



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Temporarily Suspending Gaming Operations at Hon-Dah Casino-Resort in Response to the COVID-19 Global Pandemic)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(i) that the Tribal Council (“Council”) shall exercise the power “To manage all economic affairs and enterprises of the Tribe...”; and
- WHEREAS,** The Constitution also provides, at Article IV, Section 1(a) that the Council shall exercise the power “To represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and
- WHEREAS,** The Tribe owns and operates Hon-Dah Resort-Casino (“Hon-Dah”), which provides gaming, entertainment, dining, conference spaces, and special events to members of the public; and
- WHEREAS,** On March 17, 2020 via Resolution No. 03-2020-060, the Council Authorized Hon-Dah to escalate measures under its Outbreak Mitigation Plan, to safeguard the safety of Hon-Dah guests and employees during this time of worldwide COVID-19 pandemic; and
- WHEREAS,** Since enacting that Resolution, cities and towns in Northern Arizona, including Flagstaff and neighboring Pinetop-Lakeside and Show Low, have declared states of emergency in response to rapidly increasing numbers of cases in Arizona and locally; and
- WHEREAS,** In meeting with other tribal gaming officials across the state, a clear consensus has emerged, recommending suspension of gaming activities, at this time; and
- WHEREAS,** While Hon-Dah has had no COVID-19 diagnoses associated with it, either with staff nor with guests, this rapidly evolving crisis demands strong proactive measures be taken to prevent exposure and mitigate risk, and as recommended by casino management; and
- WHEREAS,** Out of an abundance of caution; out of concern for Hon-Dah’s employees and guests; and in solidarity with local communities and our sister tribes, the Council finds that temporarily suspending gaming operations at Hon-Dah, is in the best interests of the Tribe and its members; and

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WHEREAS, Given the urgent need to respond to this situation, the Council further finds that this Resolution needs to be considered outside of the Council's regularly scheduled meeting; and

WHEREAS, The 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, and (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 all gaming and non-gaming operations at Hon-Dah Resort-Casino, with the exception of the RV park and convenience store, are hereby temporarily suspended, effective March 20, 2020 at 1:59 a.m., and continuing until this body determines, under advice and consultation from public health officials and Hon-Dah management, that it is safe to resume the same.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Hon-Dah Resort-Casino Management is tasked with implementing this Resolution and taking all other measures deemed necessary to protect Hon-Dah employees and guests from COVID-19, while safeguarding the premises and minimizing the effects of this pandemic to Hon-Dah.

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 Chairwoman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures from members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, and (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 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 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 Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

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The foregoing resolution was on MARCH 19, 2020 duly adopted by a vote of VOTE 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 September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



3-19-20



3-19-2020

Gwendena Lee-Gatewood, Chairwoman

Date

Doreen T. Numkena, Tribal Secretary

Date