

SUMMARY OF PROPOSED LEGISLATION

Tracking No. 0021-23

Date: February 14, 2023

Subject: **AN ACTION RELATING TO THE RESOURCES & DEVELOPMENT AND THE NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; CONFIRMING THE PRESIDENT'S APPOINTMENT OF GARRET SILVERSMITH AS THE EXECUTIVE DIRECTOR OF THE NAVAJO DIVISION OF TRANSPORTATION**

Purpose of this Legislation:

to confirm the President's appointment of Garret Silversmith as the Executive Director of the Navajo Division of Transportation.

OLC No. 23-057-1

5-DAY BILL HOLD PERIOD: A Johnson
Website Posting Time/Date: 3:48pm; 02-16-23
Posting End Date: 02-21-23
Eligible for Action: 02-22-23

Resources & Development Committee

Thence

Naabik'iyáti' Committee

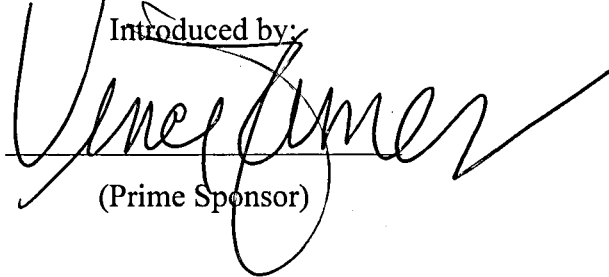
Thence

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL - First Year, 2023

Introduced by:



(Prime Sponsor)

Tracking No. 0021-23

AN ACTION

RELATING TO THE RESOURCES & DEVELOPMENT AND THE
NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION
COUNCIL; CONFIRMING THE PRESIDENT'S APPOINTMENT
OF GARRET SILVERSMITH AS THE EXECUTIVE DIRECTOR
OF THE NAVAJO DIVISION OF TRANSPORTATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources & Development Committee is a standing committee of the Navajo Nation Council with oversight authority over the Navajo Division of Transportation. 2 N.N.C. §500, 2 N.N.C. §501(C)(1).

B. Proposed resolutions requiring final action by the Navajo Nation Council shall be assigned for review by the Naabik'iyáti' Committee. 2 N.N.C. §501(C)(1).

C. The Navajo Nation Council has the authority to confirm division director appointments upon recommendation from the appropriate oversight committee. 2 N.N.C. §102(F).

D. According to the revised Plan of Operation for the Navajo Division of Transportation, approved in Resolution No. CAP-13-13, the Executive Director of the Navajo Division of Transportation is appointed by the Navajo Nation President and the Navajo Nation Council confirms such appointment. See NDOT Plan of Operation (revised), Section III(A)(2).

1 **SECTION TWO. FINDINGS**

2 A. The Navajo Nation President has appointed Garret Silversmith as the Executive Director of
3 the Navajo Division of Transportation. **EXHIBIT A.**

4 B. As provided in the NDOT Plan of Operation, the appointed Division Director of NDOT is
5 confirmed by the Navajo Nation Council, and serves at the pleasure of the Navajo Nation
6 President. NDOT Plan of Operation (revised), Section III(A)(2) approved in CAP-13-13.

7 C. Garret Silversmith is well-qualified to serve as the Executive Director of NDOT. His letter
8 of interest and résumé are attached hereto as **EXHIBIT B.**

9 D. The Navajo Nation Council has reviewed the professional credentials of Garret Silversmith,
10 and finds that confirming the President's appointment of Garret Silversmith as the Executive
11 Director of the Navajo Division of Transportation is in the best interest of the Navajo Nation.

12
13 **SECTION THREE. CONFIRMING THE PRESIDENT'S APPOINTMENT OF**
14 **GARRET SILVERSMITH AS EXECUTIVE DIRECTOR OF THE**
15 **NAVAJO DIVISION OF TRANSPORTATION**

16 A. The Navajo Nation Council hereby confirms the appointment of Garret Silversmith as the
17 Executive Director of the Division of Transportation. This confirmation shall remain
18 effective for as long as Garret Silversmith occupies the position of Executive Director.

19 B. The Navajo Nation Council acknowledges that Garret Silversmith serves at the pleasure of
20 the Navajo Nation President. NDOT Plan of Operation (revised), Section III(A)(2) approved
21 in CAP-13-13.

22
23 **SECTION FOUR. EFFECTIVE DATE**

24 This Action shall become effective pursuant to 2 N.N.C. §102(F) and 2 N.N.C. §221(C).
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DR. BUU NYGREN **EXHIBIT A**
RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

January 10, 2023

Garret Silversmith
P.O. Box
Keams Canyon, AZ 86034

RE: Appointment as Division Director of Navajo Department of Transportation

Dear Mr. Silversmith,

We are pleased to offer you an appointment to serve as the Division Director for the Navajo Department of Transportation. This appointment takes affect at 12:00 p.m. on January 10, 2023. We are so pleased you verbally accepted this position and have started your new role. Your salary is \$99,973.00.

Thank you for agreeing to serve the Nygren-Montoya Administration, the youngest Navajo Nation President elected, and the first woman to be Vice President. Together we will work hard for the Navajo people at the hogan level.

Ahéhee'

A handwritten signature in black ink, appearing to read "B. V. Nygren", written over a horizontal line.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Richelle Montoya", written over a horizontal line.

Richelle Montoya, *Vice President*
THE NAVAJO NATION



NAVAJO DIVISION OF TRANSPORTATION

POST OFFICE BOX 4620, WINDOW ROCK, AZ 86515

TEL: 505.371.8300/8301 FAX: 505.371.8399

**Dr. Buu Van Nygren
PRESIDENT**

**Richelle Montoya
VICE PRESIDENT**

25th Navajo Nation Council
Window Rock, AZ

February 10, 2023

Dear Honorable Navajo Nation Council Members,

It is with a distinct honor and appreciativeness, for I to seek the 25th Navajo Nation Council's favorable confirmation as the continuing Executive Division Director for the Navajo Division of Transportation (Navajo DOT). I look forward to leading and guiding a collection of exceptional, experienced, and knowledgeable Navajo DOT staff. Considerable progress was made during the previous Administration, and it is our intent to continue with this momentum into the Nygren-Montoya Administration.

Recently, President Dr. Buu Nygren, Vice President Richelle Montoya, and staff of the Office of President and Vice President and I have strategically discussed innovative ways and improvement options to the Navajo Nation's transportation system infrastructure. Additionally, Navajo DOT will continue to share these methods with the local communities and with the assistance of our Federal, State, and County partners; we will steadily improve our Navajo Nation's transportation assets.

I look forward towards establishing and creating a close working relationship with the 25th Navajo Nation Council and our connecting rapport and bond.

Respectfully,

Garret Silversmith, Executive Division Director

Garret Silversmith

Objective To actively continue my thorough involvement within the transportation field.

**Professional
Experience** 2019 to 2023
 Executive Director

Navajo Division of Transportation
Window Rock, Arizona
Supervisors: President Jonathan Nez
Vice President Myron Lizer

- Implement a yearly budget of more than \$70 million to address the Navajo Nation's transportation system maintenance and new construction needs.
- Efficiently collaborated and worked with Navajo Nation Executive Branch leadership, 24th Navajo Nation Council, Chapter House Officials, and community members in pursuit of addressing highways, bridges, and dirt road deficiencies.
- Fully participated in the planning and development of engineering designs, cost estimates, bidding, and procurement for all funded projects.
- With a staff size of over 100 employees, coordinated the weekly progression of Division goals, tasks, and responsibilities.
- On a yearly basis, coordinated and participated with the submittal of federal/tribal budgets, transportation system inventory updates, reports, and Tribal Transportation Improvement Program.

2016 to 2019
Executive Director

Navajo Division of Transportation
Window Rock, Arizona
Supervisors: President Russell Begaye
Vice President Jonathan Nez

- Oversee staff of approximately 130 and a yearly budget of more than \$60 million.
- Developed Navajo Nation's transportation priorities, goals, and plans with assistance from elected leaders and community members.
- Oversee the reorganization, expansion, and decentralization of the division.
- Interface and represent the Nation's transportation interest before the federal government, as well as county and state governments.
- Effectively managed the planning, development, operation and sustainment of a variety of transportation services and programs that address the needs of the Navajo Nation chapters/communities.

2012 – 2016
Supervisory Highway Engineer

Bureau of Indian Affairs, Chinle, Arizona
Division of Transportation
Supervisor: Mr. Herby Larsen

- Effectively supervised a staff size numbering in excess of 18 employees.
- Supervised and planned work for subordinates, established priorities and prepared weekly staff schedules for its completion.
- Worked collectively with an emphasis on public involvement for upcoming new construction and/or maintenance of highways, gravel roads, and bridge projects.
- Represented the Chinle Agency Division of Transportation at Chapter House, County, State, and Federal meetings.
- Oversaw the implementation of a Fiscal Yearly Maintenance budget in excess of 1.1 million dollars.
- Fully participated in the creation and submittal of all Agency minor road and drainage structure designs.
- Provided technical assistance in all aspects of transportation infrastructure to State, County, and/or Tribal entities.

2003 – 2012
Civil Engineer

Bighorse Engineers, St. Michaels, Arizona
Supervisor: Mr. Max Bighorse

- Completed all aspects of civil engineering low volume highway design, rural, and urban subdivision street/road designs, and street/highway drainage & site development drainage designs.
- Successfully accomplished all phases of design for airport runway & site designs, housing subdivisions, and residential/commercial water & sewer utility systems.
- Supervised topography land surveys, boundary retracements, street and highway construction staking & layout projects.
- Participated in contractor and subcontractor pre-bid sessions, construction progress meetings, and final project construction inspections.
- Coordinated with Federal, State of New Mexico, State of Arizona, and Navajo tribal entities on all aspects of contracted design projects.
- Knowledgeable and actively used the AutoCAD 2009 Land Desktop design software, Topcon GPT-3007W Total Station, and Topcon FC-200 Data Collector

2004
Substitute Teacher

Cedar Unified School District, Jeddito, Arizona
Supervisor: Ms. Patricia Dowd (Principal)

- Served as a Substitute Teacher for all grade levels from Kindergarten – 8th grades.
- Instructed classroom subjects ranging from Math, Reading, English, History and Science.

2001-2002
Staff Engineer

Nations Gas Technologies, Inc., Navajo New Mexico
Supervisor: Mr. Lupe Rosetta, (505) 777-2291

- Supervised and managed entire office/field staff numbering from 6-15 employees with the daily administrative and field operations.
- Sought potential jobs ranging from water, sewer, propane, and natural gas.
- Participated extensively in all construction phases of residential and commercial projects from start to finish.
- Lead office progress and project coordination meetings.

1996-2001
Project Engineer

Navajo Housing Authority, Fort Defiance, Arizona
Supervisor: Mr. Max Bighorse, (928) 729-6371

- Developed estimates, budgets, and project scheduling of new/existing street & drainage construction within housing subdivisions.
- Involved extensively in the completion of 25 major street construction housing subdivision designs within the Navajo Reservation.
- Participated extensively in site land surveying and civil engineering design of new streets construction and street rehabilitation projects.
- As an Acting Technical Design Manager, occasionally supervised the daily operations of office staff numbering from 20-30 employees.
- Participated in contractor pre-bid sessions, construction progress meetings, staff coordination meetings, and final inspections.
- Coordinated with Federal, State of New Mexico, State of Arizona, and Navajo tribal offices on all aspects of current and past design projects.
- Actively participated in public housing subdivision meetings and Navajo Chapter House meetings on the Scope of Work portion of upcoming street design projects.
- Collectively and with other staff, created a NHA street maintenance program and design standards specifications manual.
- Knowledgeable and actively used the Sokkia Leitz Set3B Total Station and Sokkia SDR33 Data Collector.

Education

1993

New Mexico State University, Las Cruces, New Mexico
Bachelor of Science, Civil Engineering

1994-1995

University of New Mexico, Gallup, New Mexico
AutoCAD I, AutoCAD II, and AutoCAD III computer aided drafting classes

2006

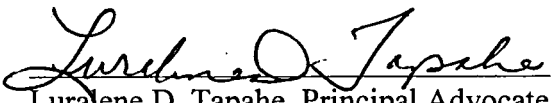
University of New Mexico, Gallup, New Mexico
AutoDesk Land Desktop design software class

Organizations	2022 – Present	Tribal Transportation Program Coordinating Committee Vice President
	2019 – Present	Tribal Interior Budget Council Roads Maintenance Subcommittee member
	2017 – Present	Intertribal Transportation Association member
	2016 – 2022	Tribal Transportation Program Coordinating Committee member
Volunteer	2012 Rodeo Arena Helper	Navajo Nation Treaty Days Rodeo, Window Rock, Arizona
	2004 - 2020 Lecturer (Readings)	St. Joseph Catholic Church, Keams Canyon, Arizona
	2005 – 2010 President	St. Joseph Parish Council, Keams Canyon, Arizona
	2001 – 2002	Community Land Use Planning Committee, Navajo, New Mexico Red Lake Chapter
	2001 – 2002 Secretary/Treasurer	Boys and Girls Club, Navajo, New Mexico
	1996 Assistant Football Coach	Tony Dorsett Touch Down Football League, Gallup, New Mexico



MEMORANDUM

To: Hon. Vince James, Chairperson
Health, Education, and Human Services Committee
25th Navajo Nation Council

From: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

Date: February 14, 2023

Subject: **AN ACTION RELATING TO THE RESOURCES & DEVELOPMENT AND THE
NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL;
CONFIRMING THE PRESIDENT'S APPOINTMENT OF GARRET
SILVERSMITH AS THE EXECUTIVE DIRECTOR OF THE NAVAJO DIVISION
OF TRANSPORTATION**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed Legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon OLC's review of all supporting documents submitted, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: LuraleneTapahe@navajo-nsn.gov

Thank you for your cooperation.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0021-23_

SPONSOR: Vince R. James

TITLE: An Action Relating to the Resources and Development and the Naabik'íyáti' Committees, and the Navajo Nation Council; Confirming the President's Appointment of Garrett Silversmith as the Executive Director of the Navajo Division of Transportation

Date posted: February 16, 2023 at 3:48PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0021-23

SPONSOR: Honorable Vince R. James

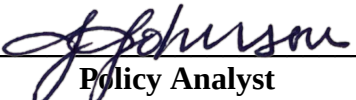
TITLE: An Action Relating to the Resources and Development and the Naabik'iyáti' Committees, and the Navajo Nation Council; Confirming the President's Appointment of Garrett Silversmith as the Executive Director of the Navajo Division of Transportation

Posted: February 16, 2023 at 3:48 PM

5 DAY Comment Period Ended: February 21, 2023

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>



**Policy Analyst
Office of Legislative Services**

February 22, 2023; 8:00 AM
Date/Time

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0021-23

SPONSOR: Honorable Vince R. James

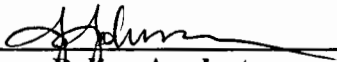
TITLE: An Action Relating to the Resources and Development and the Naabik'íyáti' Committees, and the Navajo Nation Council; Confirming the President's Appointment of Garrett Silversmith as the Executive Director of the Navajo Division of Transportation

Posted: February 16, 2023 at 3:48 PM

5 DAY Comment Period Ended: February 21, 2023

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	1) Dr. Christine Benally 2) Len Tsosie
Comments/Recommendations	1) Etta Arviso



Policy Analyst
Office of Legislative Services

March 01, 2023; 11:00 AM
Date/Time

Silversmith and transportation director

cyb8 hotmail <cyb8@hotmail.com>

Tue 2/28/2023 10:22 PM

To: comments <comments@navajo-nsn.gov>;

February 28, 2023

NN Council,

US hwy 491 and Sanostee road , most dangerous intersection. People have died running into the huge ditch made at that intersection. I told Silversmith it needs a fixing with an entire new design , years ago, yet he scoffs and walks off. Another person should be selected.

Vr,
Dr. Christine Benally
Littlewater
505

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Legislation 0021-23

LenO T <l_tsosie@yahoo.com>

Wed 3/1/2023 10:33 AM

To: comments <comments@navajo-nsn.gov>;

Legislation 0021-23

An Action Relating to the Resources and Development and the Naabik'iyáti' Committees, and the Navajo Nation Council; Confirming the President's Appointment of Garrett Silversmith as the Executive Director of the Navajo Division of Transportation

This tribal take over of a Federal Highway Program requires a major overhaul; this man and his administration is failing their duties where Federal Regulations and Guidelines are involved. This Division requires a revamped system that systematically updates Tribal Roads assessments Not piecemeal projects under Tribal Council pressure. This Division Director does not effectuate Federal requirements.

A person in this position must know the Federal Budget guidelines without Question or a Second Guess. As with any Federal program take over there is a tremendous downfall where the Tribal Process becomes impeded by Tribal Council pressure to which a Policy Statement MUST be devised to deter political influence.

As a Division tasked with the Tribal Roads Maintenance, where is the Solid Minerals Leasing component of this Quasi-maintenance program? These employees work daily as a bureaucratic nightmare, Not a service program. The NN must begin their assessment of demands; asphalt roads WILL require the change in landscape; mountains and hills will be leveled, resource sites will create depressions. WHICH community is offering up solid materials for this effort to make this happen? Grazing Permit holders hold projects hostage. There are no efforts by this Division since its inception to tackle this underlying natural resource requirement to function as a true 'Roads Maintenance' Division. They do not pursue the obvious.

There is no confidence in this Division Director, NO confirmation.

Hagoone,

LenO

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LEGISLATION NO : 0021-23 SPONSOR VINCE R. JAMES

Tue 2/28/2023 6:33 PM

To: comments <comments@navajo-nsn.gov>;

TO : NAABIK'IYATI COMMITTEE'S 25th NAVAJO NATION COUNCIL
OFFICE OF LEGISLATIVE SERVICES
P.O. BOX 3390
WINDOW ROCK AZ 86515

FROM NEW MEXICO EASTERN NAVAJO
DATE : FEBRUARY 28,2023
DINE' TAH COMMUNITY MEMBER
NAVAJO NATION OF INDIAN TREATY OF 1868
ETTA ARVISO ENROLL WITH NAVAJO NATION
PHONE : 505
EMAIL : bitahnii06@yahoo.com

SUBJECT : LEGISLATION NO : 0021-23 SPONSOR : VINCE R. JAMES

DEAR NAVAJO NATION LEADERS

WE KEEP PUTTING THE SAME PEOPLE IN THE OFFICE AND WE IN NEW MEXICO DON'T SEE OUR ROAD'S GETTING IMPROVE
WE SEE A LOT OF RESPONSIBLE FOR YEAR-ROUND MAINTENANCE
ENGINEERED SOLUTION ,STANDARD HIGHWAY USE AND ALSO MEET OFF - ROAD
PIPE SOLUTIONS ,STORMWATER MANAGEMENT WE NEED BETTER ENGINEERED SOLUTION
ON THE NEW MEXICO CHECKERBOARD LAND NO ONE HAS BEEN OUT TO DO COMMUNITY TOWN HALL MEETING TO HEAR OUT
THE PEOPLE THAT OUR AFFECTED IN COMMUNITY HOMELAND ,
WE KNOW RIGHT OF WAY HAS TO BE DONE IN NEW MEXICO ,CAN BE ISSUED AS A ROAD
WE HAVE NEVER HAVE HEARD PROPOSEL TO AMEND THE INDIAN LAND ROAD RESULT
LIKE EASEMENTS RIGHT IN NEW MEXICO TO TRAVEL TO AND FROM PROPERTY OVER LANDS OF ANOTHER
YES IN NEW MEXICO WE NEED ROAD REPAIRS DIRT ROAD MAINTENANCE
AS AN INCREASING POPULATION OF NAVAJO WE HAVE PEOPLE THAT HAS HEALTH ISSUE THAT HAS TO GO TO THERE DR CARE
AND SOME PEOPLE DIALYSIS 3 TIMES A WEEK LIFE EXPECTANCY AND NEED TO GET TO THERE
APPOINTMENTS
TRAVELING ON DIRT ROADS AND MUDDY ROADS ,BY NOW WE ARE 2023 IF THE NAVAJO NATION HAS TO HIRE
DIVISION DIRECTOR
OF NAVAJO DEPARTMENT OF TRANSPORTATION WITH A SALARY OF ALMOST \$100,000 WHAT HAVE WE GOTTEN
OVER THE YEARS
AS FAR AS WE SEE ARE ROADS ARE BAD THAT SOME OF OUR SCHOOL CHILDREN AND GRAND KIDS STUGGLE
GETTING TO THE BUS
I SEE MOST OF THE WORK MR GATTET SILVERSMITH HAS DONE IS MOSTLY IN ARIZONA STATE ON
RESERVATION I DON'T SEE UTAH AND
NEW MEXICO HOMELAND AND BAD ROADS CAN MEAN LIFE AND DEATH
AND NO SERVICES TO GET ROADS PAVED ROADS AND IN MARCH 30,2021 NAVAJO NATION DELIVERS FIRST OF
24 MILLION IN HEAVY EQUIPMENT
UNTIL 2021 THERE MORE EXCUSES AND ALSO THERE APPOINTMENT WITH THE STATE OF NEW MEXICO
SENIOR AND NAVAJO DIVISION TRANSPORTATION WAS LATE
WE CAN'T HAVE THAT KIND OF LEADERSHIP AND GET A HIGH WAGE OF PAID
I WILL INCLUDE PICTURE'S WITH AND THIS HERE PICTURE'S SHOWS HOW WE NEED EMERGENCY NEEDS IN
NEW MEXICO TO

PLEASE TAKE THIS INTO CONSIDERRATION IT'S SERIOUS ISSUE 'S

THANK YOU

ETTA ARVISO

MOTHER ,GRANDMOTHER ,AUNT,SISTER

WARNING: External email. Please verify sender before opening attachments or clicking on links.





5:21

LTE

Photo

Done

