

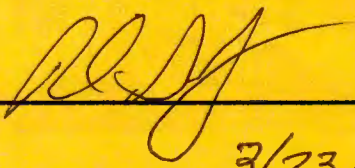


23rd NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Raymond Smith, Primary
Sponsor of proposed legislation hereby withdraw my
sponsorship of the proposed legislation. The legislation
tracking number is 0097-17.

If there are any co-sponsors, they may re-sponsor the same
bill by beginning a new legislation.

SPONSOR SIGNATURE:



DATE:

3/23/17

LEGISLATIVE SUMMARY SHEET

Tracking No. 0097-17

DATE: March 6, 2017

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT:
ENDORSING THE ESTABLISHMENT OF THE PUERCO VALLEY CHAPTERS' NAVAJO
REGIONAL COUNCIL ESTABLISHED BY THE HOUCK, NAHATA DZIIL, TSÉ SÍ ANÍ,
WIDE RUINS AND KLAGETOH CHAPTERS

PURPOSE: The purpose of this legislation is to recognize and approve the establishment of the Puerco Valley Chapters' Navajo Regional Council established by the Houck, Nahata Dziil, Tsé Sí Aní, Wide Ruins and Klagetoh Chapters.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: SNotah
Website Posting Time/Date: 2:44pm 3/13/2017
Posting End Date: 3/18/2017
Eligible for Action: 3/19/2017

PROPOSED STANDING COMMITTEE RESOLUTION
23rd NAVAJO NATION COUNCIL—THIRD YEAR, 2017

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0097-17

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT: ENDORSING THE
ESTABLISHMENT OF THE PUERCO VALLEY CHAPTERS' NAVAJO REGIONAL
COUNCIL ESTABLISHED BY THE HOUCK, NAHATA DZIIL, TSÉ SÍ ANÍ, WIDE RUINS
AND KLAGETOH CHAPTERS

BE IT ENACTED:

Section One. Authority

The Resources and Development Committee of the Navajo Nation Council is
empowered with oversight authority over Chapters of the Navajo Nation. 2
N.N.C. §501 (C) (1).

Section Two. Findings

A. The five Chapters of Houck, Nahata Dziil, Tsé Sí Aní, Wide Ruins and
Klagethoh have, by respective resolutions as found at Exhibit "A", requested
that the Resources and Development Committee recognize the formation of
the Puerco Valley Chapters' Regional Council and that proposed Council's
Plan of Operation as found at Exhibit "B".

B. The proposed Puerco Valley Chapters' Regional Council is established to
empower Puerco Valley Chapters to positively impact their community
members' lives, their chapter communities and their environment as further
described in the Plan of Operation as found at Exhibit "B".

1 C. The Resources and Development Committee of the Navajo Nation Council
2 finds it to be in the best interest of the Navajo Nation to recognize and endorse
3 the formation of the Puerco Valley Chapters' Regional Council and that
4 proposed Council's Plan of Operation as found at Exhibit "B".

5 **Section Three. Approval**

6 A. The Resources and Development Committee hereby recognizes and endorses
7 the establishment of the Puerco Valley Chapter's Navajo Regional Council
8 established by the Houck, Nahata Dziil, Tsé Sí Aní, Wide Ruins and Klagetoh
9 Chapters to positively impact their community members' lives, their chapter
10 communities and their environment as further described in the Plan of
11 Operation as found at Exhibit "B" and as supported by the respective Chapters
12 as found at Exhibit "A", attached hereto and incorporated herein by reference.
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TSA-2016-03-007

Resolution of the Tse Si Ani Chapter

Requesting the Navajo Nation Resources & Development Committee to Recognize the Puerco Valley Chapters' as a Regional Council for Region 7, Consisting of Houck, Tse Si Ani, Nahata Dziil, Wide Ruins and Klagetoh Chapters

WHEREAS:

1. Pursuant to the "Local Governance Act", 26 NNC, the Tse Si Ani Chapter is a certified chapter of the Navajo Nation, authorized to act on behalf of the community, and committed to provide and assist with opportunities for the betterment and improvement of the standard of living of its constituents; and
2. The Puerco Valley Chapters came together to recognize the equality and inalienable rights of the PVC Chapters, and encourages the chapter governments to work aimed at improving the coordination and effectiveness of the five (5) chapters; and
3. PVC developed a common vision to be the emphasis that unites the chapters and guides the partnership; narrowed down priority issues; separation of priority issues into short- and long-term priorities; and develop shared assignments; and
4. The PVC stressed the fact that the Chapters face significant financial obstacles and is in need of obtaining funding from other resources, particularly in the economic and community development realm, thus encouraging all relevant agencies (federal, state, counties and the Navajo Nation) to collaborate more closely with the Chapters at the grassroots level to enhance the ongoing services to the community members; and
5. The PVC stresses the continuing need for impartial and objective information on the political, economic and social situations and events of all Chapters, and requests the expansion of quick actions and assurance of technical assistance from the Navajo Nation Government; and
6. Technical assistance includes the implementation of rapid responses, enhance coordination to streamline efforts for aid to the Chapters, and respond quickly and generously to assure funding for Chapter projects, including post-conflict assistance through chapter reconstruction/new construction and development.

TSÉ SI ANÍ CHAPTER

P.O. Box 403 · Lupton, AZ 86508
P: (928) 688-2128 F: (928) 688-3150

ALVIN BLACKGOAT
PRESIDENT

FREDDIE J. NELSON
VICE PRESIDENT

REGAN R. HAWTHORNE
SECRETARY/TREASURER

RAYMOND SMITH JR.
COUNCIL DELEGATE

RANDALL COMB
GRAZING OFFICIAL

NOW, THEREFORE BE IT RESOLVED:


1. Requesting the Navajo Nation Resource & Development Committee for Puerco Valley Chapters' to be recognized as a Regional Council for Region 7, consisting of the following Chapters: Tse Si Ani, Houck, Nahata Dziil, Wide Ruins and Klagetoh.


CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Tse Si Ani Chapter at a duly called meeting at Tse Si Ani (Lupton), Arizona, at which a quorum was present and the same was passed by a vote of 16 in favor, 0 opposed, and 1 abstained this 17th day of March, 2016.

MOTION: Mr. Leonard Slim

SECOND: Mr. Johnny Thompson


Mr. Alvin BlackGoat, Chapter President


Mr. Freddie J. Nelson, Vice President


Mr. Regan Hawthorne, Secretary/Treasurer

Raymond Smith, Jr., Council Delegate

TSA-2016-03-007 Chapter Resolution Requesting the Navajo Nation Resources & Development Committee to Recognize the Puerco Valley Chapters' as a Regional Council for Region 7, Consisting of Houck, Tse Si Ani, Nahata Dziil, Wide Ruins and Klagetoh Chapters



HOUCK CHAPTER GOVERNANCE

P.O.Box 127 • Houck, AZ 86506 • PHONE (928) 688-2734 • Fax (928) 688-3068

Charles Morrison, President

James Watchman Jr., Vice President

Kathleen B. Lee, Chapter Secretary/Treasurer

Jack Smith, Grazing Official

Raymond Smith, Council Delegate

Vernita S. Tsosie, Chapter Manager

HCR-010817-04

RESOLUTION OF THE HOUCK CHAPTER GOVERNANCE

REQUESTING THE NAVAJO NATION COUNCIL RESOURCE & DEVELOPMENT COMMITTEE TO RECOGNIZE THE PUERCO VALLEY CHAPTERS REGIONAL COUNCIL'S PLAN OF OPERATION, CONSISTING OF HOUCK, TSE SI ANI, NAHATA DZIL, WIDE RUINS AND KLAGETOH CHAPTERS

WHEREAS:

1. The Houck Community Chapter is a duly certified sub-governmental entity pursuant to 26 N. N. C., Section 3 (A) and listed at 11 N. N. C., Part 1, Section 10; and
2. Pursuant to 26 N. N. C., Section 1 (B) the Houck Community Chapter is vested with the authority to review matters affecting the community and take appropriate corrective measures necessary and make recommendations to the Navajo Nation and other local governmental agencies for appropriate action; and
3. The Puerco Valley Chapter's Regional Council (PVCRC) came together to recognize the equality and inalienable rights of the PVCRC, and encourages the chapter governments to work aimed at improving the coordination and effectiveness of the five (5) chapters; and
4. The PVCRC developed a common vision to be the emphasis that unites the chapters and guides the partnership; narrowed down priority issues; separation of priority issues into short- and long-term priorities; and develop shared assignments; and
5. The PVCRC stressed the fact that the Chapters face significant financial obstacles and is in need of obtaining funding from other resources, particularly in the economic and community development realm, thus encouraging all relevant agencies (federal, state, counties and the Navajo Nation) to collaborate more closely with the Chapters at the grassroots level to enhance the ongoing services to the community members; and
6. The PVCRC stresses the continuing need for impartial and objective information on the political, economic and social situations and events of all Chapters, and requests the expansion of quick actions and assurance of technical assistance from the Navajo Nation Government; and
7. Technical assistance includes the implementation of rapid responses; enhance coordination to streamline efforts for aid to the Chapters, and respond quickly and generously to assure funding for Chapter projects, including post-conflict assistance through chapter reconstruction/new construction and development.

NOW THEREFORE BE IT RESOLVED THAT:

1. Requesting the Navajo Nation Council Resource & Development Committee for Puerco Valley Chapter's to be recognized as a Regional Council, consisting of Houck, TseSiAni, Nahata Dzil, Wide Ruins and Klagetoh Chapters.
2. The Houck Community Chapter hereby directs the Chapter Officials and Administration to fulfill the intent of this resolution in compliance with all applicable tribal, state, or federal laws.

CERTIFICATION

We, Hereby certify that the foregoing resolution was considered and moved for approval by Anita Watchman and Seconded by Lola Goldtooth at a duly called Chapter Meeting of the Houck Community Chapter, at which a quorum was present and that the same passed by a vote of 31 in favor, 0 opposed and 7 abstained, this 8th day of *January* 2017.

Charles Morrison
Charles Morrison, Chapter President

NAHATA DZIIL COMMISSION GOVERNANCE

Darryl Ahasteen – President
Wayne Lynch – Vice President
LaVonne Tsosie – Secretary
Margaret Bedonie – Treasurer

Mae Horseman – Member
Corrina Chatter – Commission Manager
Starla Toadlena – Administrative Assistant

RESOLUTION OF NAHATA DZIIL COMMISSION GOVERNANCE

NDCG-2017-01-005

Nahata Dziil Commission Governance supporting Requesting the Navajo Nation Resources & Development Committee to Recognize the Puerco Valley Chapters' as an Regional Council for Region 7, Consisting of Houck, Tse Si Ani, Nahata Dziil, Wide Ruins and Klagetoh Chapters

WHEREAS:

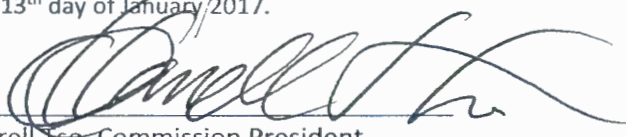
1. The Nahata Dziil Commission Governance is certified by the Navajo Nation Council Resolution CAP-36-91 as a local governmental entity of the Navajo Nation Government which has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of its community, people, programs, property, etc.; and
2. Transportation and Community Development Committee of the Navajo nation by Resolution TCDCAU-66-02, approved governance certification of the Nahata Dziil Commission Governance Five Management Policies and Procedures pursuant to 26 N.N.C. Section 102(B), which permit's the Nahata Dziil Commission Governance to exercise local governance authorities contained within 26 N.N.C. Section 103 (D)(1); and
3. The Nahata Dziil Commission Governance is further certified by the Navajo Nation in accordance with its Community Based land Use Plan, pursuant to Resolution of the Transportation and Community Development Committee of the Navajo Nation Council, to administer its community lands with the New Lands Chapter boundaries and to decide on the best options for its land use; and
4. On January 20, 2008, the Nahata Dziil Chapter converted its Governmental entity into the Nahata Dziil Commission Governance; and
5. The Puerco Valley Chapter's Regional Council (PVCRC) came together to recognize the equality and inalienable rights of the PVCRC Chapters, and encourages the chapter governments to work aimed at improving the coordination and effectiveness of the five (5) chapters; and
6. PVCRC developed a common vision to be the emphasis that unites the chapters and guides the partnership; narrowed down priority issues; separation of priority issues into short- and long-term priorities; and develop shared assignments; and
7. The PVCRC stressed the fact that the Chapters face significant financial obstacles and is in need of obtaining funding from other resources, particularly in the economic and community development realm, thus encouraging all relevant agencies (federal, state, counties and the Navajo Nation) to collaborate more closely with the Chapters at the grassroots level to enhance the ongoing services to the community members; and
8. The PVCRC stresses the continuing need for impartial and objective information on the political, economic and social situations and events of all Chapters, and requests the expansion of quick actions and assurance of technical assistance from the Navajo Nation Government; and
9. Technical assistance includes the implementation of rapid responses for chapter vehicle insurance coverage by the end of the fiscal year, enhance coordination to streamline efforts for aid to the Chapters, and respond quickly and generously to assure funding for Chapter projects, including post-conflict assistance through chapter reconstruction/new construction and development.

NOW THEREFORE, BE IT RESOLVED THAT

Nahata Dziil Commission Governance supporting Requesting the Navajo Nation Resources & Development Committee to Recognize the Puerco Valley Chapters' as an Regional Council for Region 7, Consisting of Houck, Tse Si Ani, Nahata Dziil, Wide Ruins and Klagetoh Chapters

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by Nahata Dziil Commission Governance at a duly called meeting at Nahata Dziil Commission Governance Meeting Hall, NAVAJO NATION, Sanders, (Arizona), at which a quorum was present and that same was passed by a vote of 04 in favor, 00 opposed and 01 abstained, on this 13th day of January 2017.



Darrell Tse, Commission President
Nahata Dziil Commission Governance

Motion by: **Darryl Ahasteen**

Second by: **Wayne Lynch**

Wide Ruins Community Chapter

Cecil Hubbell, Sr., President
Louise J. Nelson, Vice-President
Bernice Wilson, Secretary/Treasurer
Raymond Smith, Jr., Council Delegate

Post Office Box 208
Chambers, Arizona 86502
Phone: 928-652-3223
Fax: 928-652-3253

WDR-01-001-17

RESOLUTION OF THE WIDE RUINS COMMUNITY CHAPTER REQUESTING THE NAVAJO NATION RESOURCES AND DEVELOPMENT COMMITTEE TO RECOGNIZE THE PUERCO VALLEY CHAPTER'S AS A REGIONAL COUNCIL FOR REGION 7, CONSISTING OF HOUCK, TSE SI ANI, NAHATA DZIIL, WIDE RUINS AND KLAGETOH CHAPTERS.

WHEREAS:

1. The Wide Ruins Community Chapter is a certified chapter of the Navajo Nation pursuant to 2 NNC § 4001 & 4028(a), the Wide Ruins Community Chapter is a Certified and recognized chapter of the Navajo Nation and is delegated the authority to act for and on behalf of the community of Wide Ruins; and
2. Pursuant to Chapter 1, Subchapter 1, Section 131 (1) (2) of the same "Act", the Wide Ruins Chapter has the responsibility and authority to promote, protect, and preserve the interest and general welfare including the safety and health of its community people, programs, property; and
3. The Puerco Valley Chapters came together to recognize the equality and inalienable rights of the Puerco Valley Chapters, and encourages the chapter governments to work aimed at improving the coordination and effectiveness of the five (5) chapters; and
4. Puerco Valley Chapters developed a common vision to be the emphasis that unites the chapters and guides the partnership; narrowed down priority issues; separation of priority issues into short and long-term priorities; and develop shared assignments; and
5. The Puerco Valley Chapters stressed the fact that the Chapters face significant financial obstacles and is in need of obtaining funding from other resources, particularly in the economic and community development realm, thus encouraging all relevant agencies (Federal, State, Counties and the Navajo

RESOLUTION OF THE WIDE RUINS COMMUNITY CHAPTER

WDR-01-001-17

Page 2

Nation) to collaborate more closely with the Chapters at the grassroots level to enhance the ongoing services to the community members; and

6. Technical assistance includes the implementation of rapid responses, enhance coordination to streamline efforts for aid to the Chapters, and respond quickly and generously to assure funding for Chapter projects, including post-conflict assistance through chapter reconstruction/new construction and development.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Resource and Development Committee for Puerco Valley Chapters' to be recognized as a Regional Council for Region 7, consisting of the following Chapters: Tse Si Ani, Houck, Nahata Dziil, Wide Ruins and Klagetoh.

CERTIFICATION

I, hereby certify that the foregoing resolution was considered by the Wide Ruins Community Chapter at a duly called meeting at Wide Ruins, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 21 in favor, 00 opposed and 07 abstained, this 9th day of January 2017.

MOTIONED BY: Franklyn Wauneka

SECONDED BY: Bernadine Joe



Mr. Cecil Hubbell, Sr., President



Klagetoh Chapter

Unit 42 HC 58 Box 90
Ganado, AZ 86505
(928)652-2700/2704



Ernest Benally, President
Raymond Smith Jr., Council Delegate

Laverne Joe, Vice President

Dorinda Roan, Secretary/Treasurer
Nancy Chee, Community Service Coordinator

Chester Roan, Grazing Officer
Maureen Woodman, AMS

KLA-1861-01/2017

Resolution of the Klagetoh Chapter

Requesting the Navajo Nation Resources & Development Committee to Recognize the Puerco Valley Chapters' as a Regional Council for Region 7, Consisting of Houck, Tse Si Ani, Nahata Dziil, Wide Ruins and Klagetoh Chapters

WHEREAS:

1. Pursuant to the "Local Governance Act", 26 NNC, the Klagetoh Chapter is a certified chapter of the Navajo Nation, authorized to act on behalf of the community, and committed to provide and assist with opportunities for the betterment and improvement of the standard of living of its constituents; and
2. The Puerco Valley Chapters came together to recognize the equality and inalienable rights of the PVC Chapters, and encourages the chapter governments to work aimed at improving the coordination and effectiveness of the five (5) chapters; and
3. PVC developed a common vision to be the emphasis that unites the chapters and guides the partnership; narrowed down priority issues; separation of priority issues into short and long-term priorities; and develop shared assignments; and
4. The PVC stressed the fact that the Chapters face significant financial obstacles and is in need of obtaining funding from other resources, particularly in the economic and community development realm, thus encouraging all relevant agencies (federal, state, counties and the Navajo Nation) to collaborate more closely with the Chapters at the grassroots level to enhance the ongoing services to the community members; and
5. The PVC stresses the continuing need for impartial and objective information on the political, economic and social situations and events of all Chapters, and requests the expansion of quick actions and assurance of technical assistance from the Navajo Nation Government; and
6. Technical assistance includes the implementation of rapid responses, enhance coordination to streamline efforts for aid to the Chapters, and respond quickly and generously to assure funding for Chapter projects, including post-conflict assistance through chapter reconstruction/new construction and development.

NOW, THEREFORE BE IT RESOLVED:

1. Requesting the Navajo Nation Resource & Development Committee for Puerco Valley Chapters' to be recognized as a Regional Council for Region 7, consisting of the following Chapters: Tse Si Ani, Houck, Nahata Dziil, Wide Ruins and Klagetoh.

CERTIFICATION

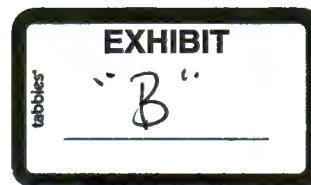
We hereby certify that the foregoing resolution was duly considered by the Klagetoh Chapter at a duly called meeting at Klagetoh, Arizona, at which a quorum was present and the same was passed by a vote of 21 in favor, 5 opposed, and 4 abstained this 22 day of January, 2017.

Motioned by: Maureen Wordman

Seconded by: Molly Chester

Ernest Benally
Ernest Benally, Chapter President

TSÉ SI ANÍ CHAPTER



March 03, 2017

The Honorable Raymond Smith, Jr.
The Navajo Nation Council
Post Office Box 3390
Window Rock, Arizona 86515

Honorable Smith:

Attached is the Puerco Valley Chapters' Regional Council Plan of Operation (POO), a Memo from Ms. Latonia Johnson and Ms. Elizabeth Coronado, DOJ Attorneys, and resolutions from the five chapters, consisting of Houck, Nahata Dził, Tse Si Ani, Wide Ruins and Klagetoh.

As the Council Delegate for the five chapters, please start the process to sponsor the Puerco Valley Chapter's request to the Navajo Nation Resources & Development Committee to be recognized as a Regional Council for Region 7.

Thank you for your cooperation and support.

Sincerely,

Laura Lee Yazzie
Chapter Manager

c: Puerco Valley Chapters



**PUERCO VALLEY CHAPTERS' REGIONAL COUNCIL
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PUERCO VALLEY CHAPTERS' REGIONAL COUNCIL

PLAN OF OPERATION

ARTICLE 1

PURPOSE

SECTION ONE

SECTION 1.1 PURPOSE: Puerco Valley Chapters' Regional Council (PVCRC) has been established for the following purpose:

To empower the Puerco Valley Chapters to positively impact the community members' lives, their chapter communities, and their environment.

SECTION 1.2: Notwithstanding any other provisions of the Plan of Operation, the PVCRC shall not, except to an insubstantial degree, engage in any activities or exercise powers that are not in furtherance of its primary purpose.

SECTION 1.3: DEFINITIONS

Amendment – the act or process of changing the words or meaning, especially in a law, bill or motion.

Conflict of Interest – a conflict between the public obligations and private interests of a public official.

Expenditures – the total spent for goods or services, including money, time and labor.

Officers – a person holding an office of authority through election and/or appointment.

Impending – To about to happen (especially of something threatening); imminent.

Members – consisting of the PVC Chapter Manager, Community Service Coordinator, Administrative Assistant and Account Maintenance Specialist.

Plan of Operation – a plan prepared by a component of an organization, association, etc. that clearly defines actions it will take to support the strategic objectives and plans.

Presumption of Assent – a person who is present at a meeting of the board, association or a committee, thereof, when action is taken is deemed to have assented to the action taken.

Puerco Valley Chapters – five chapters consisting of Nahata Dziil, Houck, Tse Si Ani, Wide Ruins and Klagetoh (also known as Region 7).

Quorum – the number of members of a group or organization required to be present to transact business legally, usually a majority.

Resignation – a formal statement, document, etc. stating that one gives up an office or a position.

Resolutions – a formal expression of opinion or intention agreed on by a legislative body committee, or other formal meeting, typically after taking a vote.

Tenure – the amount of time that a person holds a job, office or title; an individual cannot be fired (the person has a permanent position).

Vacancy – a vacating of an office, post or tenancy.

Waiver – the act of intentionally relinquishing or abandoning a known right, claim, or privilege; also a legal instrument evidencing such an act.

ARTICLE II MEMBERS

SECTION TWO

SECTION 2.1 MEMBER CHAPTERS: The PVCRC Members will comprise of the following five (5) chapters: Nahata Dziil, Houck, Tse Si Ani, Wide Ruins and Klagetoh.

SECTION 2.2 MEMBERSHIP

- A. The PVC Regional Council shall consist of chapter presidents; chapter vice presidents; and chapter secretary/treasurer, comprised of the five chapters.
- B. **MEMBERSHIP AT-LARGE.** The Chapter Managers, Community Service Coordinators, Council Delegate, Grazing Official, and CLUP Members of the Puerco Valley Regional Chapters shall be members at-large and vote on all matters pertaining to the PVCRC agenda; and shall not be counted towards establishment of a quorum.

SECTION 2.3 REGULAR MEETINGS.

- A. The PVCRC shall conduct one regular meeting every third Tuesday of the month, unless specified due to conflict of other meetings, or a special meeting may be called by or at the request of the Chair or by any two Members serving as officers. The person or persons authorized to call a special meeting of the PVCRC may fix any place, either inside or outside the Navajo Nation, as the place for holding any special meeting of the PVCRC called by them, and must be approved by majority vote of the PVCRC at regularly scheduled meeting.

SECTION 2.4 QUORUM.

- A. A quorum consists of at least six (6) PVCRC members. At least three (3) chapters need to be represented for a quorum to be met. If less than such majority is present at a

meeting, a majority of the officers present may adjourn a meeting without further notice.

- B. The PVCRC shall conduct their meetings in accordance with the Rules of Order adopted by the PVCRC in which there will be the following order of business on the agenda, consisting of:

1. Call meeting to order
2. Roll Call
3. Invocation
4. Review and Adoption of Agenda
5. Reading and Approving of the Previous Meeting Minutes
6. Old Business
7. New Business
8. Receive Chapter Reports
9. Time and Place of Next Meeting
10. Adjournment

- C. All PVCRC meetings shall be open to the public.

SECTION 2.5 TENURE OF OFFICERS: The PVCRC Officers shall be appointed for a 1-year term and shall serve no more than one consecutive two-year terms. PVCRC Members shall be appointed to terms so that approximately one-third of the Members stand for election each year. Each Member shall hold office until his/her successor shall have been elected and qualified.

ARTICLE III

PUERCO VALLEY CHAPTERS' REGIONAL COUNCIL

SECTION THREE

SECTION 3.1 GENERAL POWERS: The activities and affairs of the PVCRC shall be conducted by, and all the powers exercised by or under "Puerco Valley Chapters Regional Council."

SECTION 3.2 PERFORMANCE OF DUTIES: All PVCRC Members shall perform their duties in good faith, in a manner reasonably believed to be in the best interest of the PVCRC, and with such care as ordinarily prudent association in a like position would use under similar circumstances. In performing their duties, the chapters shall be entitled to rely on information, opinions, reports, or statements, in each case prepared or presented by the chapters, but not considered to be acting in good faith if there is knowledge concerning the matter in question that would cause such reliance to be unwarranted. Those chapters on whose information, opinions, reports, and statements a chapter member is entitled to rely upon:

- a. One or more Members of PVCRC whom the members reasonably believe to be reliable and competent in the matter presented;

- b. Navajo Nation entities, public accountants, or other persons as to matters which the PVCRC Members reasonably believes to be within such persons' professional or expert competence.

SECTION 3.3 PVCRC MEMBERS DUTIES & AUTHORITY

The PVCRC Members shall have the following duties and authority:

- a. Appoint Officers of the PVCRC Members, support and review his/her performance. Engage the Members to oversee and monitor chapter projects and activities in support of PVCRC's strategic plan, mission and vision statement.
- b. Establish policies and procedures for the PVCRC. Generally, to have all of the duties and authority necessary or appropriate to conduct the business of the PVCRC, including the duties and powers.
- c. The PVCRC shall meet on a regular monthly basis. The PVCRC will have an annual meeting to appoint and elect officers in January. The Members' shall request information on the PVCRC's chapter projects and activities as it feels necessary to sufficiently fulfill its duties.
- d. The PVCRC shall regularly review and update the PVCRC policies that provide: 1) details of PVCRC processes; 2) specifics on responsibilities/expectations of Members; and 3) guidance on strategic expectations for the PVCRC.

SECTION 3.4 MISSION

- a. Consistent with the Plan of Operation and Bylaws determine the PVCRC's mission and purpose and ensure that all activities fit within this mission and purpose.
- b. Recommend and encourage support resolutions to the Navajo Nation Council and the Standing Committees on community projects, funding, and other matters pertaining to the welfare of the Navajo constituents.
- c. Seek consultation with members of the Navajo Nation Council on matters related to the Navajo Nation Operating Fiscal Year Budget.
- d. Recommend legislation that affects the local chapter government to the Navajo Nation Council.
- e. Understanding our Navajo heritage, nurture and protect the PVC Communities' cultural resources and create opportunities for cultural education and expression.
- f. Advise and recommend to the Navajo Nation Council and the Standing Committees to collaborate on a community wide economy and infrastructure

that supports a broad spectrum of opportunity for all community members while advancing the standard of living and maintaining a high quality of life.

- g. Educate our community members by providing an environment that supports life-long learning and occupational skills, and that enable the community members of all ages to reach their potential as productive and responsible individuals.
- h. Ensure an effective and approved organizational strategic planning.
- i. Ensure that the PVCRC's projects and services are consistent with the mission and fiscal and legal requirements and limitations.
- j. Enhance the PVCRC's public image across its entire service area.
- k. Ensure involvement and integration of all PVCRC chapter projects and activities. Integrate findings, observations and recommendations as reported from the five Chapters. Provide advice and support as needed to the PVCRC Chapters.

ARTICLE IV OFFICERS

SECTION FOUR

SECTION 4.1 DESIGNATION: PVCRC shall have a Chair, Vice Chair, and Secretary.

SECTION 4.2 DUTIES & RESPONSIBILITIES

- A. **CHAIRPERSON.** Subject to this Plan of Operation and the direction of PVCRC, the Chair of PVCRC shall in general supervise and control all of the businesses and affairs of PVCRC. The Chair shall facilitate all meetings of the PVCRC. With the assistance of the PVCRC's members, a public annual report will be reviewed by the PVCRC and disseminated throughout the chapter communities PVCRC serves detailing the finances, if any, and the accomplishments for the year. The Chair may sign, with the Secretary or any other proper officer or member of the PVCRC authorized by this Plan of Operation and the PVCRC, any instrument which he/she has been duly authorized to execute, except in cases where the signing and execution thereof shall be expressly delegated to some other officer, or if required by law to be otherwise signed or executed.
- B. **VICE CHAIRPERSON.** The Vice Chair shall, in the absence of the Chair, or in the event of his/her death, inability or refusal to act, perform all duties of the Chair, and when so acting, shall have the powers of and be subject to all the restriction upon such Chair; and shall perform such other duties as from time to time may be assigned to him/her by the Chair or PVCRC.

- C. **SECRETARY.** The Secretary of PVCRC shall ensure that PVCRC: (a) keep the minutes of the proceedings of the PVCRC; (b) see that all notices for the PVCRC are duly given in accordance with the provision of this Plan of Operation or as required by law; (c) maintain the records for the PVCRC, ensuring that the PVCRC maintains the seal of the PVCRC, if such a seal is established, and see that the seal of the PVCRC is affixed to all documents the execution of which on behalf of PVCRC under its seal is duly authorized; (d) keep a register of the post office address, telephone numbers and e-mail of each Officers and Members, which shall be furnished to the PVCRC Members. In addition, the Secretary shall perform all duties incident to the role as Secretary and such other duties as from time to time may be assigned to him/her by the Chair or the PVCRC.

SECTION 4.3 ELECTION & TERM OF OFFICE. The PVCRC shall elect officers at its first meeting as a PVC Regional Council. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as practicable. Each officer shall hold office for a term of one-year or until his/her successor shall have been duly elected and shall have qualified or until his/her death or until he/she shall resign or shall be removed in the manner hereinafter provided. PVCRC Chapter Officials shall be eligible to run for the PVCRC Officers.

SECTION 4.4 RESIGNATION. Any officer may resign at any time by giving written notice to the Chair of PVCRC. The resignation of such officer shall take effect upon receipt of notice thereof or at such later time as shall be specified in such notice. Unless otherwise specified in the notice of resignation, the acceptance of such resignation shall not be necessary to make it effective. When one or more officers shall resign from PVCRC effective at a future date, a majority of the officers then serving on the PVCRC, including those who have so resigned, shall have power to fill such vacancy or vacancies, the vote thereon to take effect when such resignation or resignations shall become effective.

SECTION 4.5 REMOVAL. Any Member serving on the PVCRC may be removed at any time, with or without cause, by a majority vote of the Officers, not considering the vote of the Chair whose removal is the subject of the motion. Before any action is taken to remove a Chair, all officers serving on the PVCRC shall be given at least two weeks prior notice of the proposed action and an opportunity to respond by letter to all the officers or in person. The removal of the Chair shall be effective immediately upon the action of the PVCRC, unless otherwise agreed by PVCRC Members, but such removal shall be without prejudice to the rights, if any, of the person so removed. Election or appointment of any officer shall not of itself create rights.

SECTION 4.6 VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the PVCRC for the unexpired portion of the term.

SECTION 4.7 MANNER OF ACTING: Except as otherwise required by the Navajo Nation Law or by the PVCRC Plan of Operation, the act of the majority of the officers present at a meeting of the PVCRC (as defined in this Plan of Operation) at which a quorum is present shall be the act of the PVCRC.

SECTION 4.8 COOPERATING ORGANIZATIONS. The PVCRC may authorize the participation of any organization or entities in the work of any given committee for a specified period. Such an organization or entity shall be designated as a "Cooperating Organization."

SECTION 4.9 STANDARDS OF CONDUCT: It shall be necessary for all chapters and members of PVCRC to maintain professional standards and abide by the Plan of Operation while working on behalf of the PVCRC.

SECTION 4.10 CONFLICT OF INTEREST. Any Member must avoid the appearance of undue influence and Conflict of Interest as defined in the Navajo Ethics in Government Law, 2 N.N.C. §§3741 through 3758. Any potential Conflict of Interest, the Puerco Valley Regional Council shall require a written advisory opinion to the Elected Official or Political Appointee from the Ethics and Rules Office, pursuant to 2 N.N.C. §§3879(B)(7), as to the significance of this potential or actual Conflict of Interest.

SECTION 4.11 ACTS ON BEHALF OF PVCRC: No PVCRC Member shall take or make public any resolution, or reveal its membership in such a way as to lead the casual observer to believe an statement for public record is made under the authority of or on behalf of PVCRC on a question of public policy or of the general public interest, without first having received specific approval of the PVCRC on which it serves. No Member shall state or imply that any action is taken by PVCRC unless such action has been specifically authorized by PVCRC with the provisions of these Plan of Operation.

ARTICLE V GENERAL PROVISIONS

SECTION FIVE

SECTION 5.1 GIFTS. PVCRC may accept, on behalf of PVCRC and its members, any contribution, gift, bequest, or devise for the general purposes of or for any special purposes of the PVCRC. Gifts shall be accepted in accordance with any policies adopted by the PVCRC.

SECTION 5.2 BOOKS AND RECORDS. PVCRC shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the PVCRC and all other committee meetings. Any officer, for any reason related to the interests of the PVCRC may inspect the records with the exception of those records that are generally or specifically protected by Navajo Nation law.

SECTION 5.3 FISCAL YEAR. The fiscal year of the PVCRC shall end on the last day of September of each calendar year in compliance with the Navajo Nation fiscal year ending.

SECTION 5.4 PRINCIPAL OFFICE. The principal office of the PVCRC shall be located within one of the five chapters, or in such other location as approved by the PVCRC. PVCRC may have such other offices, within one of the five chapters as PVCRC may require from time to time.

SECTION 5.5 PVCA SEAL. PVCRC may establish a seal which shall be circular in form and shall have inscribed thereon the name and the chapters, and the words "PVCRC SEAL."

SECTION 5.6 AMENDMENT OF PLAN OF OPERATION. The provisions herein may be amended from time to time by the PVCRC and approved by the Resources & Development Committee of the Navajo Nation Council.

**ARTICLE VI
NONDISCRIMINATION**

The officers, members, chapter employees, and persons served by this PVCRC shall be selected entirely on a nondiscriminatory basis with respect to age, sex, race, religion, national origin, sexual orientation, gender identity, and any other legally protected category, except to the extent professionally indicated.

CERTIFICATE

We hereby certify that the foregoing Plan of Operation, consisting of eight (8) pages, including this page, constitute the Plan of Operation of the Puerco Valley Chapter's Association, adopted and approved by the Navajo Nation Resources and Development Committee, as of January _____, 2017.




NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Laura Lee Yazzie, Chapter Manager
Tse Si Ani Chapter

THROUGH: 
LaTonia B. Johnson, Acting Asst. Attorney General
Economic/Community Development Unit, Dept. of Justice

FROM: 
Elizabeth Coronado, Attorney Candidate
Economic/Community Development Unit, Dept. of Justice

DATE: December 7, 2016

SUBJECT: Review of Puerco Valley Chapter Regional Council's
Plan of Operation

On September 2, 2016, the Tse Si Ani Chapter submitted a Request for Service (RFS) to the Department of Justice (DOJ) to review the Puerco Valley Chapter Association's Plan of Operation (POO). On September 29, 2016, I issued a memorandum deeming the Plan of Operation as insufficient. We then met on October 19, 2016 to discuss the various issues with the POO in which we advised Puerco Valley to remove all language that infers entering into a contract, joint venture, intergovernmental agreement as the Puerco Valley Regional Council is not eligible to enter into contracts because of the two non-LGA certified chapters. Other issues we advised include not incorporating chapter staff as members, changing the name from association to regional council, and utilizing our conflict of interest language.

I received a final copy of the POO incorporating the DOJ's recommendations on December 6, 2016. The final edits that I suggest are the following:

Memorandum to: Laura Lee Yazzie

RE: Review of Puerco Valley Chapter Regional Council's Plan of Operation

December 7, 2016

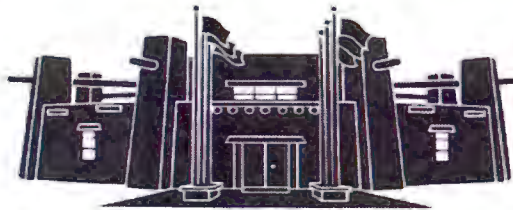
Page 2

1. In Section 3.3 (c) should remove the acronym PVCA and change to PVCRC which is circled on page 4 of the POO.
2. In Section 4.3 on page 6, the last sentence the acronym states PVCR and must be changed to PVCRC.
3. Lastly, in Section 4.10 on page 7, the statute authority referenced in the last sentence should state 2 N.N.C. §§3879(B)(7).

Because the substantive changes were adequately addressed, this Plan of Operation is deemed sufficient. However, I recommend making the changes as mentioned above. If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.


EC/ah/236

Attachment



MEMORANDUM

TO: Honorable Raymond Smith, Jr.
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: March 6, 2017

SUBJECT: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; ENDORSING THE ESTABLISHMENT OF THE PUERCO VALLEY CHAPTER'S NAVAJO REGIONAL COUNCIL ESTABLISHED BY THE HOUCK, NAHATA DZIL, TSÉ SÍ ANÍ, WIDE RUINS AND KLAGETOH CHAPTERS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0097-17_____

SPONSOR: Raymond Smith

TITLE: An Action Relating to Resources and Development: Endorsing the establishment of the Puerco Valley Chapters' Navajo Regional Council Established by the Houck, Nahata Dziil, Tse Si Ani, Wide Ruins and Klagetoh Chapters

Date posted: March 13, 2017 at 2:44pm

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 Nav, ajo 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.: 0097-17

SPONSOR: Honorable Raymond Smith

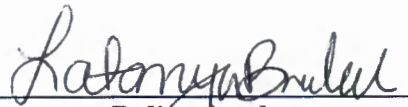
TITLE: An Action Relating to Resources and Development: Endorsing the establishment of the Puerco Valley Chapters' Navajo Regional Council Established by the Houck, Nahata Dziil, Tse Si Ani, Wide Ruins and Klagetoh Chapters

Posted: March 13, 2017 at 2:44 PM

5 DAY Comment Period Ended: March 18, 2017

Digital Comments received:

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



**Policy Analyst
Office of Legislative Services**

3/20/17 9:2am

Date/Time