

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 RETIREMENT PLAN ADMINISTRATION COMMITTEE
TO AMEND THE RESTATED DOCUMENTS FOR THE NAVAJO NATION
RETIREMENT 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 Retirement Plan Administration Committee (RPAC) voted to approve an amendment to Section 11.01 of the Retirement Plan for employees of the Navajo Nation and Participating Affiliates, naming the Chief Justice of the Navajo Nation Supreme Court to RPAC.
- B. The RPAC Resolution, RPAC-01-18, approving and recommending the change, is attached as **Exhibit 1**.

SECTION THREE. APPROVAL

The Budget and Finance Committee approves the recommendation of RPAC 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 cursive script that reads "Dwight Witherspoon".

Dwight Witherspoon, Vice Chairperson
Budget and Finance Committee

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

**PROPOSED RESOLUTION OF THE
RETIREMENT 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 Plan Document for the Retirement Plan for Employees of the Navajo Nation and Participating Affiliates, which Amends the Plan by Adding a Judicial Branch Representative to the Committee.

WHEREAS:

1. Pursuant to Resolution BFMY-41-73, the Budget and Finance Committee of the Navajo Nation Council under the auspices of Navajo Tribal Council Resolution CF-21-73, initially adopted the Retirement Plan for Employees of the Navajo Tribe and Certain Tribal Affiliates; and
2. Pursuant to 2 N.N.C. § 301(B)(8), the Budget and Finance Committee of the Navajo Nation Council is empowered to promulgate policies and regulations concerning the fringe benefits for Navajo Nation officials and employees; and
3. Pursuant to Resolution HSCD-13-10, the Human Services Committee of the Navajo Nation Council approved and adopted the restated Retirement Plan for the Employees of the Navajo Nation and Participating Affiliates (hereinafter the "Plan"); and
4. In 2016, the Committee passed a resolution attempting to amend and restate the Plan, intending it to be effective January 1, 2016. However, there is no evidence that this was approved by the Budget and Finance Committee or another committee of the Navajo Nation Council; and
5. Pursuant to Section 13.01 on the right to amend the Plan, the employer reserves the right to modify, alter or amend this Plan from time to time to any extent that it may deem advisable; and
6. The Navajo Nation Retirement 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.

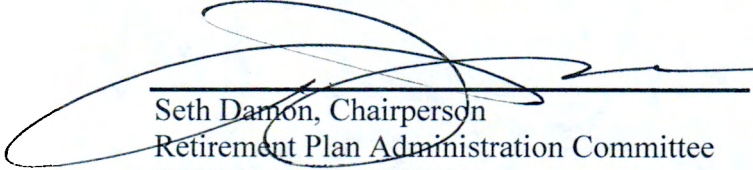
NOW THEREFORE BE IT RESOLVED THAT:

The Navajo Nation Retirement Plan Administration Committee hereby approves amending Section 11.01 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 Navajo Nation Retirement 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 Retirement Plan Administration Committee of the Navajo Nation at a duly called meeting in Window Rock, (Navajo Nation) Arizona at which a quorum was present and that same was passed by a vote of 2 in favor, 0 opposed and 1 abstained, this 24th day of January, 2018.



Seth Damon, Chairperson
Retirement Plan Administration Committee
THE 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"

Retirement Plan for Employees of the Navajo Nation and Participating Affiliates

Article 11

Plan Administration

11.01 Appointment of Committee – The Retirement Plan Administration Committee, hereinafter referred to as Committee, shall consist of:

- (a) The Chairperson, Budget and Finance Committee;
- (b) The Vice Chairperson, Budget and Finance Committee;
- (c) The Controller, Office of the Controller, Division of Finance;
- (d) The Director, Department of Personnel Management;
- (e) The Director, Division of Community Development; and
- (e)(f) The Chief Justice, Navajo Nation Supreme Court.

Person (a) shall serve as Chairperson of the Committee; person (b) shall serve as Vice Chairperson of the Committee.