

RESOLUTION NO. 112 -22
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

**A Resolution Authorizing the Nation to Purchase a Hay Retriever Truck from
Hauser Built Farm & Machine 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 farming operations at the Nation’s Cloverleaf Farm and Ranch (“Cloverleaf”); and
- WHEREAS:** Cloverleaf is an essential part of the Nation’s Governmental operations and plays a vital role in developing and maintaining the Nation’s food sovereignty; and
- WHEREAS:** The Department has identified the need to acquire a Hay Retriever Truck (“Hay Truck”) for use in the Cloverleaf farming operations; and
- WHEREAS:** The Department recommends the Nation purchase the Hay Truck from Hauser Built Farm & Machine LLC (“Hauser Built”), in accordance with the terms and conditions of Invoice #051622 (the “Invoice”), a copy of which is attached to this Resolution and incorporated herein as **Exhibit A**, and under which Hauser Built agrees to sell and deliver to the Nation the Hay Truck described in the Invoice; and
- WHEREAS:** The Invoice amount for purchase of the Hay Truck is \$95,000, subject to a trade-in allowance of \$30,000, leaving a balance of \$65,000 to be paid by the Nation; 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 January 27, 2022, the U.S. Department of Treasury published a Final Rule under ARPA providing further descriptions and examples of how recipients may use ARPA Recovery Funds; and
- WHEREAS:** The 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 to a standard revenue loss allowance of up to \$10 million; and

WHEREAS: The Council finds that purchasing the Hay Truck for use at the Nation's Cloverleaf Farm and Ranch, as part of the Nation's efforts to rehabilitate and modernize the farming operations at the Nation's Cloverleaf Farm and Ranch, in furtherance of the Nation's policy of food sovereignty, constitutes the provision of a government service; and

WHEREAS: Funding to purchase the Hay Truck 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 Hay Truck from Hauser Built Farm & Machine LLC, in accordance with the terms and conditions of the Invoice, attached hereto as **Exhibit A**.

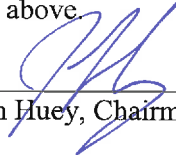
NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby authorizes the Nation to purchase a Hay Truck from Hauser Built Farm & Machine LLC, in accordance with Invoice #051622, a copy of which is attached to this Resolution as **Exhibit A**, and under which Hauser Built agrees to sell and deliver to the Nation the Hay Truck described in the Invoice, for a **total purchase and delivery price to be paid by the Nation of Ninety-Five Thousand and 00/100 Dollars (\$95,000.00), subject to a trade-in allowance of \$30,000, leaving a balance of Sixty-Five Thousand and 00/100 Dollars (\$65,000.00)** to be paid by the Nation, said Hay Truck to be used in the Nation's farming operations at the Cloverleaf Farm and Ranch.

BE IT FURTHER RESOLVED that the Nation's funds shall be used to pay the balance of the purchase price, after factoring in the trade-in allowance, 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 June 23 2022, by a vote of 8 8 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

Yavapai-Apache Nation
Agriculture Department – Equipment Purchase

Invoice # 051622
Hauser Built Farm & Machine, LLC
Hauser Built Hay Retriever Truck

June 23, 2022

HAUSER BUILT FARM & MACHINE LLC.

P.O. Box 2291 (Mailing/USPS)
652 N. Montezuma Castle Hwy. (Physical/UPS-FED EX)
CAMP VERDE, AZ 86322
Phone - 928-567-6230 ~ Fax - 928-554-0130
Email - hauserfarms@aol.com or hauserbuilt@aol.com

INVOICE # 051622

Date May 16, 2022

Bed Make & Model NEW Hauser Built Series 3 Retrieval Bed

Bed S/N 961532022273

Truck Make & Model 2012 Kenworth T370

Truck VIN 2NKHHN7X1CM315441

Purchaser's Name & Address YAVAPAI - APACHE NATION
AG RESOURCES Dept
2400 W DATSI ST CAMPVERDE
AZ 86322

Purchase Price \$ 95,000⁰⁰/

Additional Labor/Parts/Service _____

Down Payment \$ 30,000 (Trade in used Peterbilt truck)

Amount Due \$ 65,000⁰⁰/

Check # _____

Retriever Warranty - One year against defect and workmanship;
including hydraulic components replacement. Truck includes factory
warranty- otherwise sold "as is".

Additional Comments _____

Thank you for your business,
Claudia Hauser/Hauser Built X

X _____