

RESOLUTION NO. 37-22
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Authorizing the Nation to Purchase a Row Planter from 3T Ranches LLC for use at the Nation's Cloverleaf Farm and Ranch

- WHEREAS:** The Yavapai-Apache Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation ("Nation") and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided by Article V(a) of the Constitution; and
- WHEREAS:** The Council is authorized to "appropriate and regulate the use of tribal funds" as provided by Article V (k) of the Constitution; and
- WHEREAS:** The Nation's Agricultural Resources Department ("Department") is in the process of rehabilitating and modernizing the irrigation systems and farm fields serving the Nation's Cloverleaf Farm and Ranch ("Cloverleaf"); and
- WHEREAS:** Cloverleaf is an essential part of the Nation's Governmental operations and plays an important role in developing and maintaining the Nation's food sovereignty; and
- WHEREAS:** The Department has identified the need to acquire a Row Planter (the "Planter") for use in cultivating row crops on the Cloverleaf farm fields and other related work; and
- WHEREAS:** The Department has solicited quotes and recommends the Nation purchase the Planter from 3T Ranches LLC in accordance with the terms and conditions of Invoice Number 000804 and related documents (the "Invoice"), a copy of which is attached to this Resolution and incorporated herein as Exhibit A, and under which 3T Ranches LLC agrees to sell and deliver to the Nation the Planter described as a "Early Riser 1210 Row Planter Serial # YBS028619"; and
- WHEREAS:** On March 19, 2020, the Council adopted Council Resolution 60-20 declaring a State of Emergency due to the COVID-19 public health emergency; and
- WHEREAS:** On March 11, 2021, the American Rescue Plan Act ("ARPA") was signed into law, establishing the Coronavirus State and Local Fiscal Recovery Funds ("ARPA Recovery Funds") and setting aside \$20 billion in aid for Tribal governments to respond to the impact of the COVID-19 public health emergency; and
- WHEREAS:** On May 17, 2021, the U.S. Department of Treasury published an Interim Final Rule under ARPA, along with a set of Frequently Asked Questions (FAQs), updated as of January 2022, providing further descriptions and examples of how ARPA Recovery Funds may be used by recipients in compliance with the Final Interim Rule (which is in effect until April 1, 2022 when the Final Rule published on January 27, 2022 will take effect); and
- WHEREAS:** The Interim Final Rule provides that ARPA Recovery Funds may be used by recipients for the provision of government services to the extent of the reduction in revenue due to

the COVID-19 public health emergency, or as the Final Rule provides, to a standard revenue loss allowance of up to \$10 million; and

WHEREAS: The Council finds that purchasing the Planter for use at the Nation's Cloverleaf Farm and Ranch, as part of the Nation's Project to rehabilitate the Nation's Cloverleaf irrigation systems and farm fields, and in furtherance of the Nation's policy of food sovereignty, constitutes the provision of a government service; and

WHEREAS: Funding to purchase the Planter is available to be paid from the ARPA Recovery Funds received by the Nation; and

WHEREAS: The Council has determined that it is in the best interest of the Nation to purchase the Planter from 3T Ranches LLC in accordance with the terms and conditions of the Invoice, attached hereto as Exhibit A.

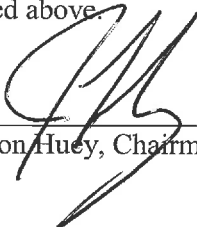
NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby authorizes the Nation to purchase a Row Planter from 3T Ranches LLC, in accordance with Invoice Number 000804 and related documents, a copy of which is attached to this Resolution as Exhibit A, under which 3T Ranches LLC agrees to sell and deliver to the Nation a Row Planter described as a "Early Riser 1210 Row Planter Serial # YBS028619" for a total purchase and delivery price to be paid by the Nation of Fourteen Thousand and 00/100 Dollars (\$14,000.00).

BE IT FURTHER RESOLVED that the Nation's funds shall be used to pay the purchase price and said funds shall be appropriated from the ARPA Recovery Funds received by the Nation.

BE IT FINALLY RESOLVED that the Chairman, and Vice-Chairwoman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on March 24 2022, by a vote of 9 9 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.



Jon Huey, Chairman

ATTEST:



Karla Reimer, Council Secretary

Approved as to Form:



Office of the Attorney General

EXHIBIT A

3T Ranches LLC Invoice Number 000804
and Related Documents
Row Planter

Received 3/4/22
JGT



3T Ranches LLC

PO Box 1151

Prescott, AZ 86302

Bill To: Yavapai Apache Nation

Invoice Number: 000804

Invoice Date: 03/04/2022

Terms Bill To Phone Bill To E-mail
Net 30

Quantity	Description	Unit Price	Amount
1.0000	Early Riser 1210 Row Planter Serial # YBS028619	14,000.0	14,000.00

Total \$14,000.00

Yolanda Trujillo

From: Vern Johnson, CCA <vern@arizonaagsolutions.com>
Sent: Wednesday, March 2, 2022 1:34 PM
To: Yolanda Trujillo
Cc: Bill Moore
Subject: W-9
Attachments: W9.pdf

Yolanda,

Preemptively I have attached a W-9 for 3T Ranches for the planter I sent pictures previously.

The planter will be field ready for \$14k. With sets of books some extra parts.

I can haul the planter up to you guys free of charge if the deal gets done.

They'd be ready to sell this in the next two weeks.

Regards and Bear Down,

Vern Johnson, CCA

Certified Crop Advisor and PCA

AZ PCA #5047

NMDA PMC #66329

CCA-WR #393269

PUP #61952

Arizona Ag Solutions

PO Box 2439

Benson, Az 85602

520-507-2493 cell/office

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
3T Ranches LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) **P**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
PO Box 1151

6 City, state, and ZIP code
PRESOON, AZ 86302

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

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or

Employer identification number

4	7	-	4	5	3	3	7	2
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person **David Casper**

Date **3/2/2022**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

12 Row Planter-38" Row Width







