

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, Mr. David Shadle, Manager of the Tribal Commercial Shopping Center has presented a car wash proposal to the Tribal Council, as attached hereto and incorporated by reference, setting forth the major terms of the contract, and

WHEREAS, Mr. Shadle explains to the Tribal Council that the car wash has consistently lost money over the years and is in dire need of repairs and extensive renovation in order to make it a profit-making endeavor, and

WHEREAS, Mr. Donal Cole of Pinetop, Arizona, who is presently operating a successful car wash in Pinetop, wishes to enter into a five-year contract with the Tribe, will immediately repair the facility and will install a foaming brush system for a total of investment cost of \$10,000.00 and will further maintain, on a daily basis, the operation of the car wash, and

WHEREAS, the Tribal Council after detailed discussion concludes that such a lease would be in the best interest of the Tribe at this time, and

WHEREAS, the Tribal Council is further advised that the Tribal Attorney has reviewed the lease with Mr. Shadle and suggestions have been incorporated for the protection of the Tribe.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes Mr. David Shadle to enter into a five-year lease arrangement with Mr. Donald D. Cole for the operation of the car wash at the Commercial Center.


BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes the Chairman and in his absence, the Vice-Chairman to execute any lease documents necessary to carry out the purposes of this resolution.

The foregoing resolution was on June 7, 1984 duly adopted by a vote of 5 for and 4 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED
JUN 20 1984

FORT APACHE INDIAN
AGENCY
WINTERVILLE, ARIZ.


Chairman of the Tribal Council


Secretary of the Tribal Council

TO: WMAT COUNCIL MEMBERS
FROM: D. SHADLE - COMMERCIAL CENTER

CAR WASH LEASE PROPOSAL:

OUR OPERATION OF THE CAR WASH IN 1983-84

SALES		1944.
SUPPLIES	\$600.	
UTILITIES	\$650.	
MAINTENANCE/REPAIR	\$1205.	
PAYROLL	\$3484.	
FRINGE BENIFITS	<u>\$557.</u>	
TOTAL COST FACTORS		<u>6496.</u>
OPERATING LOSS		(4552.)

MR. DONALD D. COLE OF PINETOP, ARIZONA HAS OFFERED TO LEASE THE CAR WASH FACILITIES FROM THE TRIBE. HE HAS BEEN A CONTRACTOR WITH THE U.S. GOVERNMENT IN FOREIGN ASSIGNMENTS OPERATING THESE FACILITIES.

HE HAS SUBMITTED A CONTRACT AND I HAVE DISCUSSED SEVERAL CHANGES WITH HIM THAT HAVE INCREASED THE BENEFITS TO THE TRIBE. THE TERMS ARE NOW AT A POINT THAT I BELIEVE IT IS A GOOD OFFER, AND THE COUNCIL SHOULD CONSIDER IT AT THIS MEETING.

MR. COLE OWNS AND OPERATES THE PINETOP CAR WASH UNIT, AND HAS IT OPERATING WELL, AND MAINTAINS THE PROPERTY IS GOOD REPAIR.

TERMS OFFERED IN THE CONTRACT: RECAP

- 1) 5 YEAR LEASE WITH A 5 YEAR OPTION (RENEGOTIATED)
- 2) HE WILL MAKE ALL REPAIRS AT HIS EXPENSE TO BRING THE EXISTING EQUIPMENT UP TO OPERATING CONDITION.
 - A) REPAIR ESTIMATE IS \$5,000. 3 BAYS AND 5 VACUUMS ARE NOT WORKING
 - B) MUD H.S CLOGGED THE SEDIMENT POND AND MUST BE EXCAVATED
 - C) EXTENSIVE FENCING WOULD BE ELIMINATED
- 3) RENT OFFERS HAVE BEEN INCREASED TO:
 - A) 1st YEAR \$3,500.
 - B) 2nd YEAR \$3,500. + 3% OF GROSS SALES
 - C) 3rd,4th, and 5th YEAR \$4,000.+ 3% OF GROSS SALES
- 4) HE WILL INSTALL "FOAMING BRUSH" SYSTEM TO BOOST HIS SALES. THIS WILL COST HIM \$6,000. \$3,000 NOW, AND \$3,000 BEFORE THE SUMMER OF 1985.
- 5) HE WILL INSTALL BUILDING SIGNS AND A STREET SIGN (NEAR THE GAS STATION SIGN) AT HIS EXPENSE.
- 6) HE WILL BE RESPONSIBLE FOR UTILITIES, MAINTENANCE, AND THE PROMOTING OF THE CAR WASH FACILITY.

WE SHOULD BENEFIT BY NOT HAVING A LOSS IN OPERATIONS, BUT RATHER A RETURN IN RENT AND PERCENTAGE. WE SHOULD BENEFIT BY HAVING THE CAR WASH IN GOOD REPAIR, AND THE USE OF IT WOULD BRING MORE GAS CUSTOMERS AND SHOPPING CENTER CUSTOMERS TO OUR AREA.

I WOULD ASK YOUR APPROVAL OF THIS CONTRACT PROPOSAL AS PRESENTED.

THANK YOU, DAVID SHADLE - COMMERCIAL CENTER DIRECTOR



Ronnie Lupe
Tribal Chairman

White Mountain Apache Shopping Center

P.O. Box 1149
Whiteriver, Arizona 85941
Phone: 338-4745

DATE: JUNE 1, 1984
TO: WMAT COUNCIL MEMBERS/B.I.A./TRIBAL ATTORNEY
FROM: DAVE SHADLE - COMMERCAIL CENTER, DIRECTOR

SUBJECT: JUNE 6, 1984 COUNCIL MEETING

I HAVE PREPARED RECAP SHEETS AND INFORMATIONAL MEMOS FOR YOUR USE PRIOR TO THE COUNCIL MEETING ON JUNE 6, 1984.

I HAVE ASKED FOR TIME TO ADDRESS THESE SUBJECT WITH THE COUNCIL, AND WANTED YOU TO HAVE TIME TO CONSIDER THESE SUBJECTS PRIOR TO THE MEETING.

TIME IS OF THE ESSENCE IN CERTIAN AREAS, AND IT IS IMPORTANT THAT DECISIONS BE MADE AT THE MEETING, IF AT ALL POSSIBLE.

THANK YOU IN ADVANCE FOR YOUR TIME.....

ATTACHMENTS:

CAR WASH LEASE PROPOSAL
INVESTMENT TO IMPROVE BOWLING ALLEY SALES
VARIETY STORE - FUTURE