



# WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance  
Over the Fort Apache Indian Reservation*

---

## **Resolution No. 08-2012-128**

### **(Approval to Remove State Taxes at the Cellular One Store in Whiteriver)**

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe ("Tribe") is entrusted by the Tribe's Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

**WHEREAS,** Cellular One has engaged in the practice of charging tribal members state taxes since it opened in Whiteriver; however, tribal members residing on the Fort Apache Indian Reservation are not required to pay state taxes; and

**WHEREAS,** Cellular One has charged tribal members thousands of dollars in excess taxes they are not required to pay; and

**WHEREAS,** Cellular One contends that tribal members require a tax exemption form before they can be exempt from paying state taxes; however, the staff at Cellular One does not provide tax exemption forms, has posted no signs stating of any forms for tax exemption, and customers are not properly informed about where to obtain tax exemption forms; and

**WHEREAS,** the Tribal Council has reviewed this matter thoroughly and has determined it to be in the best interest of the White Mountain Apache Tribe that the Cellular One store in Whiteriver, Arizona no longer charge tribal members state taxes.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby instructs Cellular One to immediately cease any unwarranted collection of excess taxes from Tribal members and they are to report to the Tribal Council to discuss how they will reimburse Tribal members for the taxes they paid on behalf of the City of Show Low, while making transactions in Whiteriver, AZ.

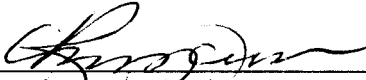
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Tribal Attorney is instructed to deliver this resolution to Cellular One.

**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.

**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 Federal Laws, this Resolution shall be declared null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

The foregoing resolution was on AUGUST 8, 2012 duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (k), (s), (t) and (u) of the Tribal Constitution, 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).

  
\_\_\_\_\_  
Ronnie Lupe, Chairman

12/3/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mariddie J. Craig, Secretary

11-28-2012  
\_\_\_\_\_  
Date