

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing and Accepting the Federal Charter of Incorporation for 4th
Millennium Incorporated)**

RESOLUTION NO. 12-333

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "to provide for,**
2 **appoint, or provide for the appointment of, and prescribe the duties and powers of**
3 **committees, boards, officers and agents; to establish and regulate subordinate**
4 **organizations for business purposes." (Constitution of the Tohono O'odham Nation,**
5 **Article VI, Section 1(b)); and**

6 **WHEREAS, Federally Chartered Corporations under Section 17 of the Indian Reorganization Act**
7 **("Section 17 corporations") are legal entities that are wholly-owned by the tribe but**
8 **conduct and manage business activities separate from the tribal government, may be**
9 **empowered to purchase, hold, operate, manage and dispose of real and personal**
10 **property; and they enjoy the same privileges and immunities as an Indian tribe for**
11 **federal income tax purposes including the issuance of tax exempt debt, and may assert**
12 **or waive sovereign immunity; and**

13 **WHEREAS, Section 17 corporations may be authorized to enter into contracts or leases,**
14 **mortgages or otherwise encumber tribal lands, including trust and restricted lands**
15 **within the reservation, for a 25 year period without the Bureau of Indian Affairs**
16 **approval under 25 U.S.C. § 81; and**

17 **WHEREAS, a Section 17 corporation would be a beneficial business entity for the Nation and will**
18 **promote the best interests, general welfare and economic development of the Nation;**
19 **and**

20 **WHEREAS, the Planning and Economic Development Department has consulted with and plans**
21 **to work in cooperation with the Economic Development Authority in the development**
22 **of projects housed under the Section 17 corporation; and**

23 **WHEREAS, the Nation wishes to create a Section 17 corporation; and**

24 **WHEREAS, Resolution No. 11-519 authorized the Planning and Economic Development**
25 **Department to prepare a corporate charter and other legally required documents to**
26 **form a Section 17 corporation; and**

27 **WHEREAS, the Planning and Economic Development Department has prepared a corporate**
28 **charter for the Section 17 corporation, which will be called 4th Millennium**
29 **Incorporated; and**

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1 **WHEREAS, the Commerce Committee, Agricultural & Natural Resource Committee, and the Rules**
2 **Committee each recommend the creation of a Section 17 corporation, which will be**
3 **called 4th Millennium Incorporated.**


4 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
5 **approves the proposed corporate Charter for 4th Millennium Incorporated attached**
6 **hereto as Exhibit A.**

7 **NOW, BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council authorizes the**
8 **Chairman, or any designated official, to submit the Charter of 4th Millennium**
9 **Incorporated to the Secretary of the Interior on behalf of the Tohono O'odham Nation,**
10 **and is further authorized and directed to take such other steps and to execute and**
11 **deliver to the Department of the Interior such other agreements and documents as**
12 **may be appropriate or required to implement the foregoing directive and to**
13 **accomplish, complete and provide for the approval of the formation of the Section 17**
14 **Corporation.**

15 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation hereby requests the Secretary of the**
16 **Interior, or the Secretary's designee, to review and approve expeditiously the**
17 **proposed corporate Charter consistent with the requirements of 25 U.S.C. § 477.**

18 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND Day**
19 **of AUGUST, 2012 at a meeting at which a quorum was present with a vote of 2,658.15 FOR; 122.45**
20 **AGAINST; [01] NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
21 **Section 1 (b) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
22 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
23 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
24 **Stat. 984).**

25
26 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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30 **Timothy Joaquin, Legislative Chairman**

31
32 23 day of August, 2012

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34 **ATTEST:**

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37 **Evonne Wilson, Legislative Secretary**

38
39 23 day of August, 2012
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 23 day of August, 2012 at 1:43 o'clock, P.M., pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

APPROVED

on the 23 day of August, 2012

DISAPPROVED

at 6:00 o'clock, P.M.


NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 24 day of August, 2012, at 10:10 o'clock, A.M.


Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING AND ACCEPTING THE FEDERAL CHARTER OF INCORPORATION FOR 4TH MILLENNIUM INCORPORATED

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: AUGUST 22, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith)(<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45		X		
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ()	113.35	X			X
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			X
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X		X	
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			X
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,658.15	122.45	[01]	[03]