

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; REAPPOINTMENT
OF BELINDA P. ERIACHO TO SERVE ON THE NAVAJO TRIBAL UTILITY
AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE
YEARS

SECTION ONE. AUTHORITY

A. Pursuant to 2 N.N.C. §500(C), the Resources and Development Committee (Committee) shall exercise oversight authority over public utilities.

B. Pursuant to 2 N.N.C. § 501 (B)(9), the enumerated power of the Committee is to grant final confirmation of appointments to enterprise boards.

SECTION TWO. FINDINGS

A. Pursuant to 21 N.N.C. § 2, the Navajo Nation established the Nation Tribal Utility Authority (NTUA) as an enterprise.

B. The NTUA is authorized to acquire, construct, operate and maintain utility systems throughout the Navajo Nation. See 21 N.N.C. §1 (B).

C. The general purpose of NTUA is to operate, maintain and promote existing utility systems furnishing electric, gas, water, sewer utility services; generation, and telecommunications and information services for the benefit of residents of the Navajo Nation; including establishment, ownership, operation and maintenance of electric generating, telecommunications and information services on or off the Navajo Reservation; and to provide utility generation, telecommunications and information services on a non-profit basis and at a reasonable cost to residents of the Navajo Nation consistent with the economical operations of the Enterprise. See 21 N.N.C. §5(A)(1)-(6).

D. The NTUA Management Board shall have the delegated authority and responsibility for the management and operation of the Enterprise. See 21 N.N.C. §7(1).

E. The management board shall consist of seven persons, all of whom shall be appointed by the Government Services Committee of the Navajo Nation Council; whose authority to confirm appointments to enterprise boards has been delegated to the Resources and Development Committee. See 21 N.N.C. § 21 N.N.C. § 9 (A); See also 2 N.N.C. § 501 (B) (9).

F. Members of the board shall be called directors, and shall have the following qualifications: (1) [f]our of the directors shall be members of the Navajo Nation who speak English with fluently and who have sufficient education and experience and experience to qualify them for learning utility business practices and procedures and making sound judgment; (2)[f]our of the directors shall be persons having not less than 10 years experience in business management of substantial character and at least two of such person shall have had such experience in the management and operation of a utility business. See 21 N.N.C. § 9 (B) (1)-(2).

G. Directors shall be eligible for reappointment, See 21 N.N.C. §9(C) (1).

H. Vacancies in the management board may be filled for an unexpired term of the vacant office. See 21 N.N.C. §9(C) (2).

I. On February 16, 2015, during the Resources and Development Committee interview, Ms. Belinda Eriacho was selected to be reappointed to the NTUA management board. See Exhibit A (NTUA Board Selection, Feb. 17, 2016); See also 21 N.N.C. §9(A); See also 2 N.N.C. §501(B) (9).

J. Ms. Belinda Eriacho has expressed her continued interest in being reappointed as a Director to the NTUA management board. See Exhibit B (Letter of Interest); See also 21 N.N.C. § 9 (C) (1).

K. Ms. Belinda Eriacho meets the qualifications listed under, 21 N.N.C. §9 (B) (1)-(2). See Exhibit C (Resume); See also Exhibit D (Certificate of Indian Blood).

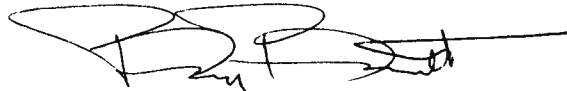
L. The reappointment of Ms. Belinda Eriacho will be for a period of three years starting from October 2015 and will expire with the annual board meeting in October 2018. See 21 N.N.C. §9(C)(2).

SECTION THREE. CONFIRMING RE-APPOINTMENT

The Navajo Nation Council Resources and Development Committee finds that Ms. Belinda P. Eriacho meet the required qualifications to be reappointed as a director for the NTUA management board as set forth in 21 N.N.C. §9(B)(1)-(2), and hereby reappoints Ms. Belinda P. Eriacho for a term of three years, with the term expiring at the annual board meeting in October 2018.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Twin Arrows Casino Resort, (Navajo Nation) Twin Arrows, Arizona, at which quorum was present and the same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 11th day of April, 2016.



Benjamin Bennett Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Motion: Davis Filfred
Second: Leonard Pete

LEGISLATIVE SUMMARY SHEET

Tracking No. 0076-16

DATE: March 4, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; REAPPOINTMENT OF BELINDA P. ERIACHO TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

PURPOSE: This resolution if approved, will reappoint Ms. Belinda P. Eriacho to the Navajo Tribal Utility Authority management board for a term of three years to expire at the annual board meeting in October 2018.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed legislation in detail.

5-DAY BILL HOLD PERIOD: 11/01/16
Website Posting Time/Date: 3:58pm 3/15/16
Posting End Date: 3/15/2016
Eligible for Action: 3/16/2016

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL – Second Year, 2016

INTRODUCED BY

ANTON JOE SHEPHERD
(Prime Sponsor)

TRACKING NO. 00712-112

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;
REAPPOINTMENT OF BELINDA P. ERIACHO TO SERVE ON THE NAVAJO
TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR
A TERM OF THREE YEARS

SECTION ONE. AUTHORITY

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SECTION TWO. FINDINGS

- A. Pursuant to 21 N.N.C. § 2, the Navajo Nation established the Navajo Tribal Utility Authority (NTUA) as an enterprise.
- B. The NTUA is authorized to acquire, construct, operate and maintain utility systems throughout the Navajo Nation. *See* 21 N.N.C. § 1 (B).
- C. The general purpose of NTUA is to operate, maintain and promote existing utility systems furnishing electric, gas, water, sewer utility services; generation,

1 and telecommunications and information services for the benefit of residents of
2 the Navajo Nation; including the establishment, ownership, operation and
3 maintenance of electric generating, telecommunications and information
4 services on or off the Navajo Reservation; and to provide utility generation,
5 telecommunications and information services on a non-profit basis and at a
6 reasonable cost to residents of the Navajo Nation consistent with the economical
7 operations of the Enterprise. *See* 21 N.N.C. § 5 (A)(1)-(6).

8 D. The NTUA Management Board shall have the delegated authority and
9 responsibility for the management and operation of the Enterprise. *See* 21
10 N.N.C. § 7 (1).

11 E. The management board shall consist of seven persons, all of whom shall be
12 appointed by the Government Services Committee of the Navajo Nation
13 Council; whose authority to confirm appointments to enterprise boards has been
14 delegated to the Resources and Development Committee. *See* 21 N.N.C. § 9 (A);
15 *See also* 2 N.N.C. § 501 (B)(9).

16 F. Members of the board shall be called directors, and shall have the following
17 qualifications: (1) [f]our of the directors shall be members of the Navajo Nation
18 who speak English with fluently and who have sufficient education and
19 experience to qualify them for learning utility business practices and procedures
20 and making sound judgements; (2) [f]our of the directors shall be persons having
21 not less than 10 years experience in business management of substantial
22 character and at least two of such persons shall have had such experience in the
23 management and operation of a utility business. *See* 21 N.N.C. § 9 (B)(1)-(2).

24 G. Directors shall be eligible for reappointment. *See* 21 N.N.C. § 9 (C)(1).

25 H. Vacancies in the management board may be filled for an unexpired term of the
26 vacant office. *See* 21 N.N.C. § 9 (C)(2).

27 I. On February 16, 2015, during the Resources and Development Committee
28 interview, Ms. Belinda Eriacho was selected to be reappointed to the NTUA
29 management board. *See* Exhibit A (NTUA Board Selection, Feb. 17, 2016); *See*
30 *also* 21 N.N.C. § 9 (A); *See also* 2 N.N.C. § 501 (B)(9).

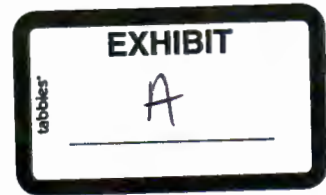
1 J. Ms. Belinda Eriacho has expressed her continued interest in being reappointed
2 as a Director to the NTUA management board. *See* Exhibit B (Letter of
3 Interest); *See also* 21 N.N.C. § 9 (C)(1).

4 K. Ms. Belinda Eriacho meets the qualifications listed under, 21 N.N.C. § 9 (B)(1)-
5 (2). *See* Exhibit C (Resume); *See also* Exhibit D (Certificate of Indian Blood).

6 L. The reappointment of Ms. Belinda Eriacho will be for a period of three years
7 starting from October 2015 and will expire with the annual board meeting in
8 October 2018. *See* 21 N.N.C. § 9 (C)(2).

9
10 **SECTION THREE. CONFIRMING RE-APPOINTMENT**
11

12 The Navajo Nation Council Resources and Development Committee finds that Ms.
13 Belinda P. Eriacho meet the required qualifications to be reappointed as a director for
14 the NTUA management board as set forth in 21 N.N.C. § 9 (B)(1)-(2), and hereby
15 reappoints Ms. Belinda P. Eriacho for a term of three years, with the term expiring at the
16 annual board meeting in October 2018.
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February 17, 2015

Walter Haase, General Manager
Navajo Tribal Utility Authority
Post Office Box 587
Fort Defiance, Arizona 86515

Subject: NTUA Board Selection

Dear Mr. Haase:

With this letter, I am respectfully informing you that Resources and Development Committee conducted their interview February 16, 2016 and after the conclusion of the interview, the Committee compiled their interview points and selected Ms. Belinda Eriacho to be reappointed to the NTUA Management Board.

A request for service will be submitted to Office of Legislative Counsel to a draft legislation for Ms. Eriacho's reappointment this week and hopefully will have the legislation posted by next week. The other position held by Mr. Leonard Tsosie, it was the consensus of the Committee members, that position will be filled by an RDC member. RDC has a special meeting scheduled on Friday, March 19th, and the on Friday, matter will be placed on the agenda for discussion.

As always, thank you for your hospitality in allowing for RDC to conduct their meeting at NTUA Headquarters.

Sincerely,

A handwritten signature in black ink, appearing to read "Alton Joe Shepherd". The signature is stylized with a large, circular loop at the beginning and a long, horizontal stroke extending to the right.

Alton Joe Shepherd, Honorable Council Delegate
23rd Navajo Nation Council



Mr. Walter Haase, General Manager
Navajo Tribal Utility Authority
P.O. Box 170
Fort Defiance, Arizona 86504

Re: Letter of Interest

Mr. Haase,

I would like to express an interest in participating on the NTUA Management Board. I have 25 years of experience in the utility business as I am currently employed with Pinnacle West Capital Corporation/Arizona Public Service Company. In addition, I have over 26 years of experience in the areas of environmental, health, safety, department of transportation requirements, risk management, and internal auditing.

I have attached a copy of my resume for your reference. If you have any additional questions I can be reached at (480) Ahéhee in advance for your consideration.

Belinda P. Eriacho
(Honágháahnii dóó Naasht'ézhí báshíshchiin)
; Judd Street
Tempe, Arizona 85283

Attachment (1)

BELINDA P. ERIACHO, CPEA, CPSA, REM



PROFILE

Accomplished professional with over 26 years of experience in health, safety, and department of transportation, and environmental requirements, internal controls, risk management, management systems auditing, project management, and environmental. Practical experience and knowledge associated with utility operation including: service centers, nuclear, gas & oil, and coal generating power plants. Has a proven ability to work with multi-discipline teams to achieve results associated with compliance, identification of risk, and migration strategies.

PROFESSIONAL EXPERIENCE

PINNACLE WEST CAPITAL CORPORATION/ ARIZONA PUBLIC SERVICE- *Phoenix, Arizona*

1991 - Present

Environmental, Health, and Safety Audit Leader

- Oversee audit and consultant engagements and the environmental, health, and safety (EHS) and other operating auditing life cycle, including risk analysis, managing schedules of teams, budgets, team assignments, review engagement memo, material data requests, work papers and perform quality assurance on auditing process.
- Track metrics for engagements to overall department metrics and targets related to budgets, productive time, etc.
- Hire and manage professional auditing personnel, create development and career plans, ensure accountability and motivate employee to meet department metrics.
- Create EHS trends reports (include recommendations) and provide a verbal report on the results with Executive and Senior management
- Monitor and provide recommendations to business units to address auditing findings and recommendations from self-assessment, compliance audits, and consulting engagements. These recommended actions address corrective and preventive actions.
- Interact and communicate frequently with generation, transmission and distribution operational management, front-line personnel on compliance related matters and management system initiatives.
- Maintains on-going communications with line management, director and executive level management, as well as with the Law Department regarding compliance matters.
- Collaborate with other professional organizations to perform benchmarking in order to identify strengths and improvement opportunities.
- Work collaboratively with ASD management team to perform benchmarks and develop strategic direction for the future and in-line with the Company's business model.
- Provide executive management with timely information and advice regarding compliance issues associated with various business units and operations of the company.
- Performed self-assessment and compliance audits of utility operations related to environmental, health, safety (EHS), department of transportation, and affirmative action.
- Provide consulting engagements related to ISO 14001 management systems audits and OSHA Voluntary Protection Program, Corporate Sustainability Reporting, Vegetation Management, Water Resource Reporting.
- Provide guidance, review, and oversight of contractor on the development of risk mapping process and a 5 year Audit Plan.
- Project manager for compliance and consulting engagements throughout the audit life cycle.
- Perform internal quality assurance assessments associated with the audit life cycle and monitor audit activities progress towards departmental metrics.
- Interface with clients on EHS and Department of Transportation with frontline employees, EHS/DOT professionals and various level of management, including Executive Management.
- Identify improvement opportunities and implement creative solutions to improve department efficiencies.

Senior Scientist

- Functioned as an EHS Auditor and assist with the development and implementation of EHS programs in order to meet regulatory requirements company-wide.
- Provided recommendations to procedures, processes, internal controls, and operational changes to help ensure compliance Federal, State and local EHS laws, regulations, licenses, and permits.
- Perform EHS audits and self-assessment of the generating plants, transmission and distribution operations, and administrative business offices.

Environmental Scientist

- Progressive responsibilities associated with monitoring, auditing, assessing compliance and providing recommendations in industrial hygiene and waste management programs, including: hazardous, special, solid waste, used oil, underground storage tanks, and polychlorinated biphenyls.
- Development of EHS audit protocols, audit reports and track findings to closure.
- Conducted company-wide audits of various EHS programs, including performing gap analysis and providing recommendations to management for implementation.
- Developed, coordinated and implemented a company-wide Vendor Audit Program in order to reduce risks and liabilities to the company.
- Provided guidance and assistance with corporate wide occupational health programs to achieved regulatory compliance objectives.
- Communicated and advised personnel about hazards in the work place, safe use and substitution of various chemical and physical agents.
- Provided technical support to generation operations on sealed source radiation. Maintained the hazardous chemical tracking systems and managed the Hazard Communication Program.
- Assisted with the development of training curriculum, design of training facilities, and performed Confined Space training for Transmission and Distribution field personnel.
- Updated and maintain the compliance guidelines relative to Occupational Health.
- Provided technical support to personnel on various environmental programs.
- Conducted quality assurance and control of environmental laboratories performing analytical results for the company, calibrated and maintained industrial hygiene equipment.

US PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES
NAVAJO AREA INDIAN HEALTH SERVICES: OSHMB – Window Rock, Arizona

1990

Junior Health Administrative Officer

- Conducted occupational health surveys; inspected medical facilities against National Fire Protection Life Safety Code requirements.
- Revised the Hazard Communication manual and performed inspections of medical facilities.

VARIOUS ORGANIZATIONS

1987-1990

Health Educator and Training Coordinator

EDUCATION

ARIZONA STATE UNIVERSITY, TEMPE, ARIZONA
Master of Technology, Emphasis: Hazardous Materials & Waste Management

1995

UNIVERSITY OF MICHIGAN,
Summer Institute in Occupational Epidemiology

1992

UNIVERSITY OF HAWAII, HONOLULU, HAWAII
Master of Public Health, Emphasis: Environmental & Occupational Health

1990

ARIZONA STATE UNIVERSITY, TEMPE, ARIZONA
Bachelor of Science, Emphasis: Health Sciences

1986

REGISTRATIONS/CERTIFICATION

CERTIFIED PROFESSIONAL ENVIRONMENTAL AUDITOR

*Board of Environmental, Health and Safety Auditing Certification, Health and Safety
No. 26*

CERTIFIED PROFESSIONAL HEALTH & SAFETY AUDITOR

*Board of Environmental, Health and Safety Auditing Certification, Environmental
No. 147*

CERTIFIED PROCESS SAFETY AUDITOR

*Board of Environmental, Health and Safety Auditing Certification, Environmental
No. 94*

CERTIFIED HAZARDOUS WASTE OPERATIONS WORKER

ARIZONA STATE UNIVERSITY POLYTECHNICAL

ISO 14001: 2004 EMS LEAD AUDITOR

QAI

REGISTERED ENVIRONMENTAL MANAGER

*National Registry of Environmental Professionals
No. REM 08973*

ARIZONA STATE UNIVERSITY, TEMPE, ARIZONA

Certificate of Hazardous Materials

EXECUTIVE PROGRAM IN SAFETY MANAGEMENT

AMERICAN SOCIETY OF SAFETY ENGINEERS

RELEVANT TRAINING

Incident Investigation, Root Cause Analysis, & Effective CAPA Programs
Problem Solving including Root Cause Analysis & Corrective Action Tracking

AREAS OF EXPERTISE

- Health, Safety, Environmental and Department of Transportation compliance, operational, and vendor due diligence auditing
- Internal Auditing
- Risk methodology and trending
- Knowledge and application of OSHA, EPA, DOT requirements
- Project management, scheduling and budgeting
- Management systems auditing
- Utility business operations

Vital Statistics Technician

RECEIVED

DATE OF BIRTH

AGE

DEGREE OF NAVAJO INDIAN BLOOD, and with Roll Number

DATE, dated January 1, 1969, which is an official record of this office as being

I certify that Belinda Pearl Brachio is listed on the Navajo Indian Census

Date

Feb. 07, 1969

Agency

FORT DEFENCE

Part A (to be used if applicant is enrolled)

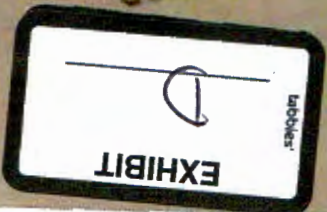
CERTIFICATE OF NAVAJO INDIAN BLOOD

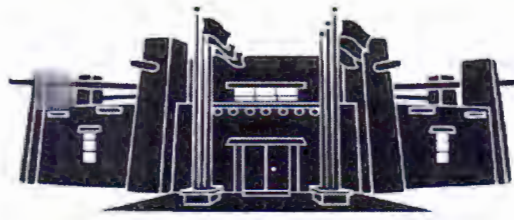
RECEIVED

10 MAY 1969

PETER WIDONALIN, CHAIRMAN
THE NAVAJO TRIBAL COUNCIL
JOHANN R. THOMPSON, VICE CHAIRMAN
THE NAVAJO TRIBAL COUNCIL

THE NAVAJO NATION





MEMORANDUM

TO: Honorable Alton Joe Shepherd
Navajo Nation Council

FROM: Rhonda L. Tuni
Rhonda L. Tuni
Office of Legislative Counsel

THRU: Levon Henry
Levon Henry, Attorney
Office of Legislative Counsel

DATE: March 4, 2016

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT
COMMITTEE; REAPPOINTMENT OF BELINDA P. ERIACHO TO
SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY
MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE
YEARS

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Sponsor", and submit it to the office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution. You may contact me at (928) 871-7251. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0076-16

SPONSOR: Alton Joe Shepherd

TITLE: An Action Relating to Resources And Development Committee; Reappointment Of Belinda P. Eriacho To Serve On The Navajo Tribal Utility Authority Management Board Of Directors For A Term Of Three Years.

Date posted: March 10, 2016 at 3:58pm

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) 871-7590

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.: 0076-16

SPONSOR: Honorable Alton Joe Shepherd


**TITLE: An Action Relating to Resources And Development Committee;
Reappointment Of Belinda P. Eriacho To Serve On The Navajo Tribal Utility
Authority Management Board Of Directors For A Term Of Three Years.**

Posted: March 6, 2016 at 3:58 pm

5 DAY Comment Period Ended: March 15, 2016

Digital Comments received:

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



**Policy Analyst
Office of Legislative Services**

3/16/16 8:21am

Date/Time