

**RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL**

24TH NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

**RELATING TO THE RESOURCES & DEVELOPMENT AND BUDGET & FINANCE
COMMITTEES; AMENDING CAP-35-18 BY REALLOCATING FUNDS FOR PINON
CHAPTER PROJECTS NOS. D-161, D-162, AND D-163 FROM FUNDING YEAR
1 TO FUNDING YEAR 3, AND CHANGING PROJECT NO. D-162 FROM
"PERIMETER FENCING - CONSTRUCTION" TO "DESIGN, EQUIPMENT, AND
CONSTRUCTION"**

TO BE ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council is empowered to exercise oversight authority over Chapter activities. 2 N.N.C. § 500(C).
- B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds, and to coordinate and review all fiscal, financial and investment activities of the Navajo Nation. 2 N.N.C. § 301(B)(2) and § 301(B)(5).
- C. The Navajo Nation Council approved Resolution No. CAP-35-18, titled: "Adopting the Sihasin Fund Powerline and Chapter Projects Expenditure Plan Pursuant to CD-68-14, as Amended by CJA-03-18, and 12 N.N.C. §§ 2501-2508, as Amended; Waiving 12 N.N.C. §§ 810(F), 820(I) And (M) And 860(C) Relating to the Capital Improvement Budget and the Capital Improvement Process." CAP-35-18 is incorporated herein by reference.
- D. Section 4(C) of CAP-35-18 specifically provides: "A chapter project, powerline, or waterline project may be changed, including the year funded, or added to Exhibits A through E with the concurrence of the Delegate representing the chapter's Council District and the approvals of the Resources and Development Committee and Budget and Finance Committee, as long as such project has been certified as construction-

ready by CPMD or NTUA and the total Síhasin Funding for the District does not exceed \$4,166,666.67."

SECTION TWO. FINDINGS

- A. The Amount of \$150,000 for the Pinon Chapter's "Communications Systems Upgrade" Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Pinon Chapter Project No. D-161 is attached hereto as **EXHIBIT 1**.
- B. The amount of \$21,660 for the Pinon Chapter's "Perimeter Fencing-Construction" Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Pinon Chapter Project No. D-162 is included under the attached **EXHIBIT 1**.
- C. The amount of \$10,000 for the Pinon Chapter's "Clearances for Withdrawal of Land" Project was approved in Exhibit D to CAP-35-18. The CAP-35-18 Exhibit D showing the Pinon Chapter Project No. D-163 is included under **EXHIBIT 1**.
- D. On behalf of the Pinon Chapter, the Division of Community Development - Capital Projects Management Department ("CPMD") has submitted three Síhasin Project Amendment Certification Forms describing the Pinon Chapter's requested changes to the three Projects Nos. D-161, D-162, and D-163. **EXHIBIT 2**.
- E. The Pinon Chapter wishes to move all funding approved in CAP-35-18 for these three Projects from Funding Year 1 to Funding Year 3. The Chapter also wishes to change the scope of work for the D-162 Project from "Perimeter Fencing-Construction" to "Plan, Design, Equipment, and Construction." **EXHIBIT 2**.
- F. The three Síhasin Project Amendment Certification Forms attached hereto all show the signature of the Navajo Nation Council Delegate for the Pinon Chapter, in accordance with CAP-35-18 Section 4(C).
- G. As required by CAP-35-18 Section 4(C), the new projects have been certified by CPMD as construction-ready and the total Síhasin funding for the Council District will not exceed \$4,166,666.67. In fact, the original Síhasin funding amount of \$150,000 and \$21,660 and \$10,000 for the Pinon Chapter's three projects, all of which were approved in CAP-35-18, will remain unchanged.

- H. The Pinon Chapter, in Resolution No., PIN-22-43, requests the changes to it Projects, as explained herein. **EXHIBIT 3.**

SECTION THREE. APPROVAL OF AMENDMENT TO CAP-35-18 EXHIBIT D

- A. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-161, by moving the \$150,000 in approved funds from Funding Year 1 to Funding Year 3.
- B. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-162, by moving the \$21,660 in approved funds from Funding Year 1 to Funding Year 3.
- C. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-163, by moving the \$10,000 in approved funds from Funding Year 1 to Funding Year 3.
- D. The Navajo Nation hereby approves a change to Resolution No. CAP-35-18, Exhibit D, Project No. D-162, by approving a change to the scope of work for the D-162 Project from "Perimeter Fending-Construction" to "Plan, Design, Equipment, and Construction" as shown in **EXHIBIT 2.**
- E. The Sihasin Fund may be reimbursed the funds reallocated herein, from funds available to the Navajo Nation from any and all state, federal, or other sources.

SECTION FOUR. EFFECTIVE DATE

This Action shall be effective according to 12 N.N.C. § 2505(A) and CAP-35-18, Section 4(C).

SECTION FIVE. SAVING CLAUSE

If any provision of this Action is determined invalid by the Supreme Court of the Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the provision(s) not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held by teleconference at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 21st day of December 2022.

A handwritten signature in black ink, appearing to read 'Jamie Henio', with a long horizontal line extending to the right.

Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Jimmy Yellowhair

Second: Honorable Nathaniel Brown

EXHIBIT:
D

SIHASIN FUND POWERLINE AND CHAPTER CAPITAL PROJECTS
EXPENDITURE PLAN

NO.	CHAPTER	PROJECT DESCRIPTION	PROJECT TYPE (Pre-Design, Design, Design/Construction)	PROJECT DURATION	YEAR 1 FUNDING	YEAR 3 FUNDING	YEAR 3 FUNDING	MATCHING FUNDS (LEVERAGE)	SIHASIN FUNDS REQUESTED
160	Hardrock	Wellness Equipment	Major Equipment	24 months	\$44,940.00	\$0.00	\$0.00	\$0.00	\$44,940.00
161	Pifion	Chapter Communication Systems Upgrade	Major Equipment	10 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
162	Pifion	Chapter House Perimeter Fencing	Construction	6 months	\$21,660.00	\$0.00	\$0.00	\$0.00	\$21,660.00
163	Pifion	Clearances for Withdrawal of Land for Community	Pre-Design	12-18 months	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
164	Pifion	Chapter Vehicle w/ Metal 1000 gal. Water Tank	Major Equipment	2-4 months	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00
165	Pifion	Chapter Vehicle	Major Equipment	2-4 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
166	Pifion	Rural Addressing	Construction	12 months	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
167	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00
168	Pifion	Housewiring/Bathroom Additions	Construction	12 months	\$23,648.14	\$0.00	\$0.00	\$0.00	\$23,648.14
169	Pifion	N8030 Road Project	Design/Construction	24 months	\$0.00	\$0.00	\$68,334.00	\$0.00	\$68,334.00
170	Pifion	Dziljilin Public Safety Utility	Planning	18 months	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00
171	Pifion	Dziljilin College Land Withdrawal	Planning	24 months	\$0.00	\$0.00	\$83,000.00	\$0.00	\$83,000.00
172	Forest Lake	Senior Center (Renov./Addition)	Design/Construction	24 months	\$500,000.00	\$0.00	\$0.00	\$50,000.00	\$500,000.00
173	Whippoorwill Springs	Renovation-Sr. Center, Warehouse, Admin. Building	Design/Construction	24 months	\$450,000.00	\$0.00	\$0.00	\$0.00	\$450,000.00
174	Iyanbito	Garden & Community Project	Pre-Design	4-6 months	\$0.00	\$10,000.00	\$97,700.00	\$0.00	\$107,700.00
175	Iyanbito	Head Start Project	Pre-Design	8-10 months	\$0.00	\$576,744.44	\$0.00	\$238,528.00	\$576,744.44

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: 06/17/2022

PROJECT NAME: Pinon Chapt Communication Systems Upgrade

REFERENCE NUMBER: CPMD #45

PROJECT TYPE: Major Equipment

ORIGINAL DATE APPROVED: November 2018

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-161	Communications Sys Upgrade-Major Equipment	\$150,000			DELETE
	Communications Sys Upgrade-Change Project				\$150,000 ADD
	Type:Plan/design, Consttuction and Equipment				
	Move to Year 3				
TOTAL: ☐ INCREASED / ☐ DECREASED FUNDING:					

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Jimmy Yellowhair

06/17/2022

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

CMPD Project Manager

PRINTED NAME

SIGNATURE

Marlene Hoskie

06/17/2022

CPMD Department Manager

James Adakai

06/17/2022

Dev. CPI

EXHIBIT 2

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: 06/17/2022

PROJECT NAME: Pinon Chapter House Perimeter Fencing

REFERENCE NUMBER: CPMD#43

PROJECT TYPE: Construction

ORIGINAL DATE APPROVED: November 2018

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3	
D-162	Pinon Chapter Perimeter Fencing-Construction	\$21,660			DELETE
D-162	Pinon Chapt Perimeter Fencing-change project		\$21,660		ADD
	Plan, Design, Equipment and Construction				
	Move project Year 1 to Year 3				
TOTAL: ☒ INCREASED / ☐ DECREASED FUNDING:					\$21,660

Acknowledgement of Project Amendment:

PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Jimmy Yellowhair

06/17/2022

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

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2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

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PRINTED NAME

SIGNATURE

DATE

CMPD Project Manager

Marlene Hoskie

Marlene Hoskie

06/17/2022

CPMD Department Manager

James Adakai

James Adakai

06/17/2022

CAPITAL PROJECTS MANAGEMENT DEPARTMENT
SIHASIN PROJECT AMENDMENT CERTIFICATION
CAP-35-18

I. PROJECT DETAILS

DATE SUBMITTED: 06/17/2022

PROJECT NAME: Pinon Chapter Clearance Withdrawal of Land

REFERENCE NUMBER: CPMD #44

PROJECT TYPE: Pre-sign

ORIGINAL DATE APPROVED: November 2018

II. NATURE OF CHANGE AND COST DETAILS

EXHIBIT & PROJECT NO.	PROJECT DESCRIPTION	FUNDING			TOTAL FUNDING	FUNDING AMOUNT ADDED OR DELETED
		YEAR 1	YEAR 2	YEAR 3		
D-163	Pinon-Clearance withdrawal of land	\$10,000				DELETE
	Change Project Type: Plan, design, construct, and equip. Moved from Year 1 to Year 3		\$10,000			ADD
TOTAL: ☐ INCREASED / ☐ DECREASED FUNDING:					\$10,000	

Acknowledgement of Project Amendment:

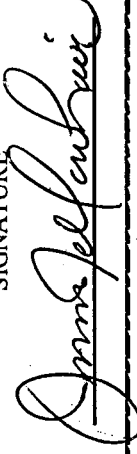
PRINTED NAME

SIGNATURE

DATE

Navajo Nation Council Delegate

Jimmy Yellowhair



06/17/2022

III. REASON FOR AMENDMENT

CPMD has reviewed the CAP-35-18 Project Change Form and concurs that:

1. The total amount of funding for the added projects equals the total amount of funding for the deleted projects;
2. Each added project has a completed Project Check-Off List signed off by CPMD and attached to this Form; and
3. After the projects have been added and deleted, the total CAP-35-18 funding for the Council District does not exceed \$4,166,666.67.
4. Add language to legislation "EXHIBIT D" Funding Use/Year.

IV. AFTER REVIEW, CPMD CONSIDERS AND CERTIFIES THE PROJECT TO BE DEEMED CONSTRUCTION-READY.

CMPD Project Manager

PRINTED NAME

SIGNATURE

Marlene Hoskie

06/17/2022

CPMD Department Manager

James Adakai

06/17/2022



PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928) 725-3712

PIN-22- 43

RESOLUTION of PINON CHAPTER

RESOLUTION REQUESTING TO THE 24TH NAVAJO NATION COUNCIL, NAABIK'YATI, BUDGET AND FINANCE COMMITTEE, TO MOVE ALL YEAR ONE AND YEAR TWO SIHASIN CAPITAL PROJECTS: BUSINESS ACCOUNT: C01694 161-Communication System Upgrade-\$150,000.00, 162-Chapter Perimeter Fencing-\$21,660.00, 163-Clearance For Withdrawn Land-\$10,000.00, 164-Chapter Vehicle w/1000 Gallon Water Tank-\$62,500.00, 165-Chapter Vehicle \$50,000.00, 166-Rural Addressing-\$50,000.00, 167-House Wiring/Bathroom Addition-\$1.57, 168-House Wiring/Bathroom Additions-\$23,648.14, 169-N8030 Road Project-\$68,334.00, 170-Dzilyijiin Public Safety Utilities-\$400,000.00, 171-Dzilyijiin College Land Withdrawal-\$83,000.00, 172-Scattered Powerline Project-\$180,000.00 AND ANY REMAINING BALANCE TO BE ADDED TO THE CHAPTER VEHICLE FUND FROM YEAR ONE (1) TO YEAR THREE (3) WHICH IS EXPIRING ON NOVEMBER 30, 2022

WHEREAS:

1. Pursuant to 26 N.N.C. Navajo Nation Local Governance Act of the Navajo Nation Council delegates to Chapters government authority with respect to local matters consistent with Navajo Law, including customs and traditions, to make decisions over local matters and to govern with responsibilities and accountability to the local citizens; AND
2. The Pinon Chapter is hereby need to request to move the CAP-35-18 SIHASIN CAPITAL PROJECTS – YEAR 1 to Year III, as Pinon Chapter definitely need Sihasin funds for Capital Projects listed; AND
3. The Pinon Chapter is in the Planning and design stage of the 161-Communication System Upgrade-\$150,000.00, 162-Chapter Perimeter Fencing-\$21,660.00, 163-Clearance For Withdrawn Land-\$10,000.00, 164-Chapter Vehicle w/1000 Gallon Water Tank-\$62,500.00, 165-Chapter Vehicle \$50,000.00, 166-Rural Addressing-\$50,000.00, 167-House Wiring/Bathroom Addition-\$1.57, 168-House Wiring/Bathroom Additions-\$23,648.14, 169-N8030 Road Project-\$68,334.00, 170-Dzilyijiin Public Safety Utilities-\$400,000.00, 171-Dzilyijiin College Land Withdrawal-\$83,000.00, 172-Scattered Powerline Project-\$180,000.00

NOW, THEREFORE BE IT RESOLVED THAT:

The Pinon Chapter hereby, request The 24th Navajo Nation Council, Naabik'yati, Budget And Finance Committee, To Move All Year One And Year Two Sihasin Capital Projects: Business Account: C01694 161-Communication System Upgrade-\$150,000.00, 162-Chapter Perimeter Fencing-\$21,660.00, 163-Clearance For Withdrawn Land-\$10,000.00, 164-Chapter Vehicle w/1000 Gallon Water Tank-\$62,500.00, 165-Chapter Vehicle \$50,000.00, 166-Rural Addressing-

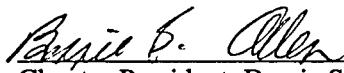
\$50,000.00, 167-House Wiring/Bathroom Addition-\$1.57, 168-House Wiring/Bathroom Additions-\$23,648.14, 169-N8030 Road Project-\$68,334.00, 170-Dzilyijiin Public Safety Utilities-\$400,000.00, 171-Dzilyijiin College Land Withdrawal-\$83,000.00, 172-Scattered Powerline Project-\$180,000.00 AND ANY REMAINING BALANCE TO BE ADDED TO THE CHAPTER VEHICLE FUND FROM YEAR ONE (1) TO YEAR THREE (3) WHICH IS EXPIRING ON NOVEMBER 30, 2022

FURTHER, BE IT RESOLVED THAT:

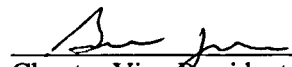
The Pinon Chapter do request that #164 Chapter Vehicle w/1000 gallon water tank balance of \$62,500.00 that amount be included into Year III, and #167 House Wiring Bathroom Addition balance of \$1.57 be included in moving it to Year III.

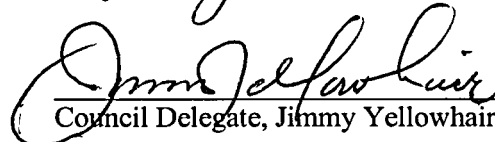
CERTIFICATION

WE, the undersigned, do hereby, certified that the foregoing resolution was duly considered at the virtually call Chapter Meeting at Pinon Chapter House, The Navajo Nation, Pinon Arizona, at which a quorum was present and same was passed by a vote of 04 in favor, 00 Opposed, 00 abstained on this 25th day of May, 2022.


Chapter President, Bessie S. Allen

Chapter Secretary/Treasurer, Ramona Nalwood


Chapter Vice President, Bill Yazzie


Council Delegate, Jimmy Yellowhair

BUDGET AND FINANCE COMMITTEE

21 December 2022

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0249-22: An Action Relating to the Resources and Development and Budget and Finance Committees; amending CAP-35-18 by Reallocating Funds from Pinon Chapter Projects NOS. D-161, D-162, and D-163-22 from funding Year 1 to Funding Year 3, and Changing Project No. D-162 from "Perimeter Fencing-Construction" to "Design, Equipment, and Construction" *Sponsored by Jimmy Yellowhair, Council Delegate*

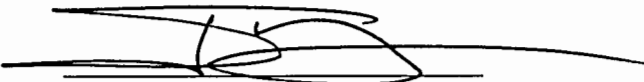
Motion: Jimmy Yellowhair

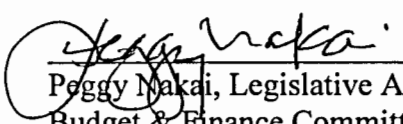
Second: Nathaniel Brown

Vote: 5-0, Chairman not voting

Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty	yea	
Jimmy Yellowhair	yea	



Jamie Henio, Chairman
Budget & Finance Committee

Peggy Nakai, Legislative Advisor
Budget & Finance Committee