

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL
(Restricted use of Sand and Gravel)

RES. NO. 218-85

1 WHEREAS, On the 5th day of August, 1982, this Council passed Ordinance No.
2 13-82, wherein the Papago Tribal Council delegated the following
3 authority to the District Council:

4 "Section 2 Delegation of Authority: Filing of Agreements

5 (A) The Papago Council does hereby delegate authority to the
6 Council of each District of the Papago Reservation in
7 which mining activities are proposed to enter into written
8 agreements, in accordance with all applicable federal laws
9 and regulations, for the mining and sale of sand and gravel
10 (including materials taken from a borrow pit for building
11 construction), described in subsection C of Section 1, and
12 of clay, topsoil, limestone, pumice, building stone, and
13 rock, described in subsection D of Section 1, and does
14 hereby authorize the Chairman or Vice-Chairman and the
15 Secretary of the District Council to execute such agreements
16 for and on behalf of the Papago Tribe.

17 (b) The Chairman or Vice-Chairman of the District Council
18 executing an agreement in accordance with the provisions of
19 subsection A of this section shall forthwith file copies there-
20 of in the offices of the Treasurer and Mining Director of
21 the Papago Tribe." and

22 WHEREAS, This ordinance also contains a clause whereby all proceeds derived
23 from the mining of sand and gravel, including material taken from a
24 borrow pit for building construction, shall be deposited to the IIM
25 Account of the District from whose lands the proceeds were produced,
26 to be expended under budgets or resolutions of the District's Council
27 duly approved by the Papago Council; and

28 WHEREAS, Contractors operating under government contract have been mining,
29 removing and using sand and gravel from Sif Oidak District lands and
30 other District lands without the Districts or Tribal consent and
31 without payment of any compensation to the Tribe of the District; and

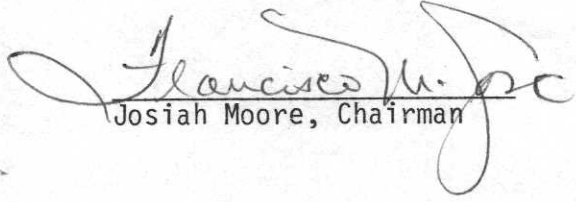
32 WHEREAS, Sand and gravel is a valuable depletable asset of the District and
the Papago Tribe, and compensation should be paid for the mining,
removal and use thereof.

NOW, THEREFORE, BE IT RESOLVED that this Council does hereby declare that there
shall be no mining, removal and use of sand and gravel from lands of
the Papago Tribe except under negotiated agreements with the District
whose lands are involved.

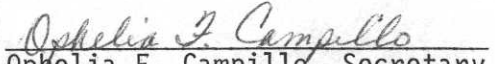
The foregoing Resolution was duly enacted by the Papago Council on the 17th
day of April, 1985, at a meeting at which a quorum was present with a vote of

1 1440.0 for; -0- against; 1-0-5 not voting; 03 absent, pursuant to the
2 authority vested in the Papago Council by Section 2 (c) and (m) of Article V of
3 the Constitution and By-laws of the Papago Tribe as amended, ratified by the
4 Papago Tribe on December 12, 1936, and approved by the Secretary of the In-
5 terior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934
(48 Stat. 984). Said Resolution is not subject to review by the Secretary of
6 Interior and is effective as of the date of its enactment by the Papago Council.

7 THE PAPAGO COUNCIL

8 
9 Josiah Moore, Chairman

10 ATTEST:

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12 Ophelia F. Campillo, Secretary

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MOVED: Virgil Lewis

SUBJECT: Restricted use of Sand & Gravel

SECOND: Henry Ramon

DATE: 04/17/85

RESOLUTION
or
ORDINANCE # 218-85

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 105	1. Nicklos Jose (Alice Norris) 2. Elliott Lewis (Eugene F. Jose)	52.5 52.5	X X			X
SELLS 235	1. Andrew M. Patricio (Nora Alvarez) 2. Fred Stevens (Dennis Jose)	117.5 117.5	X X			
SCHUK TOAK 103	1. Jo Ann Francisco (Priscilla G. Domingo) 2. Joseph Juan ()	51.5 51.5	X X			
SAN XAVIER 121	1. Carmelita Mattias (Julie Ramon-Pierson) 2. John B. Narcho (Austin Nunez)	60.5 60.5	X X			
BABOQUIVARI 203	1. Kenneth Chico, Sr. (Donald Harvey) 2. Joann Garcia (Edward N. Kisto)	101.5 101.5	X X			
GU ACHI 150	1. Angelo J. Joaquin, Sr. (Jonas R. Robles) 2. Fernando Joaquin (Fred Adams, Jr.)	75.0 75.0	X X			X
PISINEMO 105	1. Johnson Jose (Frank Garcia) 2. Chester Antone (Sylvester Manuel)	52.5 52.5	X X			X
SAN LUCY 51	1. John Reno (Max P. Jose) 2. Alexis Gomez (Jeannie Morris)	25.5 25.5	X X			
GU VO. 107	1. Virgil Lewis (Henry F. Manuel) 2. Cross Antone (Fern E. Salcido)	53.5 53.5	X X			
HTCKIWAN 122	1. Henry A. Ramon (Pablo Baptisto) 2. Delma Garcia (Archie Pilone)	61.0 61.0	X X			
CHUKUT KUK 138	1. Harriet Toro (Lawrence Jose) 2. Rosemary Lopez (Anita C. Clark)	69.0 69.0	X X			
TOTALS		1440.0	1440.0	-0-	-0-	03