

ARTICLES OF ASSOCIATION OF THE YAVAPAI-PRESCOTT
COMMUNITY -- PRESCOTT, ARIZONA

PREAMBLE

We, the undersigned Yavapai Indians, all of whom are members of the Yavapai-Prescott Community and whose names appear on the Yavapai Census Rolls, do hereby voluntarily join together in order to establish a legal community organization for exercising certain powers which will promote the common welfare of our membership, and do hereby adopt these Articles of Association.

ARTICLE I -- TERRITORY

The territory of the Yavapai-Prescott Community Association shall be confined to the Yavapai Reservation as set forth in the Act of June 7, 1935 providing for approximately 75 acres, and Act of May 18, 1956, providing for approximately 1,320 acres for a total of approximately 1,395 acres, and such other territory as may be hereafter added by the Association or added thereto by any law of the United States.

ARTICLE II -- NAME OF ORGANIZATION

The name of the organization shall be the Yavapai-Prescott Community Association.

ARTICLE III -- MEMBERSHIP

SECTION 1. The membership of the Yavapai-Prescott Community Association shall consist of:

- (a) All Yavapai Indians whose names appear on the official census roll compiled as of June 1, 1960, and whose names are attached hereto as a part of these Articles of Association; provided such persons are not enrolled as members of some other tribe, band, or community of Indians; and provided, further, that within five years from the adoption of these Articles of Association, corrections may be made in the roll by the governing body, subject to the approval of the Secretary of the Interior or his authorized representative.
- (b) Any child of one-fourth degree or more of Yavapai Indian blood who is born to a member of the Yavapai-Prescott Community Association, provided a certified copy of the child's birth certificate is forwarded to the Secretary-Treasurer of the Yavapai-Prescott Community Association within one year from date of the child's birth.

SEC. 2. The Board of Directors of the Yavapai-Prescott Community Association shall have the power to adopt resolutions, subject to the approval of a majority vote of eligible voters, voting in a regularly called Association meeting, governing the adoption of new members, except that no person shall be adopted into the Yavapai-Prescott Community Association who is a member of some other tribe, band or community of Indians, or who has not resided upon the Reservation for a probationary period of one year, and prior notice has been submitted to the Board of Directors that it is the person's intent to serve the probationary period.

ARTICLE IV -- GOVERNING BOARD

SECTION 1. The governing board of the Yavapai-Prescott Community Association shall be the Yavapai Board of Directors of five (5) members, consisting of the President, Vice-President, Secretary-Treasurer and two other members. Three of such members shall constitute a quorum.

SEC. 2. The membership of the Yavapai-Prescott Community Association shall elect from its own membership, at a meeting called for this purpose, by secret ballot, a President, Vice-President, Secretary-Treasurer, and two board members to serve on the Board of Directors, within thirty (30) days after approval of these Articles of Association by the Secretary of the Interior or his authorized representative. The Superintendent shall be responsible for calling the first meeting and conducting the first election. The Board of Directors elected at this meeting shall serve until the second Friday in July 1964 at which time successors shall be elected for a term of two (2) years. Members of the Board of Directors may succeed themselves.

SEC. 3. The President, or a majority of the Board of Directors, or twenty-five percent (25%) of the qualified voters may, by written notice, call special meetings of the Yavapai-Prescott Community Association. Twenty-five percent (25%) of the qualified voters of the Association shall constitute a quorum at any special or regular meeting.

SEC. 4. All members of the Yavapai-Prescott Community Association who have reached the age of twenty-one (21) years shall be qualified voters at any meeting or election.

ARTICLE V -- ELECTIONS

SECTION 1. The General Meeting of the Yavapai-Prescott Community Association for the purpose of electing the Board of Directors shall be held every even year on the second Friday in July. The meeting and voting place shall be on the Yavapai Reservation as designated by the Board of Directors. The Board shall cause notice to be posted of such meeting and election in at least two places on the Yavapai Reservation fifteen (15) days prior to the meeting and election.

SEC. 2. Special meetings and elections may be called by the Board of Directors for electing a Board Member to fill the unexpired term of a deceased member, a member who has resigned, or removed for other cause, provided that notice of the special meeting and election shall be given as in the case of regular meetings and elections.

SEC. 3. Nominations for the Board of Directors shall be made from the floor at the General or Special Meeting of the Yavapai-Prescott Community Association.

SEC. 4. The elections shall be by secret ballot. The Board of Directors shall prescribe rules for the casting and canvassing of ballots. They will also prescribe the necessary details of election procedures covering the election of Directors and referendum elections.

ARTICLE VI -- POWERS OF THE BOARD OF DIRECTORS

SECTION 1. The Board of Directors representing the Yavapai-Prescott Community Association shall exercise the following powers, subject to any limitations imposed by the Constitution or the Statutes of the United States applicable to Indians, and

subject further to all expressed restrictions upon such powers contained in these Articles of Association:

- (a) To represent the Yavapai-Prescott Community Association and act in all matters that concern the welfare of the Association and to make any and all decisions which are consistent with those Articles of Association and the Statutes of the United States.
- (b) To acquire, manage, lease, use, contract, assign, encumber, or dispose of all Association assets, subject to the approval of the Secretary of the Interior or his authorized representative.
- (c) To license non-members to do business on the reservation subject to the approval of the Secretary of the Interior, or his authorized representative, and not inconsistent with traders' licenses issued by the Commissioner of Indian Affairs.
- (d) To employ legal counsel, the contract, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior or his authorized representative.
- (e) Subject to the approval of the Secretary of the Interior, or his authorized representative, to negotiate with city and county officials on the zoning of Reservation lands.
- (f) To prepare a plan for the final distribution of all Association assets and to request legislation which will allow the plans to be carried out in a satisfactory manner.
- (g) To negotiate and make contracts, including those with the Federal, State and local governments, subject to the approval of the Secretary of the Interior or his authorized representative.
- (h) To budget Association funds and manage economic affairs and enterprises in accordance with these Articles of Association.
- (i) To regulate its own procedures; to appoint subordinate committees, commissions, and boards; and to regulate subordinate organizations for economic and other purposes.
- (j) The Board of Directors may exercise such additional powers as may be delegated to it by members of the Yavapai-Prescott Community Association and may take such actions as are necessary to carry into effect any of its powers and duties.

ARTICLE VII — REVIEW BY THE SECRETARY

Any resolution or ordinance which by the terms of these Articles of Association is subject to review by the Secretary of the Interior, or his authorized representative, and shall be presented to the Superintendent in Charge of the Reservation who shall within fifteen (15) days of receipt approve or disapprove same. If the Superintendent in Charge of the Reservation shall approve any ordinance or resolution, it shall thereupon become effective, but he shall submit a copy of the same, bearing his endorsement, to the Secretary of the Interior, or his authorized representative,

who may, within ninety (90) days from the date of enactment, rescind the said ordinance or resolution for any cause by notifying the Board of Directors of such rescissions. If the Secretary shall fail to act within the ninety(90) day period, the ordinance or resolution shall remain in effect as of the date of the Superintendent's approval.

If the Superintendent in Charge of the Reservation shall refuse to approve any resolution or ordinance submitted to him within fifteen (15) days after receipt by him, he shall advise the Directors of his reasons therefor in writing. If those reasons appear insufficient to the Directors, they may by majority vote, refer the ordinance or resolution to the Secretary of the Interior, or his authorized representative, who may, within ninety (90) days from the date of its submission to him, approve same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE VIII -- REMOVAL AND RESIGNATION FROM OFFICE

SECTION 1. If a member of the Board of Directors fails or refuses to attend two regular meetings in succession, unless excused due to illness or other causes for which he cannot be held responsible, or shall be convicted of a felony or of a misdemeanor involving moral integrity, his office shall be declared forfeited by a resolution of the Board of Directors.

SEC. 2. Any Director resigning or taken by death out of office or removed for other cause shall be replaced either by special election or appointment as specified by the Board of Directors.

ARTICLE IX -- AMENDMENTS

SECTION 1. These Articles of Association may be amended by a majority vote of qualified voters of the Association voting in an election called for that purpose by the Secretary of the Interior, or his authorized representative, provided that at least twenty-five percent (25%) of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior or his authorized representative.

SEC. 2. It shall be the duty of the Secretary of the Interior, or his authorized representative, to call an election on any proposed amendment at the request of the Board of Directors, or upon presentation of a petition signed by twenty-five percent (25%) of the qualified voters of the Association.

ARTICLE X -- DUTIES OF OFFICERS

SECTION 1. The President of the Board of Directors shall preside over all meetings of the Directors, and perform all duties of a President and exercise any authority given him specifically by the Directors, or by a general meeting of the Yavapai-Prescott Community Association. He shall vote only in case of a tie.

SEC. 2. The Vice-President in the absence of the President, shall preside, and when so presiding shall have all powers, privileges, duties, and responsibilities of the President. He shall have the power to vote in all meetings except those under his direction. In this case he shall vote only when there is a tie vote.

SEC. 3. The Secretary-Treasurer shall conduct all Association correspondence and it shall be his duty to submit promptly to the Superintendent in Charge of the Reser-

vation and other appropriate offices of the Bureau of Indian Affairs, copies of all minutes of regular and special meetings of the Directors as well as copies of all resolutions and ordinances adopted by the Directors.

He shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Yavapai-Prescott Community Association, and forward all funds to the Truxton Canon Subagency for deposit in the Yavapai-Prescott Community Association Individual Indian Money Account or designated depository. He shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his custody, such report being made in writing to the Board of Directors at regular meetings and at such other times as requested by the Board of Directors. He shall not disburse any funds in his custody or custody of the Board of Directors except when properly authorized to do so by resolution duly passed by the Board of Directors. The Secretary-Treasurer as a member of the Board of Directors shall have the power to vote at any meeting.

The books and records of the Secretary-Treasurer shall be audited at least once each year by a competent auditor employed by the Board of Directors and at such other times as the Board of Directors may direct.

The Secretary-Treasurer shall be required to give a bond satisfactory to the Board of Directors and to the Commissioner of Indian Affairs. Until the Secretary-Treasurer is bonded, the Board of Directors may make such provision for the custody and disbursement of funds as shall guarantee their safety and proper disbursement and use.

SEC. 4. The Board of Directors may elect to designate a commercial bank as the Yavapai-Prescott Community Association's depository.

ARTICLE XI -- QUALIFICATIONS OF DIRECTORS

SECTION 1. Any member of the Yavapai-Prescott Community Association shall be qualified to be a candidate for election to the Board of Directors who has reached the age of twenty-five (25) years and who is a resident of the Reservation, any person having been convicted of a felony, or who within the last year preceding the election was convicted of a crime involving moral integrity shall not be eligible to hold the office of Director. The only crimes involving moral integrity shall be adultery, bribery, embezzlement, extortion, fraud, forgery, misbranding, perjury, and theft.

ARTICLE XII -- BOARD OF DIRECTORS MEETINGS

SECTION 1. At the first meeting of the Board of Directors following a regular election, the Directors shall see that members have a correct and clear understanding of the Articles of Association, management of Association affairs, and rules for conducting their meetings.

SEC. 2. Regular meetings of the Board of Directors shall be held the second Friday of each month at a place and time specified by the President in an advance notice. In case the regular meeting date falls on a State or National Holiday, the Directors may postpone such regular meeting not to exceed ten (10) days.

SEC. 3. Special meetings of the Directors may be called by the President, or the President shall call a special meeting when presented a written request signed by three or more Directors.

SEC. 4. Recognized rules of order shall apply in conducting business at all meet-

ings. The Directors may vote by voice, but at the discretion of the President or upon request by one or more Directors, a secret vote shall be taken.

SEC. 5. The Board of Directors shall decide all business matters by a majority vote.

ARTICLE XIII — ADOPTION

These Articles of Association, when adopted by a majority vote of the qualified voters of the Yavapai-Prescott Community Association of the Yavapai Reservation, voting at a special election called by the Secretary of the Interior, or his duly authorized representative, in which at least twenty-five percent (25%) of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior, or his authorized representative, for approval, and shall be effective from the date of such approval.
