



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Ten Year Motor Fuels Supply and Purchase Agreement Between Apache Service Station and Parkland USA Corporation)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreements of every description...”; and

WHEREAS, Apache Enterprise, an economic enterprise of the Tribe, operates several convenience stores on the Fort Apache Indian Reservation (“Reservation”) that sell fuel to Tribal departments and community members from two convenience store locations (“Apache Service Station”); and

WHEREAS, Parkland USA Corporation is a fuel distributor company that purchases fuel from suppliers and sells and delivers it to gas stations; and

WHEREAS, Apache Service Station and Parkland have negotiated a ten (10) years fuel distribution agreement (“Agreement” attached and incorporated herein by reference), that provides that Parkland will be Apache Service Station’s sole fuel provider, and in exchange for purchasing one million one-hundred thousand (1,100,000) gallons during the term of the agreement, Parkland will provide a \$500,000.00 forgivable loan to the Tribe, to be used for improvement of the gas stations, and which will be forgiven if the Tribe complies with its obligations under the agreement; and

WHEREAS, Council has reviewed the agreement and finds that it’s approval will enable Apache Enterprise to continue selling reliable quality fuels to the community at its stations, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that that attached Motor Fuels Supply and Purchase Agreement between the Tribe d/b/a Apache Service Station and Parkland USA Corporation is hereby approved.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

Resolution No. 08-2023-191

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on AUGUST 2, 2023 duly adopted by a vote of SEVEN for, ZERO against, and FOUR abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 8.3.2023
Kasey Velasquez, Chairman Date

Vaneysa Johnson 8/3/2023
Vaneysa Johnson, Tribal Secretary Date