



**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Requesting an Executive Meeting with Troy A. Eid)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe approved an investigation into the actions of five Tribal employees and their actions in the recent 2010 Primary Elections in *resolution no. 02-2010-31*; and
- WHEREAS,** the Tribe retained the services of Troy A. Eid, a highly qualified attorney out of Colorado to perform the investigation; and
- WHEREAS,** Mr. Eid has informed the Tribe that he will present his final report regarding the five employees and perhaps other items to the Tribal Council on March 2, 2010; and
- WHEREAS,** the members of the Tribal Council have not had an opportunity to review the report or question Mr. Eid on his findings; and
- WHEREAS,** the events leading up to the investigation have proven to be highly polarizing and public meetings on the issues have made it difficult for the Tribal Council to deliberate without interference and obstruction from hostile environments; and
- WHEREAS,** the Tribal Council has an obligation to conduct the business of the White Mountain Apache Tribe and should be able to discuss Tribal business without interference from politically interested parties and their supporters; and
- WHEREAS,** the safety of Tribal members has been a concern raised by the Election Commission, the Chief of Police, and members of the Tribal Council; and
- WHEREAS,** one Tribal employee has already been the victim of violence because of this investigation and the members of the Tribal Council do not wish for any Tribal Member to be hurt; and
- WHEREAS,** the members of the Tribal Council of the White Mountain Apache Tribe feel that it would be prudent to have Mr. Eid give his report to members of the Tribal Council so that they may have the opportunity to question him and familiarize themselves with the report; and
- WHEREAS,** The Tribal Council wishes to then decide whether or not to release a version of the report to the public that does not contain any sensitive information; and

WHEREAS, given the urgency of this request, because the scheduled meeting with Troy Eid will take place on March 2, 2010, and because of public safety concerns, the Tribal Council further finds that the direction to Troy Eid to report to members of the Tribal Council needs to be considered and made outside of its regularly scheduled meeting; and

WHEREAS, the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs Troy A. Eid to report to a meeting solely with the Tribal Council and its Legal Department on March 2, 2010, and this meeting shall occur before any disclosure of his report and/or its contents to any party outside of the Tribal Council and the meeting will be held in the Tribal Council meeting room so that Mr. Eid may present his findings to members of the Tribal Council without any outside interference.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it will then determine what may be released to the public so that the Tribe complies with privacy laws and so that the report would not interfere with any later prosecution and any other concerns that the Tribal Council deems appropriate.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on _____ duly adopted by a vote of _____ for and _____ against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (d), (s), (t), and (u) of the Constitution of the Tribe, ratified by

Resolution No. _____

the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

Chairman of the Tribal Council

Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 03-2010-44 initiated the _____ day of March 2010. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

Ronnie Lupe
Tribal Chairman

Date Signed

TCS Initials

Margaret Baha-Walker
Vice Chairwoman

Date Signed

TCS Initials

Arnold Beach, Sr.
District I Council Member

Date Signed

TCS Initials

Evangeline Gatewood
Evangeline Gatewood
District I Council Member

3/1/10

Date Signed

cm

TCS Initials

Victoria Brewer
District II Council Member

Date Signed

TCS Initials

Rubert Lupe, Sr.
District II Council Member

Date Signed

TCS Initials

Alvin DeClay Sr.
Alvin DeClay, Sr.
District III Council Member

03-01-10

Date Signed

cm

TCS Initials

Kirk Massey Sr.
Kirk Massey, Sr.
District III Council Member

3/1/10

Date Signed

cm

TCS Initials

Noland Clay
Noland Clay
District IV Council Member

3/1/10

Date Signed

cm

TCS Initials

Wayne Colelay Jr.
Wayne Colelay, Jr.
District IV Council Member

3-1-10

Date Signed

cm

TCS Initials

Reno Johnson
Reno Johnson, Sr.
District IV Council Member

3-1-10

Date Signed

cm

TCS Initials

ATTEST:

Cyndy R. Harvey, Tribal Council Secretary

Date Signed