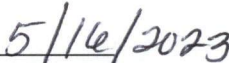
Resolution No. 05-2023-126

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 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 **MAY 15, 2023** duly adopted by a vote of **SIX** 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).

			
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date