

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

23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; APPROVING THE
RECOMMENDATION OF THE DEFERRED COMPENSATION PLAN
ADMINISTRATION COMMITTEE TO AMEND THE RESTATED DEFERRED
COMPENSATION PLAN BY ADDING A JUDICIAL BRANCH REPRESENTATIVE
TO THE COMMITTEE

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Budget and Finance Committee of the Navajo Nation Council is empowered to promulgate policies and regulations concerning wages, expenditure reimbursement, and fringe benefits for Navajo Nation officials and employees. 2 N.N.C. § 301(B)(8).

SECTION TWO. FINDINGS

- A. The Deferred Compensation Plan Administration Committee (DCPAC) voted to approve an amendment to Section 1.1(a) of the Plan document, naming the Chief Justice of the Navajo Nation Supreme Court to RPAC.
- B. The DCPAC Resolution, DCP-03-18, approving and recommending the change, is attached as **Exhibit 1**.

SECTION THREE. APPROVAL

The Budget and Finance Committee approves the recommendation of DCPAC consistent with **Exhibit A** of **Exhibit 1**.

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 at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor and 0 opposed, this 6th day of March, 2018.

A handwritten signature in black ink, reading "Dwight Witherspoon". The signature is written in a cursive, flowing style.

Dwight Witherspoon, Vice Chairperson
Budget and Finance Committee

Motion: Honorable Tuchoney Slim, Jr.
Second: Honorable Leonard Tsosie

**PROPOSED RESOLUTION OF THE DEFERRED COMPENSATION PLAN
ADMINISTRATION COMMITTEE OF THE NAVAJO NATION**

Approving and Recommending to the Budget and Finance Committee of the Navajo Nation Council the Adoption and Approval of the Restated Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation, which Amends the Plan by Adding a Judicial Branch Representative to the Committee.

WHEREAS:

1. The Deferred Retirement Plan for Members of the Navajo Nation Council became effective as of October 1, 1982. The Deferred Compensation Plan for Political Appointees of the Navajo Nation became effective as of January 1, 1973. Effective January 1, 2006, the Deferred Retirement Plan for Members of the Navajo Nation Council and the Deferred Compensation Plan for Political Appointees of the Navajo Nation were merged and the merged document was titled the Deferred Compensation Plan for Political Appointees and Council Delegates of the Navajo Nation (hereinafter the "Plan"); and
2. Pursuant to 2 N.N.C. § 301(B)(8), the Budget and Finance Committee has the power to promulgate policies and regulations concerning fringe benefits for Navajo Nation officials and employees; and
3. Pursuant to Budget and Finance Committee Resolution BFMA-09-08, amendments, for the Plan to comply with the American Jobs Creation Act of 2004, were approved; and
4. Pursuant to Navajo Tribal Council Resolution CF-21-73, and pursuant to Section 1.1 of the Plan document, the Deferred Compensation Plan Administration Committee is authorized to oversee the general administration of the Plan; and
5. Pursuant to Section 5.1 of the Plan document, the Nation may, in its sole discretion, terminate, suspend, or amend this Plan at any time or from time to time, in whole or in part; and
6. The Deferred Compensation Plan Administration Committee has determined that it is in the best interest of the Nation and Plan Participants to amend the Plan document by adding a Judicial Branch representative to the Committee.

NOW THEREFORE BE IT RESOLVED THAT:

The Deferred Compensation Plan Administration Committee of the Navajo Nation hereby approves amending Section 1.1(a) of the Plan document by adding the Chief Justice of the Navajo Nation Supreme Court to the membership of the Committee as a representative of the Judicial Branch.

The Deferred Compensation Plan Administration Committee hereby recommends to the Budget and Finance Committee of the Navajo Nation Council the adoption and approval of a restated Plan, which includes the amendments in "Exhibit A" attached hereto.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Deferred Compensation Plan Administration Committee of the Navajo Nation at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which a quorum was present and the same was passed by a vote 3 in favor, 0 opposed and 1 abstained, this 24th day of January, 2018.



Seth Damon, Chairperson
Deferred Compensation Plan Administration Committee
NAVAJO NATION

Motion: Dr. Sharon Begay-McCabe

Second: Ms. Pearline Kirk

xc: RPAC file
NN Retirement Services: Resolution file
Budget and Finance Committee

EXHIBIT "A"

DEFERRED COMPENSATION PLAN FOR POLITICAL APPOINTEES AND
COUNCIL DELEGATES OF THE NAVAJO NATION

Article 1

DEFINITIONS

1.1 Committee

Committee means the ~~Retirement-Deferred Compensation~~ Plan Administration Committee of the Navajo Nation, which has been delegated authority through the Navajo Nation Council to administer this Plan.

(a) The Committee shall consist of the following individuals:

1. The Chair~~man~~person, Budget and Finance Committee;
2. The Vice Chair~~man~~person, Budget and Finance Committee;
3. The Controller, Office of the Controller, Division of Finance;
4. The Director, Department of Personnel Management;
5. The Director, Division of Community Development; and
- 5-6. The Chief Justice, Navajo Nation Supreme Court.

(b) The Committee shall have the authorities necessary to administer the Plan and to interpret, construe and apply all of the Plan provisions on behalf of the Nation consistent with the terms of the Plan and applicable laws and regulations.

(c) The Committee may adopt rules and procedures to assist it in the administration of the Plan.