

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; ENDORSING THE PLAN OF
OPERATION OF THE FORT DEFIANCE AGENCY COUNCIL

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee was established as a standing committee of the Navajo Nation Council. 2 N.N.C. §§ 500(A).
- B. Pursuant to 2 N.N.C. §§ 500(C) and 501(C), the Resources and Development Committee shall exercise oversight authority over Chapter activities and over Chapters.

SECTION TWO. FINDINGS

- A. The Fort Defiance Agency Council is composed of duly elected Chapter officials comprising twenty-seven (27) Chapters of the Navajo Nation to advocate, promote and support common goals and interests of the respective chapters. The Navajo Nation Chapters within the Fort Defiance Agency are as follows:

- | | |
|-------------------------------|--|
| 1. Bahast'lah Chapter | 15. Lupton (Tse Si Ani) Chapter |
| 2. Cornfields Chapter | 16. Mexican Springs Chapter |
| 3. Coyote Canyon Chapter | 17. Nahata Dziil Commission Governance |
| 4. Crystal Chapter | 18. Naschitti Chapter |
| 5. Dilkon Chapter | 19. Oak Springs Chapter |
| 6. Fort Defiance Chapter | 20. Red Lake #18 Chapter |
| 7. Ganado Chapter | 21. St. Michaels Chapter |
| 8. Greasewood Springs Chapter | 22. Sawmill Chapter |
| 9. Houck Chapter | 23. Steamboat Chapter |
| 10. Indian Wells Chapter | 24. Teesto Chapter |
| 11. Jeddito Chapter | 25. Tohatchi Chapter |

- | | |
|--------------------------|------------------------|
| 12. Kinlichee Chapter | 26. Whitecone Chapter |
| 13. Klagetoh Chapter | 27. Wide Ruins Chapter |
| 14. Low Mountain Chapter | |

- B. The Fort Defiance Agency Council at a duly called meeting held on the Navajo Nation approved its Plan of Operation, attached hereto as **Exhibit A**, and recommended approval by the Resources and Development Committee of the Navajo Nation Council. The Fort Defiance Agency Council Resolution Number FDAC 01-22-001 approving the Plan of Operation is attached as **Exhibit B**.
- C. The Navajo Nation Local Governance Act (LGA), 26 N.N.C. §§1 *et seq.*, was enacted for the purpose of recognizing governance at the local level. The LGA provides for certification of Chapters. 26 N.N.C. §102. After Chapter certification, the Chapter may exercise listed powers. 26 N.N.C. §103(D)(4).
- D. The Resources and Development Committee endorsement of an agency council does not alter LGA purposes, certification requirements or authorities.

SECTION THREE. ENDORSEMENT

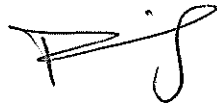
The Resources and Development Committee hereby endorses the plan of operation of the Fort Defiance Agency Council which is comprised of twenty-seven (27) Navajo Nation Chapters to advocate, promote and support common goals and interests of the respective chapters, as further described in the Plan of Operation attached hereto as **Exhibit A**.

SECTION FOUR. CONFORMANCE WITH LOCAL GOVERNMENT ACT

The endorsement of the Plan of Operation of the Fort Defiance Agency Council does not waive the purposes, requirements, and authorities of the Local Governance Act, 26 N.N.C. §§1 *et seq.*

CERTIFICATION

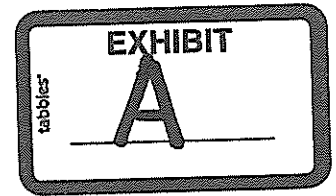
I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, on this 9th day of November 2022.

A handwritten signature in black ink, appearing to be 'R. Nez'.

Rickie Nez, Chairperson
Resources and Development Committee
Of the 24th Navajo Nation Council

Motion: Honorable Wilson C. Stewart, Jr.

Second: Honorable Kee Allen Begay, Jr.



FORT DEFANCE AGENCY COUNCIL PLAN OF OPERATION

I. ESTABLISHMENT

- A. The Fort Defiance Agency Council is hereby established under the Legislative Branch of the Navajo Nation Government.
- B. Pursuant to 26 N.N.C. Section 103 (D)(4), the Fort Defiance Agency Council is formally recognized and established as a consortium of elected Chapter Officials representing twenty-seven (27) certified Navajo Nation Chapters, who agree to address and undertake common goals and interests for the benefit of the Fort Defiance Agency Chapters.

II. AUTHORITY

- A. Pursuant to 26 N.N.C. Section 103 (D)(4), the Fort Defiance Agency Council shall have the authority to address and undertake common goals and interests for the benefit of the Fort Defiance Agency Chapters.
- B. The Fort Defiance Agency Council shall have the authority to act as the governing body for the local chapter governments within the Fort Defiance Agency. Said authority shall consist of but not limited to the following:
 - 1. Taking action on matters addressing and undertaking the common goals and interests for the benefit of the Fort Defiance Agency Chapters and the Navajo Nation as a whole, such as but not limited to resolutions, appointments, accepting reports, at a duly called meeting.
 - 2. Establish special committees and/or task forces and delegate such authority to such as deems necessary and proper for such to execute the purposes or powers delegated.
 - 3. Fort Defiance Agency Council resolutions shall be recognized to the fullest extent as a legislative act in accordance with applicable law, rules and regulations.
 - 4. Set compensation for the Fort Defiance Agency Council Officers and Membership to be included in the annual fiscal year budget of the Navajo Nation as a recurring cost/item.
 - 5. Participate in budget meetings/sessions and recommend appropriation levels for the Fort Defiance Agency Chapters such as but not limited to annual fiscal year chapter budgets and appropriations; supplemental funds; capital improvement projects and funds; special projects; and grants.
 - 6. Recommend and/or support governance activities such as but not limited to: ordinances, regulations, amendments, policymaking, accountability, etc.

7. Support research studies and assessments that benefit and/or protect the Navajo People and their way of life.
8. Support seeking and obtaining funding from outside resources such as but not limited to state appropriations (i.e., capital outlay, TIF, aging, etc.), federal, county and municipal monies, grants, etc.
9. Prepare and ensure the operational budget of the Fort Defiance Agency Council is contained in the annual fiscal year appropriations of the Navajo Nation government.

III. PURPOSE

A. The purpose of the Fort Defiance Agency Council is to:

1. Protect the sovereign status of the local Navajo Chapters government.
2. Champion accountable, responsible and representative local Navajo chapter government.
3. Advocate for, encourage and promote chapter community interests, wants, needs and desires.
4. Preserve and respect traditional and cultural values and practices while integrating modern technology and methods for the local governance.
5. Interact, collaborate and establish relationships with other local governments.
6. Support, work with and foster local Chapter governance of the Fort Defiance Agency Chapters.

IV. MEMBERSHIP

A. Members. The Fort Defiance Agency Council is comprised of the Chapter President, Chapter Vice President and Chapter Secretary/Treasurer of the following certified Navajo Nation Chapters located in the Fort Defiance Navajo Agency:

- | | |
|-------------------------------|---------------------------------------|
| 1. Bahast'lah Chapter | 15. Lupton (Tse Si Ani) Chapter |
| 2. Cornfields Chapter | 16. Mexican Springs Chapter |
| 3. Coyote Canyon Chapter | 17. Nahata Dził Commission Governance |
| 4. Crystal Chapter | 18. Naschitti Chapter |
| 5. Dilkon Chapter | 19. Oak Springs Chapter |
| 6. Fort Defiance Chapter | 20. Red Lake #18 Chapter |
| 7. Ganado Chapter | 21. Saint Michaels Chapter |
| 8. Greasewood Springs Chapter | 22. Sawmill Chapter |
| 9. Houck Chapter | 23. Steamboat Chapter |
| 10. Indian Wells Chapter | 24. Teesto Chapter |
| 11. Jeddito Chapter | 25. Tohatchi Chapter |
| 12. Kinlichee Chapter | 26. White Cone Chapter |
| 13. Klagetoh Chapter | 27. Wide Ruins Chapter |
| 14. Low Mountain Chapter | |

B. Members-at-large. Members-at-large shall consist of other elected officials representing Fort Defiance Agency Chapters, such as: Navajo Nation Council Delegate, Grazing Representative, Farm Board Member, Board of Election Supervisor and School Board member.

- C. **Post Inauguration Selection of Officers.** The membership shall select a President, Vice President, Secretary of the Fort Defiance Agency Council. Selection shall take place at a duly called meeting and certified by resolution. At the Agency Council's inaugural quarterly meeting, an elected member will be appointed as Pro Tempore ("Pro Tem") President to begin the meeting until selection of officers (President, Vice President, and Secretary) are seated and certified by resolution. The Pro Tem President will turn over the meeting to the newly seated Agency Council President as the presiding officer.
- D. **Term of Office.** The term of office shall be four (4) years, ending on the last business day before the inauguration in of January, unless otherwise requested by the membership.
- E. **Resignation.** Any officer of the Fort Defiance Agency Council may resign by tendering their resignation in writing to the membership with a copy to the Officers.

V. DUTIES and RESPONSIBILITIES

A. Duties of the Membership:

1. Preserve/enhance the quality of life and natural environment of the Fort Defiance Agency.
2. Protect/conservе our sovereignty, water rights, civil/human rights, land base and similar.
3. Enhance the economic vitality and diversity of the Fort Defiance Agency.
4. Develop, recommend, implement and amend governance processes and activities consistent with the wants, needs and desires of the Navajo people and their way of life.
5. Coordinate, meet and consult with tribal and non-tribal leaders, other local, county, state and federal government agencies, entities and/or organizations.
6. Attend training sessions, conferences and related gatherings/meetings to participate, advocate and keep up to date on current issues.
7. From time to time, members may be assigned to represent the Fort Defiance Agency Council at certain meetings, functions, hearings, events, etc.
8. Recommend/appoint representatives to pertinent committees, boards, commissions and the like, such as but not limited to: Fort Defiance Agency BIA/NDOT Roads Committee and the Commissions on Navajo Government Development.

B. Duties of the President:

1. Preside at all meetings and conduct business of the Fort Defiance Agency Council in the manner prescribed herein.
2. Work/consult with the other officers and administrative staff as appropriate/necessary.
3. Certify by signature official documents of the Fort Defiance Agency Council.
4. Signature authorization as appropriate.
5. Vote in case of a tie.
6. Call emergency or special meetings.
7. Appoint Sergeant-of-Arms

C. Duties of the Vice President:

1. Assume the duties and responsibilities of the presidency in the absence of the President.
2. Conduct business of the Fort Defiance Agency Council in the manner prescribed herein.
3. Work/consult with the other officers and administrative staff as appropriate/necessary.
4. Certify and/or authorize by signature official documents of the Fort Defiance Agency Council as appropriate.

D. Duties of the Secretary:

1. Write and record the minutes of the meeting.
2. Assist and confer with the officers and appropriate parties regarding meeting agenda items.
3. Maintain complete and accurate records of all Fort Defiance Agency Council official actions, records, correspondences, and equipment.
4. Work/consult with the other officers and administrative staff as appropriate/necessary.
5. Submit and distribute meeting minutes to each Fort Defiance Agency Chapters within ten (10) days after duly called meetings.
6. Prepare, finalize and distribute meeting agenda, sign-in sheet, meeting minutes, resolutions, and if appropriate other documents (i.e. proposal, letters, notices, etc.)
7. Certify by signature official documents of the Fort Defiance Agency Council.

VI. MEETINGS

A. Meetings. The Fort Defiance Agency Council shall conduct meetings, special meetings or any number of meetings contingent upon fund availability.

1. **Regular Meetings.** Regular meetings shall be held on a quarterly basis. A regular time and date (e.g., second Saturday of the month) may be designated at the discretion of the membership.
2. **Special Meetings.** Special meetings may be called by the President or by the majority of the membership provided that written or verbal notice is given to all members at least 48-hours prior to the meeting date.
3. **Work Session, Task Force and Special Committee Meetings.** Work sessions, task force and special committee meetings supporting the Fort Defiance Agency Council's mission/purpose may be scheduled on and as needed basis.
4. **Emergency Meetings.** Emergency meetings shall be at the discretion of the President, after conferring with the officers, provided that written or verbal notice is given to all members prior to the meeting.

B. Meeting Location. All Fort Defiance Agency Council meetings shall be conducted within the boundaries of the Fort Defiance Navajo Agency. Any meeting(s) outside the Navajo Fort Defiance Agency must be approved by majority vote of the membership at a regular scheduled meeting.

1. In the event of a Navajo Nation Emergency Declaration, whether natural, health, crisis, or pandemic, all meetings will be conducted via teleconference.
 2. When conducting business via teleconference, each member of the Fort Defiance Agency Council will announce their call-in location.
 3. The Fort Defiance Agency Council is empowered to develop its own rules of procedures for the conduct of meetings during an Emergency Declaration, e.g., natural, health, crisis, or pandemic, which shall be approved by a two-thirds vote (32 members).
- C. Notice of Meeting. Notice shall be made by verbal and written notices (i.e., flyers/posters, email, radio/newspaper PSA announcements).
- D. Meeting Stipend.
1. Membership: A meeting stipend of one-hundred-fifty dollars (\$150.00) for each meeting conducted shall be paid to each member attending an entire Fort Defiance Navajo Agency Council meeting or work session, *contingent upon the availability of funds and/or each Chapters approved allocation*. Attendance shall be verified by sign-in sheet, approved agenda and the signed meeting claim form.
 2. Special Meetings, Task Force and Special Committee Members: A meeting stipend of seventy-five dollars (\$75.00) for each meeting conducted shall be paid to each member attending a task force or special committee meeting, *contingent upon funds availability*. Attendance shall be verified by the sign-in sheet, agenda and meeting claim form.
- E. Rules of Order. The President shall preserve order and decorum at the Fort Defiance Agency Council meetings. The meetings shall be conducted in accordance with the Rules of Order adopted by the membership. The President, at his discretion may adjourn or postponed a meeting due to: lack or loss of quorum, disorder during the meeting and/or unforeseen emergency.

VII. QUORUM AND VOTING

- A. Quorum. A simple majority (14 Chapters) of the Fort Defiance Chapters shall constitute a quorum for the purpose of conducting business. Members-at-large may be counted in the establishment of a quorum. If any time during the meeting the quorum is lost, such shall be stated in the minutes and no further action shall be taken.
- B. Voting. Only members of the Fort Defiance Agency Council may vote on any action taken by the Fort Defiance Agency Council. Actions may be voted upon by voice or hand vote unless any seated member demands a roll call vote or secret ballot vote.
- C. Voting during an Emergency Declaration. The Fort Defiance Navajo Agency Council will conduct its business via teleconference and all votes will be counted based on roll call vote establishment:
- a. All Yea ("Yes") votes will be determined by the total roll call vote established after the Ney ("No") votes has been determined.

- b. All Ney ("No") vote will be counted by voice vote.
 - c. The total Ney ("No") voice vote will then be subtracted from the total roll call vote established, which will then determine the Yea ("Yes") vote, with a simple math.
- D. Conflict of Interest. A Fort Defiance Navajo Agency Council member shall disqualify himself or herself from participating in the discussion and action on any matter regarding the member has a conflict of interest in accordance with the provisions of the Navajo Nation Ethics and Rules law.
- E. All Fort Defiance Agency Council members are subject to the Navajo Nation Ethics in Government Law, 2 N. N. C. §§ 3741-3793.

VIII. AMENDMENTS

- A. The provisions herein may be amended from time to time by the membership of the Fort Defiance Agency Council.
- B. Amendments shall be approved by the Resource and Development Committee of the Navajo Nation Council in accordance with 2 N.N.C. Sub Section 500.

**FORT DEFIANCE AGENCY COUNCIL
NAVAJO NATION**

Shawnevan Dale, President
Elmer Clark, Vice-President
Marcarlo Roanhorse, Secretary
(host), Sergeant-At-Arm



District 17 Council
District 07 Council
District 17 Council
Chapter President

Resolution No. FDAC 01-22-001

RESOLUTION OF THE FORT DEFIANCE AGENCY COUNCIL

Approving the Plan of Operation of the Fort Defiance Agency Council and requesting approval by the Resource and Development Committee of the 24th Navajo Nation Council

WHEREAS;

1. The Fort Defiance Agency Chapters encompass twenty-seven (27) of 110 Chapters officially recognized as Navajo Nation communities, they are Cornfields, Coyote Canyon, Crystal, Dilkon, Fort Defiance, Ganado, Houck, Indian Wells, Jeddito, Kinlichee, Klagetoh, Low Mountain, Lower Greasewood, Lupton, Mexican Springs, Naschitti, Nahata Dzil, Oak Springs, Red Lake #18, Sawmill, St. Michaels, Steamboat, Teesto, Tohatchi, Twin Lakes, Whitecone and Wide Ruins; and
2. The Fort Defiance Agency Council serves as a local governing body to address local community needs, analyze, and recommend consensus effective and efficient plan of action(s) to the Navajo Nation, County, State and/or Federal government; and
3. The Fort Defiance Agency Council comprise of elected Chapter Officials, Governance Commissioners, Grazing Officials, Land / Farm Board, School Board Members and Board of Election Supervisors; and
4. Pursuant to 2 N.N.C. § 500, the Resource and Development Committee of the 24th Navajo Nation Council serves as the oversight authority over Chapter matters and is empowered to approve Plan of Operations thereof; and
5. The Fort Defiance Agency Council at a dully called meeting, held on the Navajo Nation, approved the Plan of Operation and recommended approval by the Resource and Development Committee of the 24th Navajo Nation Council; and

NOW, THEREFORE BE IT RESOLVED THAT:

The Fort Defiance Agency Council hereby approves the Plan of Operation of the Fort Defiance Agency Council and requests approval by the Resource and Development Committee of the 24th Navajo Nation Council.

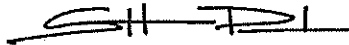
CERTIFICATION

I certify that the foregoing resolution was presented and approved by the Fort Defiance Agency Council at a duly called meeting in accordance to CAP-19-20 *An Action Relating to an Emergency; Temporarily Suspending Title 26 Sections to Allow Chapter Meetings to be Held*

Telephonically or Through Video Conferencing; to Function to Meet the Needs of Their Communities during the COVID-19 Health Crisis Under the Three-Person Quorum and the Executive Branch Closure of the Navajo Nation Government Offices and Related Entities, Executive Order No. 002-20 and CS-50-21, An Action Relating to Resources and Development Committee, Naabik'iyati' Committee, and Navajo Nation Council; Amending CJN-36-21, Section Six to extend the deadline for Chapters to return to the twenty-five person Chapter Meeting Quorum Requirement teleconference on the Navajo Nation at which a quorum was present, and that same was passed by a vote of 19 in favor, 0 opposed, and 0 abstained on this 8th day of January, 2022.

MOTION by: Lavida Maestas

SECOND by: Virginia Barker



Shawnevan Dale, President
FORT DEFIANCE AGENCY COUNCIL

ATTEST:



Marcarlo Roanhorse, Secretary
FORT DEFIANCE AGENCY COUNCIL

**RESOURCES AND DEVELOPMENT COMMITTEE
24th NAVAJO NATION COUNCIL**

FOURTH YEAR 2022


**ROLL CALL
VOTE TALLY SHEET**

LEGISLATION #0207-22: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; ENDORSING THE PLAN OF OPERATION OF THE FORT DEFIANCE AGENCY COUNCIL. *Sponsor: Honorable Vince R. James Co-Sponsor: Honorable Wilson C. Stewart, Jr.*

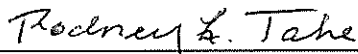
Date: November 09, 2022 – Regular Meeting (Teleconference)
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

Main Motion:

M: Wilson C. Stewart, Jr. **S:** Kee Allen Begay, Jr. **V:** 4-0-2 (CNV)
In Favor: Kee Allen Begay, Jr.; Herman M. Daniels; Mark A. Freeland; Wilson C. Stewart, Jr.
Opposition: None
Excused: None
Not Voting: Thomas Walker, Jr.; Rickie Nez, *Chairperson*



Honorable Rickie Nez, *Chairperson*
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services