

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approval of Schuk Toak Loan Application)

RES. NO. 149-89

1 WHEREAS, the Tohono O'Odham Legislative Council convened in a  
2 meeting on May 4, 1989 to consider approval of a Loan  
3 Application Report that was prepared for the Schuk Toak  
4 New Development; and

5 WHEREAS, this Legislative Council approved the Development Plan  
6 for the Schuk Toak New Development in Resolution No.  
7 253-87, and the Notification of Intent to Apply for the  
8 Small Reclamation Loan in Resolution 429-86; and

9 WHEREAS, the Tohono O'Odham Legislative Council realizes that the  
10 Tohono O'Odham Nation is responsible for land  
11 subjugation (clearing and grubbing, and land leveling),  
12 construction water, operation and maintenance roads, and  
13 a maintenance facility at the Schuk Toak development;  
14 and

15 WHEREAS, the Nation's cost of the above four items, including  
16 engineering and contingency is \$8,154,800.00; and

17 WHEREAS, the Nation will be obtaining a Small Reclamation Loan to  
18 fund the Nation's costs; and

19 WHEREAS, the term of the loan shall be forty (40) years; and

20 WHEREAS, in order to reclaim the soils, loan repayment is delayed  
21 for seven (7) years, and the first full annual payment  
22 is due in the eleventh (11) year, the Loan Repayment  
23 Schedule, is attached hereto and made a part thereof;  
24 and

25 WHEREAS, the Tohono O'Odham Farming Authority has reviewed the  
26 report and financial commitments of the loan; and

27 WHEREAS, according to the Farming Authority's Plan of Operation  
28 (Section 6.3) the Farming Authority is responsible for  
29 the custody and management, operation, inventory, and  
30 maintenance of all farms and agricultural facilities  
31 owned or operated by the Tohono O'Odham Nation; the  
32 planning, construction and operation of all new farms  
and agricultural facilities; and for the taking of any

1 and all usual, necessary and convenient actions  
2 incidental thereto including, should it be deemed  
3 advisable, the borrowing of funds and the making of  
4 contracts or commitments necessary to the functioning of  
5 the organization; and

6 WHEREAS, the Farming Authority has studied the potential costs  
7 and returns from the proposed farm at Schuk Toak and  
8 believes that the profit potential will more than cover  
9 the annual cost of the loan, and therefore recommends  
10 approval of the referenced loan application report.

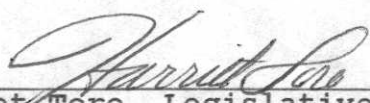
11 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham  
12 Legislative Council hereby approves the Schuk Toak Loan  
13 Application Report.

14 BE IT FURTHER RESOLVED that the Tohono O'odham Farming Authority  
15 is hereby authorized to enter into a contract for  
16 repayment of said loan upon the Secretary of the  
17 Interior's approval of the application.

18 BE IT FURTHER RESOLVED that, more specifically, the Tohono  
19 O'odham Nation reaffirms its responsibility and fully  
20 supports the Schuk Toak Development and the associated  
21 loan application and, in the event of dissolution of the  
22 Farming Authority, agrees to meet the terms and  
23 conditions of the repayment contract.

24 The foregoing Resolution was passed by the Tohono O'odham Council  
25 on the 4th day of May, 1989 at a meeting at which a quorum  
26 was present with a vote of 1,322.5 for; -0- against; 317.5 not  
27 voting; and 03 absent, pursuant to the powers vested in the  
28 Council by Section 1 (d), (f), & (i) of Article VI of the  
29 Constitution of the Tohono O'odham Nation, adopted by the Tohono  
30 O'odham Nation on January 18, 1986, and approved by the Acting  
31 Deputy Assistant Secretary -Indian Affairs (Operations) on March  
32 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Harriet Toro, Legislative Chairperson

15<sup>th</sup> day of May, 1989.

ATTEST:

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Teresa M. Choyguha  
Teresa M. Choyguha, Legislative Secretary

15<sup>th</sup> day of May, 19 89.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of MAY, 1989, at 2:54 o'clock, P.M., pursuant to the provisions of Section 5 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

Andrew M. Patricio  
Harriet Toro, Legislative Chairperson

[ ] APPROVED ) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
[ ] DISAPPROVED ) at \_\_\_\_\_ o'clock, \_\_\_\_ .M.

EXCEEDED 48 HOURS  
\_\_\_\_\_  
ANGELO J. JOAQUIN, SR., Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19<sup>th</sup> day of May, 1989, at 3:44 o'clock, P.M.

Arcinola Allen for  
Teresa M. Choyguha  
Legislative Secretary

MOVED: Willard Juan, Sr.

SUBJECT: Approval of Schuk

SECOND: Fred Stevens

Toak Loan Application

DATE: May 4, 1989

RESOLUTION #149-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5	X			
	2. Harriet Toro ( )	84.5	X			
HICKIWAN 128.0	1. Lloyd Francisco (Eleanor Santos)	64.0	X			
	2. Henry Ramon (Billy Manuel)	64.0	X			X
GU VO 117.0	1. Cross Antone (Juan Joe Cipriano)	58.5			X	
	2. Virgil Lewis (Roy Montana)	58.5			X	
SAN LUCY 85.0	1. John Reno ( )	42.5			X	
	2. Max Jose (Dewey Ortega)	42.5			X	X
PISINEMO 116.0	1. Edward Manuel (Alex Antone)	58.0	X			
	2. Johnson Jose ( )	58.0	X			
GU ACHI 158.0	1. Fernando Joaquin ( )	79.0	X			X
	2. Percy Lopez ( )	79.0	X			
BABOQUIVARI 241.0	1. Joann Garcia (Frances Miguel)	120.5	X			
	2. Kenneth Chico, Sr. ( )	120.5	X			
SAN XAVIER 126.0	1. Tony Felix (Carmelita Mattias)	63.0	X			
	2. Eugene Enis (Michael Rios)	63.0			X	
SCHUK TOAK 105.0	1. <del>XXXXXXXXXX</del> (Frances Francisco)	52.5			X	
	2. Julia Carrillo (JoAnn Francisco)	52.5	X			
SELLS 257.0	1. Fred Stevens ( )	128.5	X			
	2. Andrew Patricio (Daniel Lopez)	128.5	X			
SIF OIDAK 138.0	1. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
	2. Nicholas Jose (Letitia Garcia)	69.0	X			
TOTAL		1,640.0	1,322.5	-0-	317.5	03