

**NATIONAL  
INDIAN  
GAMING  
COMMISSION**

OCT 4 2000

Honorable Vivian L. Burdett  
Chairperson, Tonto Apache Tribe  
Tonto Apache Reservation #30  
Payson, Arizona 85541

Dear Ms. Burdett:

This letter responds to your request to the National Indian Gaming Commission (NIGC) to review and approve the Tonto Apache Tribe's (Tribe) amendments to the Gaming Ordinance adopted by Resolution No. 25-00 on August 31, 2000. The original Gaming Ordinance was approved by the Chairman of the NIGC on September 3, 1993. This letter constitutes approval of the amendments under the Indian Gaming Regulatory Act (IGRA).

Thank you for submitting the amendments to the Gaming Ordinance of the Tonto Apache Tribe. The NIGC staff and I continue to look forward to working with you and the Tribe in implementing the IGRA.

Sincerely yours,



Montie R. Deer  
Chairman

RESOLUTION NO. 25-00  
OF THE GOVERNING BODY OF THE  
TONTO APACHE TRIBE  
PAYSON, ARIZONA

SEP 27 2000

WHEREAS: the Tonto Apache Tribe is a federally recognized Indian Tribe organized under the Constitution of the Tonto Apache Tribe, pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984, as amended); and

WHEREAS: pursuant to Article IV, Section (1) of the Tribe's Constitution, the governing body of the Tribe shall be known as the Tonto Apache Tribal Council, hereinafter referred to as the "Tribal Council"; and

WHEREAS: pursuant to Article VI-Powers of the Governing Body, the following power shall be exercised by the Tribal Council:

- (e) To enact ordinances, including, but not limited to: civil actions, crimes, law enforcement, zoning, businesses, signs, land use, environmental quality and protection, inheritance, probate and administration of personal estates, domestic relations, protection of minors and mental incompetents, including the appointment of guardians and custodial care and adoption and sale and use of alcoholic beverages.
- (cc) To Provide for, appoint, or provide for the appointment of, and prescribe the duties and powers of committees, boards, officers and agents: to establish and regulate subordinate organizations for business purposes; Provided that no such committee, board, officer, agent or organization shall exercise powers of the Tonto Apache Tribe unless they are expressly delegated by the Tribal Council.

NOW THEREFORE BE IT RESOLVED that the Tribal Council approves the following amendments to the Tonto Apache Tribe's Gaming Ordinance, Sections II, III & V.

Section II. Establishment of the Tonto Apache Gaming Commission

There is hereby established a Tonto Apache Gaming Commission composed of five (5) members, of whom 2 will be Tonto Apache tribal members. Each member shall serve a three (3) year term, EXCEPT THAT THE INITIAL TERM OF ONE MEMBER APPOINTED IN 2000 SHALL BE FOR A TWO YEAR TERM IN ORDER TO PROVIDE FOR STAGGERED THREE YEAR TERMS AFTER THAT WITHOUT THE NECESSITY OF APPOINTING MORE THAN TWO MEMBERS TO THE COMMISSION IN ONE YEAR. Each member shall be appointed by the Chairperson of the Tribal Council and confirmed by a majority vote of the Tribal Council. The Commission shall met as often as deemed necessary as determined by a majority vote of the Commission members. All Commission action shall be taken by Resolution based on a majority vote of the Commission.

Section III. General Powers and Duties

The Commission shall:

5. Consistent with the terms and provisions of this Ordinance and the Compact, establish a procedure FOR and MAY conduct hearings on license revocations, suspensions and denials.


Section V. Per Diem

Commission members shall be paid a per diem AS DETERMINED BY A MAJORITY VOTE OF THE TRIBAL COUNCIL.

BE IT FURTHER RESOLVED that the Tribal Council hereby gives authority to the Tribal Chairperson, and in her absence, the Vice-Chairman to sign and execute this Tribal Council action.

CERTIFICATION

I, the undersigned, hereby certify that the Tribal Council is composed of five (5) members, of whom 4 were present at a Special Council Meeting held on the 31ST day of AUGUST, 2000; and that the foregoing Resolution was duly adopted by the vote of 4 for, 0 against and 0 abstentions.



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Vivian L. Burdette, Tribal Chairperson

ATTEST:



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Vanessa Saunders, Tribal Council Secretary