

**PROPOSED AGENDA
OF THE BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL
October 3, 2017
Regular Meeting
10 a.m.**

Presiding: Seth Damon, Chairperson
Dwight Witherspoon, Vice Chairperson

Place: Budget and Finance Committee Conference Room, Window Rock, Navajo Nation

Members Present:

_____ Lee Jack, Sr.	_____ Tuchoney Slim, Jr.
_____ Tom T. Chee	_____ Leonard Tsosie
_____ Seth Damon	_____ Dwight Witherspoon

1. Call the Meeting to Order; the Roll Call; the Invocation; Announcements;
2. Recognize Guests and Visiting Officials
3. Review and Adopt the Agenda
4. Review and Adopt the Journal: *none*
5. Receive Reports:
 - a. Indian Energy LLC –Community Microgrid Program – presented by Henry Boulley, Jr., Owner
 - NHA pilot project – Roberta Roberts, others
 - NTUA project – Derrick Terry, others
 - Other enterprises (NTEC – Steve Gunderson, Board Chairman, NACE – Amber Benally, NNSC – Nathan Begay, CEO, etc.)

Toyei Industries Subvent Funds – presented by Cordell Shorty, Office of Contracts & Grants, OMB, with Pearline Kirk, Office of the Controller; Candice Martine, Attorney, Department of Justice; Virgil Pablo, DSS and Theresa Galvan, NDOH

- *# of Years appropriated Navajo Nation funds*
- *Annual appropriations amounts; scheduled of payments made & fund types*
- *Legal Research on Contract & reason(s) for refusal to pay Toyei– presented by DOJ*
- *Navajo Nation memo to fund Toyei*
- *July 30, 2013 & August 6, 2013 Budget & Finance Committee journals*
- *Services rendered to Toyei Industries*

- b. Waste Disposal Plan – presented by Joelyn Ashley, Director, Division of General Services with Carl Smith, Director, Division of Community Development
 - c. Controller’s report – presented by Pearline Kirk, Controller, Office of the Controller
 - Follow-up on IRS Audit Worker Classification
 - Ramah Settlement investment
 - Long term investments & historical trends
 - Trust Funds - annual contributions; rate of return; gains/losses,
 - d. OMB report – presented by Dominic Beyal, Director, Office of Management and Budget
 - External Cash Match
 - Unexpended grants with match funding, 5 year historical information
 - Prioritized list needing match funding
 - e. Attorney General’s report – presented by Ethel Branch, Attorney General, Office of the Attorney General
 - Contingency Management Fund
 - Fixed Cost Litigation fund
 - Written report on numbers of outside legal counsel and consultants hired with funds
6. Old Business:
- a. **Legislation No. 0282-17:** An Action Relating to the Resources and Development Committee and the Budget and Finance Committee; Amending BFAP-10-15 to Extend the Time Period to Implement the Corrective Action Plan Submitted By Leupp Chapter *Sponsored by Walter Phelps, Council Delegate [Read into the record September 5, 2017; Main Motion held by Dwight Witherspoon Second by Lee Jack Sr.; Chapter Officials were not present; A Tabling motion by Lee Jack Sr. Second by Tuchoney Slim Jr. Vote: 3-0; tabled to next meeting until the Chapter officials can be present]*
 - b. **Legislation No. 0283-17:** An Action Relating to the Resources and Development Committee and the Budget and Finance Committee; Recommending and Approving Amendments of the Water Code Administration Enterprise Fund Management Plan *Sponsored by Walter Phelps, Council Delegate [read into the record 15 August 2017; no agents; Main motion held by Lee Jack, Sr. Second by Dwight Witherspoon;*

Tabling Motion made by Tuchoney Slim, Jr. Second by Leonard Tsosie Vote: 5-0; Table to next meeting; agents need to be present]

7. New Business:

- a. **Legislation No. 0355-17:** An Act Relating to the Law and Order, Budget and Finance, and Naabikiyati Committees, and the Navajo Nation Council; Amending 24 N.N.C. § 620 of the Navajo Nation Sales Tax; Allocating 1 Percent of the Sales Tax to Navajo Nation Fire and Rescue Services *Sponsored by Walter Phelps, Council Delegate*
- b. **Legislation No. 0343-17:** An Act Relating to Law and Order, Health, Education and Human Services, Budget and Finance, Naabikiyati Committees and the Navajo Nation Council; Approving the “Navajo Nation Veterans Trust Fund Income Act” to Amend the Navajo Nation Code, Title 12, Chapter 10, Subchapter 8, Navajo Nation Veterans Trust Fund Section 1171 Establishment (A) and Section 1175 Definition of Principal and Income (A) (B) *Sponsored by Tom Chee, Seth Damon and Kee Allen Begay Jr., Council Delegates*
- c. **Legislation No. 0365-17:** An Action Relating to the Budget and Finance Committee, Recommending and Approving the Fund Management Plan for the Retirement Fund Five-Year Contingency Fund *Sponsored by Seth Damon, Council Delegate*
- d. **Legislation No. 0280-17:** An Action Relating to the Resources and Development Committee and the Budget and Finance Committee; Amending BFMY-14-15 to Extend the Time Period to Implement the Corrective Action Plan Submitted by the Department of Veterans Affairs – Fort Defiance Agency *Sponsored by Jonathan L. Hale and Norman M. Begay, Council Delegates*
- e. **Legislation No. 0350-17:** An Action Relating to Resources and Development and Budget and Finance Committees; Confirming the Appointment of Mr. Timothy McLaughlin to the Navajo Transitional Energy Company Board of Directors *Sponsored by Dwight Witherspoon, Council Delegate*
- f. *Referral from Naabikiyati Committee:* **Legislation No. 0103-17** An Action Relating to Land and Order, Resources and Development, Naabikiyati Committee and the Navajo Nation Council; Amending 3 N.N.C. §§ 64, 66, 67; Enacting Amendments to Subchapter 4. Major Irrigation Projects Farm

Boards Plan of Operation *Sponsored by Alton Joe Shepherd, Nelson S. BeGaye, Steven Begay, Council Delegates*

g. **Legislation No. 0334-17:** An Action Relating to Law and Order, Budget and Finance, and Naabikiyati Committees and Navajo Nation Council; Amending CD-84-14, The Navajo Nation Sihasin Fund *Sponsored by Dwight Witherspoon, Council Delegate*

8. Close of the Session; Other Announcements; Adjournment
Navajo Nation Council 2017 Fall Session: October 16-20, 2017

THIS AGENDA IS SUBJECT TO CHANGE. The public is advised that the Navajo Nation Council Agenda and the Agendas of the Standing Committees are not final until adopted by a majority vote of the Navajo Nation Council or the Standing Committee at a Navajo Nation Council or a Standing Committee meeting pursuant to 2 N.N.C. §§163 and 183, Navajo Nation Council Rule of Order No. 7 and Standing Committee Rule of Order No. 8.