

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
24th NAVAJO NATION COUNCIL -- First Year, 2019

AN ACTION
RELATING TO NAABIK'ÍYÁTI' COMMITTEE; CONFIRMING THE RE-
APPOINTMENT OF ANDREW BENALLIE AS A REPRESENTATIVE OF THE BLACK
MESA CHAPTER TO THE BLACK MESA REVIEW BOARD

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C. 701 (A)(1) the Naabik'íyáti' Committee has the authority to grant final confirmation of appointments to boards, commissions and colleges unless otherwise provided in law.
- B. The appointments to the Black Mesa Review Board as made by the respective Chapters require confirmation by the Naabik'íyáti' Committee. 2 N.N.C. 903(B)

SECTION TWO. FINDINGS

- A. The purpose of the Black Mesa Review Board shall be to advocate for fair and just compensation for Navajo families within the five Navajo Nation Chapters whose socio-economic and environmental interests are adversely affected or impacted by coal mining and related operations of Peabody Western Coal Company. 2 N.N.C. § 902
- B. The Board shall include one member who shall be appointed by the Black Mesa Chapter. 2 N.N.C. § 903(A)
- C. The Black Mesa Chapter appointed Andrew Benallie as the Chapter member of the Black Mesa Review Board in 2015. See **Exhibit A**.
- D. The Black Mesa Chapter has reappointed Andrew Benallie as the Chapter member for the Black Mesa Review Board. See **Exhibit B**.
- E. Within 30 days of appointment, each Board appointee shall be presented to the Naabik'íyáti' Committee for confirmation. Such confirmation to be for four years commencing upon administration of oath of office. 2 N.N.C. § 903(B)
- F. Any Board member may be appointed for consecutive terms, but shall be limited to two consecutive terms. 2 N.N.C. §903(H)

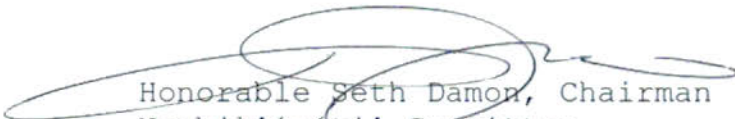
- G. The Naabik'iyáti' Committee of the Navajo Nation Council finds it to be in the best interest of the Diné to confirm the reappointment of Andrew Benallie as the Black Mesa Chapter representative to the Black Mesa Review Board.

SECTION THREE. CONFIRMING APPOINTMENT

The Naabik'iyáti' Committee of the Navajo Nation Council hereby confirms the reappointment of Andrew Benallie as the Black Mesa Chapter representative to the Black Mesa Review Board for a term of four(4) years.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 14 in Favor, and 00 Opposed, on this 17th day of October 2019.



Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

Motion: Honorable Jamie Henio
Second: Honorable Daniel E. Tso

Chairman Seth Damon not voting



NABIF-3-15

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE
Of the 23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; CONFIRMING THE
APPOINTMENT OF ANDREW BENALLIE AS A REPRESENTATIVE OF THE BLACK
MESA CHAPTER TO THE BLACK MESA REVIEW BOARD

SECTION ONE. FINDINGS

- A. The purpose of the Black Mesa Review Board shall be to advocate for fair and just compensation for Navajo families within the five Navajo Nation chapters whose socio-economic and environmental interests are adversely affected or impacted by coal mining and related operations of Peabody Western Coal Company. 2 N.N.C. § 902.
- B. The Board shall consist of seven members, one of whom shall be appointed by the Black Mesa Chapter. 2 N.N.C. § 903(A); see also Black Mesa Chapter Resolution attached as Exhibit A.
- C. Within 30 days of their appointment, each Board appointee shall be presented to the Government Services Committee of the Navajo Nation Council for confirmation. 2 N.N.C. § 903(B). References in the Navajo Nation Code to the Government Services Committee shall mean the Naabik'íyáti' Committee, unless the amendments enacted herein or the context of previous law indicates otherwise. See CO-45-12, Section 5(A).
- D. If so confirmed, a Board member's term shall not commence until he or she is administered an oath of office by a judge or justice of the Navajo Nation courts. 2 N.N.C. § 903(B).
- E. The term of appointment for appointment of all Board members shall be four years. 2 N.N.C. § 903(H).
- F. The terms of the Board members shall be staggered. 2 N.N.C. § 903(A).
- G. Any Board member may be appointed for consecutive terms, but shall be limited to two consecutive terms. 2 N.N.C. § 903(H).

H. Mr. Andrew Benallie has been appointed by the Black Mesa Chapter based on his qualifications, and is replacing Mr. Jones Begay as the representative of the Chapter. See Mr. Benallie's Resume attached as Exhibit B.

SECTION TWO. APPROVAL OF APPOINTMENT

The Naabik'iyáti' Committee of the Navajo Nation Council hereby confirms the appointment of Mr. Andrew Benallie to serve on the Black Mesa Review Board as a representative of the Black Mesa Chapter for a term of four (4) years.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in favor, 0 oppose, 0 Abstain this 4th Day of February, 2015.



Honorable LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Nelson BeGaye
Second: Honorable Davis Filfred



BLACK MESA CHAPTER

P. O. Box 189 * Pinon, Arizona 86510



RESOLUTION OF THE BLACK MESA (Kits'ili) CHAPTER



BMC-19-02-038

REQUESTING THE NAVAJO NATION COUNCIL TO REAPPOINT ANDREW BENALLIE TO SERVE ON THE BLACK MESA REVIEW BOARD AS REPRESENTATIVE OF BLACK MESA CHAPTER FOR ANOTHER FOUR YEAR TERM.

WHEREAS:

1. The Navajo Nation Council Resolution CS-34-98 enacted the Navajo Nation Local Governance Act and codified it under Title 26 of the Navajo Nation Code; and
2. The Black Mesa Chapter is aware of multiple adverse impacts created by Peabody Western Coal Company's mining activities. Andrew Benallie has served on the Black Mesa Review Board for the previous four (4) years. He is actively involved member of Black Mesa Review Board in addressing issues and concerns related to environmental impact affecting the people such as land reclamation, employment, and the potential economic impact as result of imminent Peabody mine closure; and
3. For decades, the Peabody's mining operations had incurred multiple adverse impacts on the people with immediate mining area and beyond. Thus, based on studies and factual findings the primary impact area included Black Mesa community along with other communities. As part of verification, Andrew Benallie submitted written testimony to Bureau of Reclamation concerning the disappearance of natural springs that were once critical for wildlife and livestock water.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Black Mesa Chapter hereby requests the Navajo Nation Council to reappoint Andrew Benallie to Black Mesa Review Board for another (4) term based on the foregoing reasons in the above Whereas sections.

BMC-19-02-038

CERTIFICATION

We hereby certify that the foregoing resolution was fully considered by the Black Mesa Chapter at a duly called meeting at Black Mesa, Arizona at which a quorum was present and that same was passed by a vote of 17 in favor, 00 opposed, and 01 abstained, on this 10th day of February 2019..

Motioned by: Elouise Yellowhair

Seconded by: Kathy Terry


Marvin Yellowhair, President


Edbert S. Little, Vice -President


Marlene Biltah, Secretary/Treasurer


Jimmy Yellowhair, Council Delegate

BLACK MESA (KITS'ILI) CHAPTER

P.O. Box 189 • Pinon, AZ 86610

(928) 675-0009

EXHIBIT

A

RESOLUTION OF THE BLACK MESA (Kits'ili) CHAPTER

RESOLUTION NO. BLAC-15-12-038

APPOINTING ANDREW BENALLIE SR. TO FILL THE VACANT BLACK MESA REVIEW BOARD POSITION.

WHEREAS:

1. Pursuant to the Navajo Nation Council Resolution CAP-34-98, Navajo Nation Code Title 26, Navajo Nation Local Governance Act, the Black Mesa Chapter Government is officially certified; thereby delegated governmental authority with respect to local matters; and
2. Unfortunate passing of Jones Begay left a vacancy on the Black Mesa Review Board that must be immediately filled to continue the representation of Black Mesa Chapter; and
3. Andrew Benallie Sr., former Council Delegate and Chapter Officer of Black Mesa Chapter, has a heap of experience gained through working with Minerals Department of the Navajo Nation and as a chairman of the Resource Committee of the Navajo Nation Council that makes him a perfect candidate to fill the position vacated by Jones Begay; and
4. This recommendation and Chapter approval to fill the vacancy is in the best interest of Black Mesa Chapter and residence in mining affected area.

NOW THEREFORE BE IT RESOLVED THAT:

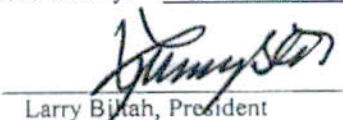
The Black Mesa Chapter hereby appoints Andrew Benallie Sr. to fill the vacant Black Mesa Review Board Position.

CERTIFICATION

We hereby certify that the foregoing resolution was fully considered by the Black Mesa Chapter at a duly called meeting at Black Mesa, Arizona at which a quorum was present and that same was passed by a vote of 23 in favor, 00 opposed, and 09 abstained, on this 12th day of December, 2014.

Motioned by: Daisy Kiyaani

Seconded by: Jane Baloo


Larry Biltah, President


Marlene Biltah, Secretary/Treasurer


Caroline Bemore, Vice President


Dwight Witherspoon, Council Delegate



Resume of Andrew Benallie

Education:

12th grade diploma: Holbrook High School, Holbrook, AZ

1959-1961: Arizona State University, Tempe, AZ

1962-1963: Oklahoma State University- Graduated: Aug. 1963, Electronic Technology/Electrical Engineering

1963-1965: attended part-times- Arizona State University: Computer Science

1980-(3 months) Colorado School of Mine: non-degree (Coal & Uranium Geology, Petroleum Geology, Investment Analysis)

2014 to Present: Retired on November 2013- (worked 23 years *with or for* disabled population)

1990 to 2013: Chinle Valley School, Chinle, Az: *A not-for-profit Corporation established for Spec Ed & Residential Facilities to serve disabled children and young adults. 80 employees, \$2.5 million budget per year.* Position: Executive Director; Duties: CEO, developed Personnel Policy, fiscal policies, budget format, wrote funding proposals to: DES State of Arizona, Navajo Nation Division of Social Services, AzDOT, NNDOT, NHA, Navajo AML, AzDofED, BIA, etc.

1977 to 1994: Business Owner, Chinle & Kayenta, Chinle, Az: (1). El Capitan Capitan Café- 20 employees, (2). Video and electronic equipment distributorship- repairs & technical assistance- 5 employees

1987 to 1988: : Division of Community Development, Navajo Nation, Window Rock, Az. *280 employees \$22.5 million budget per year.*

Position: Executive Director; Duties: Supervised departments and programs including design & engineering, transportation planning, housing, power line extensions, waterlines, weatherization, community block grants, chapter based developments. Major Accomplishment: Organized and coordinated major tax-free bond which was finalized and authorized by bond issuer for \$200 million rated at AAA. The \$200 million was slated as capital moneys for new tribal office buildings, infrastructure constructions such as waterlines, power line extensions, house wirings, etc. The bond was authorized and approved and ready for transaction at NY Wall Street when the 1988 chaos of political disaster completely destroyed Navajo Nation credibility. As political appointee, I was outlawed out of my position.

1982 to 1986: Navajo Nation Tribal Council Delegate: Duties: (1). Chairman, Resource Committee, (2). Chairman, Negotiation Team for Minerals Re-negotiations, (3). Coordinated the original Navajo Water Code for NNC adoption, (4). Chairman, Black Mesa Review Board for Peabody Mine operations, (5). Member, Navajo-Hopi Relocation Committee.

1979 to 1982: Minerals Department, Navajo Nation, Window Rock, Az.

Position: Assistant Director; **Duties:** developed Navajo Geological Information System to automate gas, coal, uranium activities. Devised formula for coal quality index for comparative analysis of Navajo coal against other western coals for reference as negotiation tool.

1972 to 1979: Office of the Chairman and Vice Chairman of Navajo Tribal Council:

Position: Administrative Assistant; **Duties:** Mostly provided technical assistance and summarized reports for Chairman and other leaders; reviewed mineral leases, right-of-ways, water study reports, EIS, translated coal burning generating stations, high voltage power lines, underground pipelines, etc. Worked with tribal departments and Navajo Tribal Council, help draft Navajo position papers for presentations to congressional leaders. Personally, interacted and communicated with U.S. Senators and other Congressional leaders.

1972 to 1976: University of Arizona, Tucson, Az. Position: Consulting Electrical

Engineer; **Duties:** Provided engineering assistance in designing TeleMedical Communication System in consultation with Boston General Hospital. It was originally planned for Arizona tribes. Since all tribal hospitals and communities in Arizona (except one in Grand Canyon) are land road accessible the technology was transferred to where it is most needed, it is presently in full use in Alaska. Commuted between Tucson and Boston. In 1999, the Alaskan natives awarded me numerous gifts of appreciation at their Health Conference in Anchorage, Alaska.

1968 to 1972: Ariresearch Garratt Corporation; Phoenix, Az. Position: Senior Electrical Engineer; **Duties:** Conducted engineering designs for instruments to test and monitor environmental controls in high altitude supersonic aircrafts. Too many other engineering related tasks to mention.

1969 to 1972: General Semi-conductors; Tempe, Az. Position: Consulting Electrical Engineer; **Duties:** Supervised engineering designs of production line test instruments for newly invented semiconductors.

1963 to 1968: Dickson Electronics, Inc., Scottsdale, Az. Position: Electronic Engineer;
Duties: Supervised engineering designs of production line test instruments for quality control of power transistors, diodes, integrated circuits pursuant to military specifications. The company manufactured electronics components for U.S. Department of Defense, compliance and security were strict.

Board, Committees, Commission, etc.

Vice President, Diné Cooperative, Incorporated; 1999 to present

Secretary, Chinle Land Use Planning Committee, Chinle Chapter; 2000 to 2003

Chairman, Black Mesa Chapter Land Use Planning Committee; 2000 to 2012

Chairman, Navajo Civil Rights Commission; 1973-1977

Secretary, Board of Directors, Southwest Indian PolyTech Institute, Albq., NM; 1975-1983

Chairman, Black Mesa Review Board, Navajo Nation – Peabody Coal; 1972-1988

Chairman, Navajo Scholarship Committee; 1972-1979

Vice President, Black Mesa Chapter (Kitsilli); 1982 -1983 (resigned due to job)

Secretary, Utah Navajo Development Council; Blanding, Utah; 1973 - 1983

Secretary, Utah Navajo Industries, Salt Lake City, Utah; 1975 - 1983

NAVAJO NATION

350

10/17/2019

Naa'bik'iyati Committee Meeting

06:38:46 PM

Amd# to Amd# Legislation 0279-19: Confirming
MOT Henio, J the Re-Appointment of Andrew
SEC Tso, D Benallie of the Black Mesa
Chapter to the Black Mesa....

PASSED

Yea : 14

Nay : 0

Excused : 3

Not Voting : 6

Yea : 14

Begay, P
Charles-Newton
Crotty
Halona, P

James, V
Slater, C
Smith
Stewart, W

Tso, C
Tso, D
Tso, E

Tso, O
Walker, T
Yellowhair

Nay : 0

Excused : 3

Daniels

Freeland, M

Wauneka, E

Not Voting : 6

Begay, E
Begay, K

Brown
Henio, J

Nez, R

Yazzie

Presiding Chair: Damon