

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

- WHEREAS, for a number of years cinders have been removed from the pit at Cooley Ranch Pit and Cooley Mountain Pit, and
- WHEREAS, highways adjacent to said pits are heavily travelled, and
- WHEREAS, the continued operation of the pits would destroy the scenic beauty of the lands visible to highway travelers, and
- WHEREAS, in the past, the tribe has charged ten cents (.10) per cubic yard for all cinders removed from said pits, and
- WHEREAS, there is a new pit available near the McNary dump.
- BE IT RESOLVED that the Cooley Ranch and Cooley Mountain pits be closed and no cinders to be removed therefrom.
- BE IT FURTHER RESOLVED that a new pit be made available near the McNary dump yard.
- BE IT FURTHER RESOLVED that any individuals removing cinders from the new McNary pit pay for same at the rate of twenty-five cents (.25) per cubic yard and a minimum sale to be established at fifty dollars (\$50.00).
- BE IT FURTHER RESOLVED that all persons removing cinders be required to check in at the Hondah Service Station.
- BE IT FURTHER RESOLVED that the Recreation Enterprise be paid the sum of five cents (.05) per cubic yard by the tribe of all cinders that are inspected by said Recreation Enterprise.
- BE IT FURTHER RESOLVED that all the stipulations and conditions in this resolution shall become effective June 30, 1961.
- BE IT FURTHER RESOLVED that the Arizona State Highway Department, Navajo and Apache Counties and any persons who have contracted with the Tribe for the purchase of cinders, shall not be cund by any of the provisions of this resolution.
- BE IT FURTHER RESOLVED that any and all resolutions in conflict herewith are hereby rescinded.

Rescinded by Resolution  
No. 63-78

The foregoing resolution was on June 16, 1961 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984)

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

JUL -3 1961

Mr. F. M. Haverland

Director, Phoenix Area Office

Re: Resolution No. 61-61

Dear Mr. Haverland:

The White Mountain Apache Tribal Office and the Fort Apache Agency Superintendent's Office has received a number of complaints regarding the cinder pits at Cooley Ranch and Cooley Mountain. Nearly all the complaints required that the pits be closed because if we continue to allow the removal of cinders it would destroy the scenic beauty of the lands visible to highway travelers.

The resolution resolves that these two cinder pits be closed and that a new pit be made available near the townsite of McNary. Any individual moving cinders from the new McNary pit will have to pay the rate of twenty-five cents per cubic yard and a minimum sale is established at \$50. The resolution further resolves that all persons removing cinders will be required to check in at the Hondah Service Station. This service is to be rendered by the White Mountain Recreation Enterprise and will be paid the sum of five cents per cubic yard.

The resolution further resolves that the Arizona State Highway Department, Navajo and Apache Counties and any person who holds a contract with the Tribe for the purchase of cinders, would not be bound by this resolution. This resolution was enacted by the Council of the White Mountain Apache Tribe at a regular meeting June 16, 1961 pursuant to Article V, Section 1 (1) of the Tribe's constitution. This resolution is not subject to review and approval of the Secretary of the Interior.

Sincerely yours,

TS7 RIBERT M. Hawley

Superintendent

Enclosure

AMH:ba