

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

24TH NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO THE BUDGET AND FINANCE COMMITTEE; APPROVING A
BUDGET REVISION REQUEST BY THE RISK MANAGEMENT PROGRAM TO
IMPROVE ITS PROCESSING OF INSURANCE CLAIMS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 300(A). Among other authorities, the Committee oversees the Insurance Services Department and its subordinate programs, including the Safety & Loss Control Program and the Risk Management Program. 2 N.N.C. § 301(B)(13).
- B. The Navajo Nation's FY2022 Budget Instruction Manual ("BIM") explains that a "budget revision involves a change to an approved budget that deviates from the approved financial plan" and a "budget reallocation" is the "transfer or reallocation of budget funds between business units ..." BIM, Sect. IX(C), Sect. XI(C)2. The terms "budget reallocation" and "budget revision" are used interchangeably herein, and have the same meaning.
- C. The BIM requires that all Budget Revision requests shall be reviewed by the Office of Management and Budget ("OMB"), and the OMB Executive Director shall approve or disapprove the request. BIM, Sect. XI(E)(3) and XI(E)(4).
- D. The BIM further provides that oversight committee approval shall be required before a budget reallocation is processed. BIM, Sect. XI(C)(2).
- E. According to 2 N.N.C. § 185(A), a Navajo Nation program's or department's requested budget revision request must be

approved by a two-third's vote of the oversight committee members. 2 N.N.C. § 185(A).

SECTION TWO. FINDINGS

- A. The Risk Management Program ("RMP") is requesting approval of a Budget Revision. RMP explains that its proposed transfer is for moving \$48,200 for an existing vacant employee position (salary and fringe benefits) in the Safety & Loss Control Program to the Risk Management Program to create a new employee position. This transfer to RMP will allow RMP to hire a new Insurance Claims Examiner, which new employee will greatly assist RMP in expeditiously processing insurance claims for the Navajo Nation and will reduce RMP's current backlog of claims. RMP's request memorandum is attached hereto as **EXHIBIT A**.
- B. RMP has submitted a completed and signed Budget Revision Request Form, attached hereto as **EXHIBIT B**.
- C. RMP has also provided budget forms and a program organizational chart showing the proposed budget transfer for the new RMP employee position. **EXHIBIT C**.
- D. The OMB review and approval required by the BIM, Sect. XI(E)(3) and XI(E)(4), was obtained by RMP on September 13, 2022, as shown on the Section 164 Review Form attached hereto as **EXHIBIT D**. The OMB Director has indicated that the RMP's Budget Revision Request Form is correct.

SECTION THREE. APPROVAL

The Budget and Finance Committee hereby approves the Risk Management Program's Budget Revision Request as shown in attached **EXHIBIT A**, **EXHIBIT B**, and **EXHIBIT C**.

SECTION FOUR. EFFECTIVE DATE

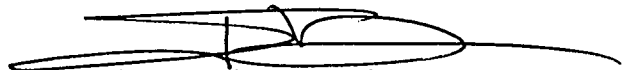
This Action shall become effective in accordance with 2 N.N.C. § 221(C).

SECTION FIVE. SAVINGS CLAUSE

If any portion of this Action is determined invalid by the Supreme Court or by a Navajo Nation District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.

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 by teleconference at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 6th day of December 2022.

A handwritten signature in black ink, appearing to read 'Jamie Henio', with a long horizontal line extending to the right.

Jamie Henio, Chairperson
Budget and Finance Committee

Motion: Honorable Raymond Smith, Jr.
Second: Honorable Jimmy Yellowhair

THE NAVAJO NATION

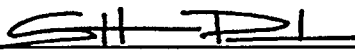
EXHIBIT A

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Honorable Wilson Stewart Jr.
 Council Delegate
 24th Navajo Nation Council

FROM: 
 Shawnevan Dale, Program Supervisor II
 Risk Management Program

DATE: June 30, 2022

SUBJECT: **Requesting to Reallocate funds from BU#812023 to BU# 812005.**

I am submitting this memorandum to request your assistance in sponsoring legislation before the Budget & Finance Committee "Reallocating" funds in the amount of \$48,200.00 and transfer of Insurance Claims Examiner (812023.1004) from Safety Loss Control Program (812023) to Risk Management Program (812005).

The Risk Management Program is proposing to reallocate funds from Business Unit 812023.1004 to Business Unit 812002.1014 in the amount of \$48,200.00. The reallocation of funds will only transfer the Position's Salary and Fringe from one Business Unit to another Business Unit under the Risk Management Program. The transfer of the position will allow the Risk Management Program to increase its staffing to handle insurance claims. Currently, due to the current staffing, there is only one claims examiner handling all Auto Physical Claims for the Navajo Nation and the Enterprises. This action would alleviate the backlog and provide an expeditious adjudication process.

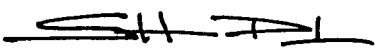
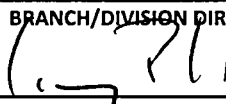
I thank you in advance for your attention to this matter and hope that you can proceed with our budget transfer. If you should have any further questions or the need for additional information, please don't hesitate to contact me directly at (928) 871-6078 or sdale@navajo-nsn.gov.

Attachments: (4)

- OMB BRR (Signed)
- OMB Budget Form 5 (812023 to 812005)
- OMB Budget Form 2 (Current 812023 Listing)
- Organizational Chart (812005)



THE NAVAJO NATION
OFFICE OF MANAGEMENT AND BUDGET
BUDGET REVISION REQUEST
(For Use on NN Funds and External Grant Budgets)

PART I. PROGRAM INFORMATION:							
Lucy Slim, Office Specialist				lucyslim@navajo-nsn.gov		6/23/2022	
PREPARED/REQUESTED BY (PRINTED NAME & TITLE)				EMAIL ADDRESS		DATE	
812005 & 812023		Risk Management/Safety Loss Control		871-6335			
BUSINESS UNIT NO.		PROGRAM / DEPARTMENT TITLE		PHONE NO.			
PART II. FOR EXTERNAL GRANT OR CONTRACT USE ONLY:							
TITLE OF EXTERNAL CONTRACT / GRANT				FUNDING PERIOD - START/ END DATE			
PART III. TRANSFER FROM OBJECT CODE:				PART IV. TRANSFER TO OBJECT CODE:			
FUNDS AVAILABLE (OMB USE ONLY)	LOD	FROM OBJECT CODE & DESCRIPTION OF CODE	AMOUNT	LOD	TO OBJECT CODE & DESCRIPTION OF CODE	AMOUNT	
	6	812023.2110-Regular (1004)	33,617	6	812005.2110-Regular (1014)	33,617	
	6	812023.2900-Fringe (1004)	14,583	6	812023.2900-Fringe (1014)	14,583	
TOTAL			48,200	TOTAL			48,200
PART V. JUSTIFICATION FOR BUDGET REVISION (Must be detailed and complete): Explain why the revision is required and provide calculations to show budget is sufficient for the purpose of the budget revision or to the end of the funding period. Do not simply repeat the information provided in Part III and IV above.							
Transferring position 1004 from BU 812023 to 1014 in BU 812005 to increase claims staff in RMP.							
PART VI. IMPACT ON PROGRAM PERFORMANCE CRITERIA SET IN BUDGET FORM 2: Describe change in funding's (object code) affect on performance criteria, if any.							
Increase accomplished claims data. (NO IMPACT)							
PART VII. APPROPRIATE SIGNATURES:							
Shawnevan Dale, Program Supervisor II				Tom Platero, Division Director			
DEPARTMENT/PROGRAM DIRECTOR (PRINTED)				BRANCH/DIVISION DIRECTOR (PRINTED)			
 6/23/22				 6/23/2022			
APPROVAL SIGNATURE / DATE				CONCURRENCE SIGNATURE / DATE			

Do not attach original supporting documents such as PAFs, POs, Invoices, etc.

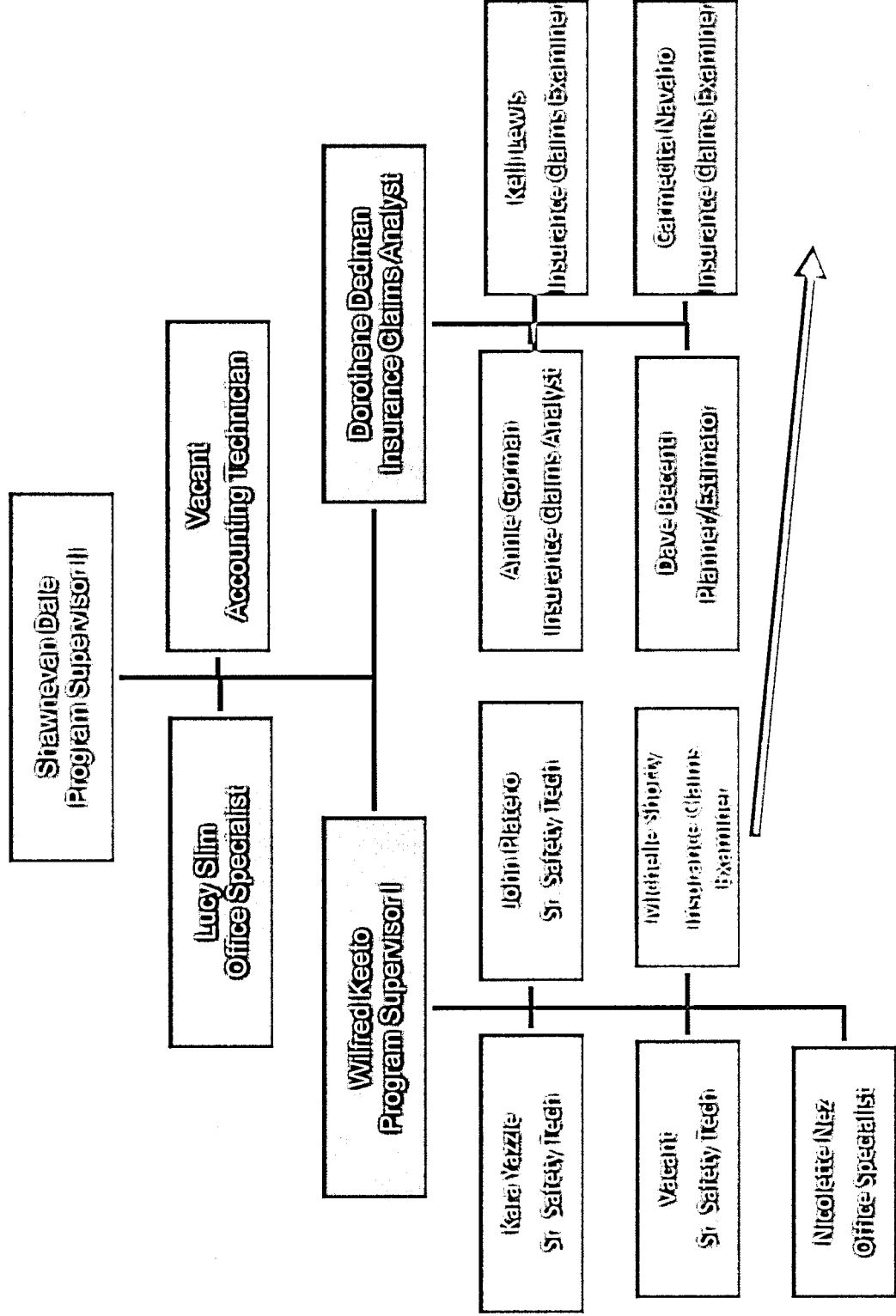
THE NA JO NATION
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT

Garrick Tsosie
DPM Certified 06/29/2021
Date

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WORK SITE	FY 2021 ACTUAL			HOURS	FY 2022 PROPOSED		
						G/S	H/R	SALARY		BUDGET PERIOD	BUDGET	
812023 - ISD/RMP-SAFETY/LOSS CNTRL PRGM												
1001	234898	1246	Program Supervisor I	VACANT	WIN	BJ64A	21.03	43,910.64	2,088	10/01/2021	09/30/2022	43,911.00
1002	234523	4026	Senior Safety Technician	VACANT	FDA	BJ62A	18.06	37,709.28	2,088	10/01/2021	09/30/2022	37,709.00
1003	210182	4026	Senior Safety Technician	10334	WIN	BJ62H	21.75	45,414.00	2,088	10/01/2021	09/30/2022	45,414.00
1004	203790	1471	Insurance Claims Examiner	152165	WIN	BJ60B	15.63	32,635.44	2,088	10/01/2021	09/30/2022	32,635.00
1005	204880	4026	Senior Safety Technician	VACANT	WIN	BJ62A	18.06	37,709.28	2,088	10/01/2021	09/30/2022	37,709.00
1006	204879	4026	Senior Safety Technician	362165	WIN	BJ62A	18.06	37,709.28	2,088	10/01/2021	09/30/2022	37,709.00
1007	211693	1366	Office Specialist	VACANT	WIN	BJ58A	12.80	26,726.40	2,088	10/01/2021	09/30/2022	26,726.00
2110 - SUBTOTAL:									\$	261,813.00		
BUSINESS UNIT TOTAL:									\$	261,813.00		

PART I. PROGRAM INFORMATION:									
Program Name/Title: Safety & Loss Control Program					Business Unit No.: 812023				
PART II. PERSONNEL/POSITION CHANGES:									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	
Type of Change	Sub Acct Object Code	Position Number	Job Type / Class Code	Position Title	Employee ID No. or Vacant	Salary	Fringe Benefit	Total (Col. G + H)	
Trans Out	1004	203790	001471	Insurance Claims Examiner	152165	33,617	14,583	48,200	
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Risk Management Program



Document No. 019159

Date Issued: **08/10/2022**

SECTION 164 REVIEW FORM

Title of Document: Budget Modification for RMP Contact Name: DALE, SHAWNEVAN

Program/Division: DIVISION OF GENERAL SERVICES

Email: sdale@navajo-nsn.gov Phone Number: 871-6335

Division Director Approval for 164A: M. J. [Signature]

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

☐ **Statement of Policy or Positive Law:** **Sufficient** **Insufficient**
 1. OAG: Date: ☐ ☐

☒ IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)

1. OMB: [Signature] Date: 9-13-22 ☒ ☐
2. OOC: [Signature] Date: 10.25.22 ☒ ☐
3. OAG: [Signature] Date: 11/2/22 ☒ ☐

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
1.	Division:	_____	Date:	_____
2.	OMB:	_____	Date:	_____
3.	OOC:	_____	Date:	_____
4.	OAG:	_____	Date:	_____

<input type="checkbox"/> Subcontract/Contract expending or receiving funds or amendment:		
1. Division:	_____	Date: _____
2. BRD:	_____	Date: _____
3. OMB:	_____	Date: _____
4. OOC:	_____	Date: _____
5. OAG:	_____	Date: _____

☐ Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:

1. Division: _____ Date: _____

2. OAG: _____ Date: _____

<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:		
1. Division:	_____	Date: _____	<input type="checkbox"/>
2. OMB:	_____	Date: _____	<input type="checkbox"/>
3. OOC:	_____	Date: _____	<input type="checkbox"/>
4. OAG:	_____	Date: _____	<input type="checkbox"/>

THE NAVAJO NATION
OFFICE OF MANAGEMENT AND BUDGET
BUDGET REVISION REQUEST
(For Use on NN Funds and External Grant Budgets)

PART I. PROGRAM INFORMATION:

PREPARED/REQUESTED BY (PRINTED NAME & TITLE) Lucy Slim, Office Specialist	EMAIL ADDRESS lucyslim@navajo-nsn.gov	DATE 11/2/2022
BUSINESS UNIT NO. 812005 & 812023	PROGRAM / DEPARTMENT TITLE Risk Management/Safety Loss Control	PHONE NO. 871-6335

PART II. FOR EXTERNAL GRANT OR CONTRACT USE ONLY:

TITLE OF EXTERNAL CONTRACT / GRANT	FUNDING PERIOD - START/ END DATE
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PART III. TRANSFER FROM OBJECT CODE:

FUNDS AVAILABLE (OMB USE ONLY)	LOD	FROM OBJECT CODE & DESCRIPTION OF CODE	AMOUNT
	6	812023.2110-Regular (1004)	34,264
	6	812023.2900-Fringe (1004)	17,838
TOTAL			52,102

PART IV. TRANSFER TO OBJECT CODE:

LOD	TO OBJECT CODE & DESCRIPTION OF CODE	AMOUNT
6	812005.2110-Regular (1014)	34,264
6	812023.2900-Fringe (1014)	17,838
TOTAL		52,102

PART V. JUSTIFICATION FOR BUDGET REVISION (Must be detailed and complete): Explain why the revision is required and provide calculations to show budget is sufficient for the purpose of the budget revision or to the end of the funding period. Do not simply repeat the information provided in Part III and IV above.

Transferring position 1004 from BU 812023 to 1014 in BU 812005 to increase claims staff in RMP.

PART VI. IMPACT ON PROGRAM PERFORMANCE CRITERIA SET IN BUDGET FORM 2: Describe change in funding's (object code) affect on performance criteria, if any.

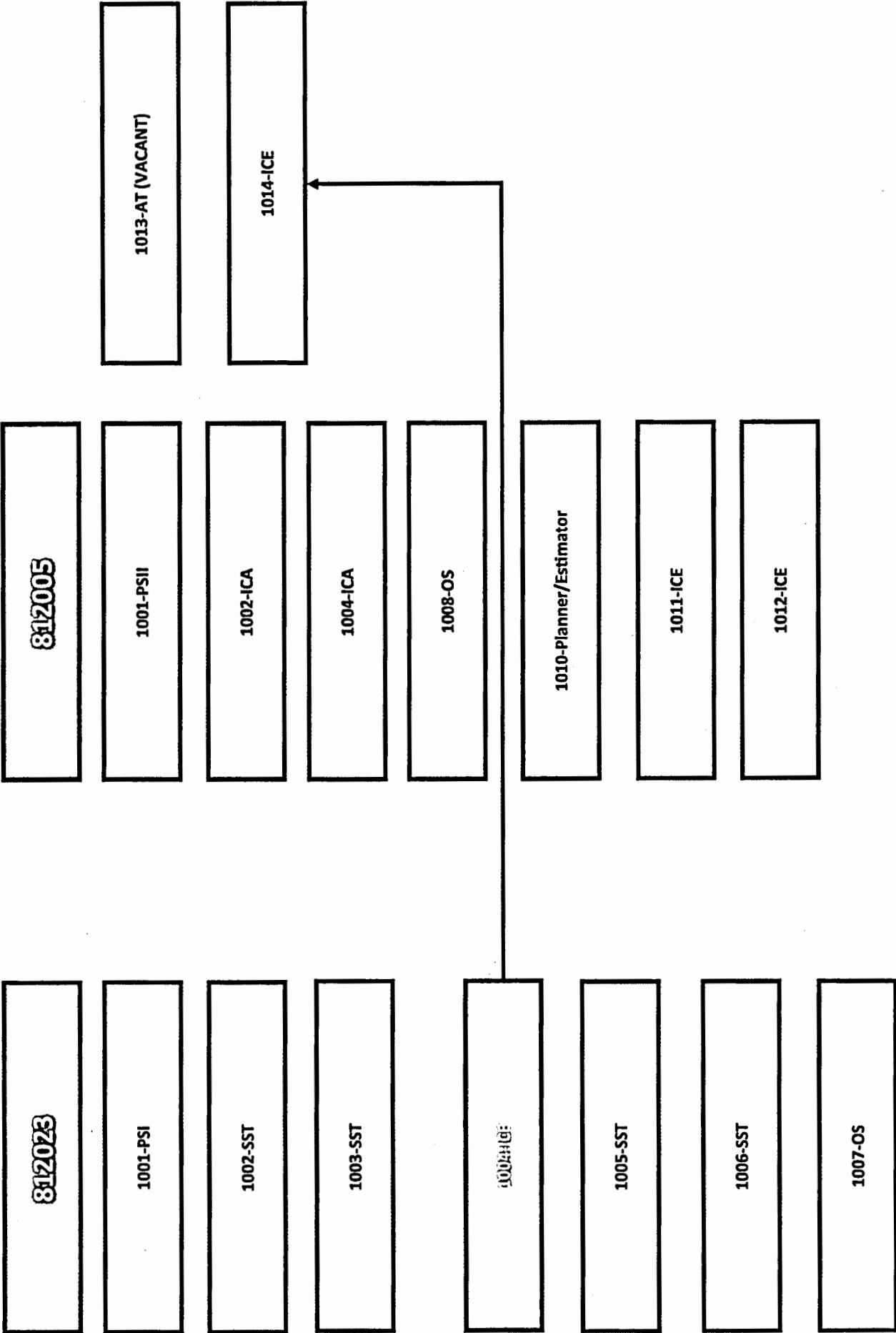
Increase accomplished claims data. (NO IMPACT)

PART VII. APPROPRIATE SIGNATURES:

DEPARTMENT/PROGRAM DIRECTOR (PRINTED) Shawnevan Dale, Program Supervisor II	BRANCH/DIVISION DIRECTOR (PRINTED) Oliver Arviso, Division Director
 11/2/22 APPROVAL SIGNATURE / DATE	 02 NOV 22 CONCURRENCE SIGNATURE / DATE

Do not attach original supporting documents such as PAFs, POs, Invoices, etc.

Proposed Budget Revision: 812023 to 812005 (Transfer position 1004 to 1014-New)



THE NAVAJO NATION


JONATHAN NEZ | PRESIDENT

MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : All Concerned

FROM : 
Oliver C. Arviso, Deputy Division Director
Division of General Services

DATE : May 9, 2022

SUBJECT : Standing Delegation of Authority

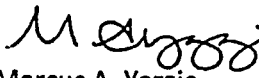
Effective Monday, May 9, 2022 and until further notice the following shall be the standing delegation for the Deputy Division Director position for the Division of General Services - Administration:

- Marcus A. Yazzie, Senior Planner, Division of General Services

This delegation will be in effect while I am on leave or away from the office. The delegation will cover day to day operations and excludes training requests and overtime documents. This delegation supersedes the previously issued standing delegation.

Thank you in advance for your cooperation and understanding with the designated staff while they are delegated on my behalf. If you should have any questions or concerns, I can be reached at (928) 871 - 6311.

ACKNOWLEDGMENTS:


Marcus A. Yazzie
Senior Planner
Division of General Services

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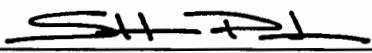
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO : EXECUTIVE 164(A) REVIEWERS

FROM : 
Shawnevan Dale, Program Supervisor II
Risk Management Program

DATE : August 10, 2022

SUBJECT: ***Proposed Budget Revision for Business Units 812005 & 812023-transferring position 812023.1004 to 812005.1014 (New).***

The attached ***Document Number 0190159*** is a proposed Budget Modification for Business Units 812005 and 812023. The proposed modification moves position 812023.1004 to 812005.1014(new), including salary and fringe.

The proposed change will allow the Risk Management Program to increase the claims administration staff to alleviate the workload of the lone insurance claims analyst working on Auto Physical Damage (APD) claims. The Risk Management Program has seen a substantial increase in the number of APD claims in the past three years.

In reviewing the organization structure and need of the Risk Management Program, I am requesting a favorable review of the attached proposed Budget Modification. Your expeditious review of the attached items and signature would be greatly appreciated

Xc: rmp files

Darlene Sam

From: Darlene Sam
Sent: Thursday, September 1, 2022 4:43 PM
To: 'Shawnevan Dale'; Nanette Francisco; Dominic Beyal; 'Oliver C. Arviso'
Cc: Marcus A. Yazzie; Dorothea Dedman
Subject: RE: Document No. 019159 for Risk Mgt BU#812005 & 812023

FY 2022:

1. The FY 2022 budget was set since October 1, 2021.
2. On June 24, 2022 OMB received a budget transfer from Risk Management.
 - a. The transfer was from BU#812005 to 812023. Per the '22 BIM this is considered a reallocation.
3. On August 12, 2022 164 review doc. no. 019159 was submitted for a reallocation. The documents include the FY 2023 Budget Form 3.

FY 2023:

4. DPM provided the personnel listings to the Divisions in late June 2022.
5. If DGS/Risk's intent was to transfer the affect position from 812005 to 812023, then the changes should have been made via the personnel listing. The '23 BIM, instructions for BF3 should have been followed.

The dilemma:

- My view is, it's too late for a budget reallocation for FY 2022. There's 20 working days left in FY 2022.
- The FY 2023 budget was developed with the potential personnel transfer still in BU#812005. The changes were never made on the DPM personnel listing transferring the position to BU#812023. The '23 budget will be before NNC next week.

How do we resolve this? Suggestions/recommendations are welcome. I am also including OMB management for their input.

• Can do in FY 23 budget after 10/1/22.



Darlene Sam
Senior Budget Analyst, Budget Section
Office of Management and Budget

Phone: (928) 871-6029
Email: dsam@omb.navajo-nsn.gov

PO Box 646
Window Rock, AZ 86515

www.omb.navajo-nsn.gov

DBeyal
9-13-22

From: Shawnevan Dale [mailto:sdale@navajo-nsn.gov]
Sent: Thursday, September 1, 2022 4:13 PM
To: Darlene Sam <dsam@omb.navajo-nsn.gov>

Cc: Marcus A. Yazzie <marcusayazzie@navajo-nsn.gov>; Dorothea Dedman <ddedman@navajo-nsn.gov>
Subject: Re: Document No. 019159 for Risk Mgt BU#812005 & 812023

Correct. But my attempt was two months ago when this was submitted not for the new FY.

Sent from my iPhone

On Sep 1, 2022, at 4:04 PM, Darlene Sam <dsam@omb.navajo-nsn.gov> wrote:

This should have been handled with DPM when DGS received their '23 personnel listing. The changes would have been made with DPM, and not necessarily a reallocation.

From: Shawnevan Dale [mailto:sdale@navajo-nsn.gov]
Sent: Thursday, September 1, 2022 3:54 PM
To: Marcus A. Yazzie <marcusayazzie@navajo-nsn.gov>
Cc: Dorothea Dedman <ddedman@navajo-nsn.gov>; Darlene Sam <dsam@omb.navajo-nsn.gov>
Subject: Re: Document No. 019159 for Risk Mgt BU#812005 & 812023

Confused? I thought it was simple. Transfer of Insurance Claims Examiner Position from 812023 to 812005.

Sent from my iPhone

On Sep 1, 2022, at 3:16 PM, Marcus A. Yazzie <marcusayazzie@navajo-nsn.gov> wrote:

Hi Dorothea,

Please advise.

Thank you,

Marcus A. Yazzie
Senior Planner
Division of General Services

From: Darlene Sam <dsam@omb.navajo-nsn.gov>
Sent: Thursday, September 1, 2022 3:03 PM
To: Shawnevan Dale <sdale@navajo-nsn.gov>
Cc: Marcus A. Yazzie <marcusayazzie@navajo-nsn.gov>
Subject: Document No. 019159 for Risk Mgt BU#812005 & 812023

Hi Shawnevan. I called ext 6335, no answer. Can you call me re: the above. I am totally confused.



Darlene Sam

Senior Budget Analyst, Budget Section
Office of Management and Budget

Phone: (928) 871-6029

Email: dsam@omb.navajo-nsn.gov

PO Box 646
Window Rock, AZ 86515

www.omb.navajo-nsn.gov

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WARNING: External email. Please verify sender before opening attachments or clicking on links.

BUDGET AND FINANCE COMMITTEE

December 6, 2022

Regular Meeting

VOTE TALLY SHEET:

Legislation No. 0215-22: An Action Relating to the Budget and Finance Committee; Approving a Budget Revision request by the Risk Management Program to Improve its Processing of Insurance Claims
Sponsored by Wilson C. Stewart, Jr., Council Delegate

Motion: Raymond Smith, Jr.

Second: Jimmy Yellowhair

Vote: 4-0, Chairman not voting

Final Vote Tally:

Jamie Henio		
Raymond Smith Jr.	yea	
Elmer P. Begay	yea	
Nathaniel Brown	yea	
Amber K. Crotty		
Jimmy Yellowhair	yea	

Excused: Amber K. Crotty



Jamie Henio, Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee