

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

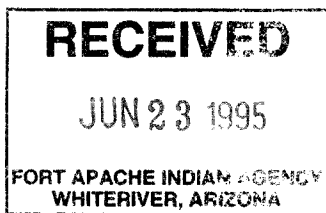
- WHEREAS,** Mr. Danny Sedillo, Director of the Tribal Employment Rights Office, has come before the Tribal Council this date with the request that the Tribal Council prohibit Ceballos Electric, Tramp Electric, and Mike Ceballos, the owner of the foregoing companies, from conducting any business within the exterior boundaries of the Fort Apache Indian Reservation; and
- WHEREAS,** Mr. Sedillo reports that the foregoing Companies and owner failed to deduct any payroll taxes from the individual paychecks of tribal members and from other employees married to tribal members, although said deductions were shown on their certified payrolls and checkstubs; and
- WHEREAS,** it is also alleged that Mr. Ceballos has failed to properly remedy the situation and instead persuaded the tribal members who were hourly employees to sign independent contract agreements which would, in effect, relieve Mr. Ceballos of any payroll responsibilities, but in truth and fact, said employees are not independent contractors because they were paid by the hour and were told exactly what to do and when to report to work and when to leave; and
- WHEREAS,** the tribal member employees of the foregoing companies have been forced to pay back taxes and also have suffered irreparable damage to their reputation because of numerous checks which have been returned for non-sufficient funds, said checks being issued by Tramp Electric; and
- WHEREAS,** the total of NFS checks are alleged to be in excess of \$28,000; and
- WHEREAS,** the Tribal Council concurs in the recommendation from the Tribal Employment Rights Office Director that Ceballos Electric, Tramp Electric, and any other entity owned and or operated by Mike Ceballos, be prohibited from engaging in any future operations within the exterior boundaries of the Fort Apache Indian Reservation of the White Mountain Apache Tribe until said companies or Mr. Ceballos can show good cause for the prohibition to be lifted.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby prohibits Ceballos Electric, Tramp Electric, and any other entity owned and/or operated by Mike Ceballos or any of the foregoing companies from engaging in future operations within the exterior boundaries of the Fort Apache Indian Reservation of the White Mountain Apache Tribe until said companies or Mr. Ceballos can demonstrate good cause to the Tribal Council for the prohibition to be lifted.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs the TERO Department to follow up with the appropriate federal labor officials in respect to the failure of the foregoing companies and Mrs. Ceballos to properly deduct payroll taxes.

BE IT FURTHER RESOLVED by the Tribal Council that the acts and deeds of the members of the Tribal Council necessary to carry out the intent and purpose of this resolution be, and the same are hereby ratified, confirmed and adopted as the acts and deeds of the Tribe.

The foregoing resolution was on June 08, 1995, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (h), (i), (q), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council

Secretary of the Tribal Council