

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

WHEREAS, the White Mountain Apache Tribe has been operating a tribal enterprise known as the Tribal Butcher Project, and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe recognizes its responsibilities and duties regarding the livestock industry on the Fort Apache Reservation, and

WHEREAS, the livestock industry is the primary source of individual income for tribal members, and

WHEREAS, the Tribal Council recognizes the need of an emergency market for livestock,

IT IS HEREBY RESOLVED, that the attached plan of operations supersedes all previous plans of operations of the Tribal Butcher Project and its predecessors, and

IT IS FURTHER RESOLVED, that the enterprise will be known as the Apache Butcher Enterprise, and

IT IS FURTHER RESOLVED, that the plan of operations in three pages attached hereto and made a part hereof is hereby approved and adopted as the plan of operations of the Apache Butcher Enterprise, and

IT IS FURTHER RESOLVED, that the Apache Butcher Enterprise take over all assets and liabilities now assigned to the Tribal Butcher Project.

The foregoing resolution was on January 8, 1957, duly accepted by a vote of 9 for and 0 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (n) of the Constitution and By-Laws of the Tribe ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

Clinton Kessy  
Chairman of the Tribal Council

Mary L. Endfield  
Secretary of the Tribal Council

**PLAN OF OPERATION  
OF THE  
APACHE BUTCHER ENTERPRISE  
WHITERIVER, ARIZONA**

**SECTION I - IDENTITY**

1. Name -- The official name of this tribal enterprise shall be the "Apache Butcher Enterprise" hereinafter referred to as the Enterprise.

2. Place of Business -- The principal place of business of the Enterprise shall be at Whiteriver, Arizona.

**SECTION II - OBJECT & NATURE OF BUSINESS**

1. Purpose -- The purpose of this Enterprise is to promote the economic development of the members of the White Mountain Apache Tribe engaged in the livestock industry serving as an emergency market for livestock products. To serve as a place of employment and opportunity for members of the tribe to become skilled in the butcher trade and a source of income for the White Mountain Apache Tribe.

2. General Statement -- This plan of operation will supersede all previous plans of operation of the Tribal Butcher Project and its predecessors and will become effective upon final approval of the Commissioner of Indian Affairs or his designated representative, and enables the tribe to assume full managerial responsibility therefor.

3. Nature of Business -- The general nature of the business to be carried on by this Enterprise shall be to buy, store, distribute, sell or handle and process for members of the tribe or for other patrons livestock and livestock products.

**SECTION III - MANAGEMENT**

1. Board of Directors -- The business policies and procedures of the Enterprise shall be determined by a Board of Directors composed of one member of the Tribal Council to be elected by the Council, the Chairman of the Council, and one member of the tribe selected by the Tribal Council. This Board of Directors will determine the policies to be followed by the manager, such policies to be evidenced in writing, and will check to see that the policies are being followed.

2. Selection of Manager -- The manager will be hired under written contract approved by the Board of Directors and Tribal Livestock Manager.

3. Manager's Contract -- Specific conditions of employment, such as salary, amount and surety of the manager's fidelity bond, liquidated damages, authorized leave, provision that the manager shall abide by plan of operations, etc., will be included in the manager's contract.

4. Indian Preference -- Preference will be given to qualified members of the White Mountain Apache Tribe in hiring of employees.

#### SECTION IV - CAPITAL

1. Fiscal Period -- The operating or fiscal period of this Enterprise shall be from January 1 to December 31 each year.

2. Source of Capital -- The capital of this Enterprise shall be composed of (a) the funds, assets, liabilities and net worth of the present Tribal Butcher Project, the transfer of which is hereby authorized and directed; and (b) such funds as may be advanced or loaned to it by the White Mountain Apache Tribe, which is the owner of the Enterprise, or from other sources.

3. Tribal Funds -- Advances or loans of tribal funds to the Enterprise shall be evidenced by promissory(s) containing a repayment schedule to be determined by the Board of Directors and approved by the Superintendent, and shall receive interest at the rate of one per cent per annum, payable annually.

4. Plant -- The Enterprise is authorized to use without rental the tribally-owned building in which it is presently housed; however, the Enterprise may be required to bear reasonable operating and maintenance costs of the building during its tenancy, as determined by the Tribal Council. Repairs and improvements costing over \$100 will be subject to the approval of the Board of Directors.

5. Budget and Surplus Funds -- An annual budget shall be prepared by the manager and submitted to the Board of Directors at the last regular meeting of each fiscal year for approval. The Enterprise budget shall be subject to the approval of the Superintendent, Fort Apache Agency. All accumulated funds in excess of the approved budget and reserve shall be declared surplus by the Board of Directors and deposited to the general funds, White Mountain Apache Tribe.

6. Reserve -- Twenty-five per cent of the surplus funds in excess of budget needs shall be transferred to a reserve for contingencies until such reserve equals \$5,000.00

## SECTION V - METHOD OF BUSINESS

1. Depository and Cash Control -- The funds of the Enterprise shall be deposited in an individual account of the Superintendent. All receipts shall be deposited intact as to amount in this depository, as soon as practicable, but should not exceed one week after received by manager, who is responsible for all cash until deposited.

2. Records and Reports -- The accounting records of the Enterprise shall be kept in accordance with generally accepted accounting principles as prescribed or approved by the Area Director. The accounting records shall be closed at the end of each fiscal year and financial statements prepared, three copies of which will be furnished the Superintendent, who will forward two copies to the Area Director for his office and the Commissioner of Indian Affairs. The manager will submit an annual narrative report at the same time, copies of which will be attached to the financial statements.

3. Audits -- An audit of the accounting records and operations of the Enterprise will be made as soon as practicable after the close of each fiscal year, preferably by a Certified Public Accountant. If for any reason the Board of Directors does not employ a qualified auditor within 90 days after the close of the fiscal year, the Superintendent is authorized to engage a qualified auditor to perform the audit on behalf of and at the expense of the Enterprise. Should a change of managers occur, an inventory will be taken and the new manager will be required to sign for the assets of the Enterprise.

4. Property -- (a) Title to merchandise and other goods purchased or acquired for re-sale shall be taken in the name of the Enterprise. Bills of Sale and/or signed, itemized invoices or the vendor's stationery will be obtained on all goods purchased.

(b) The manager will maintain appropriate records of all classes of Enterprise-owned property. In the event of damage or loss of property of a cost value of ten dollars or more, the manager will report the full circumstances to the Board of Directors who will appoint a person or persons to investigate and make recommendations to the Board as to responsibility and/or disposition of the property.

5. All sales of the Enterprise shall be for cash.

6. Insurance -- Insurance shall be carried in the amount directed by the Superintendent.

7. Laws and Regulations -- The Enterprise shall comply with such Federal and State laws as may be applicable to it. The Enterprise and its employees shall be subject to all tax reductions and payments imposed by the Federal Insurance Contributions Act and the Federal Unemployment Tax Act.