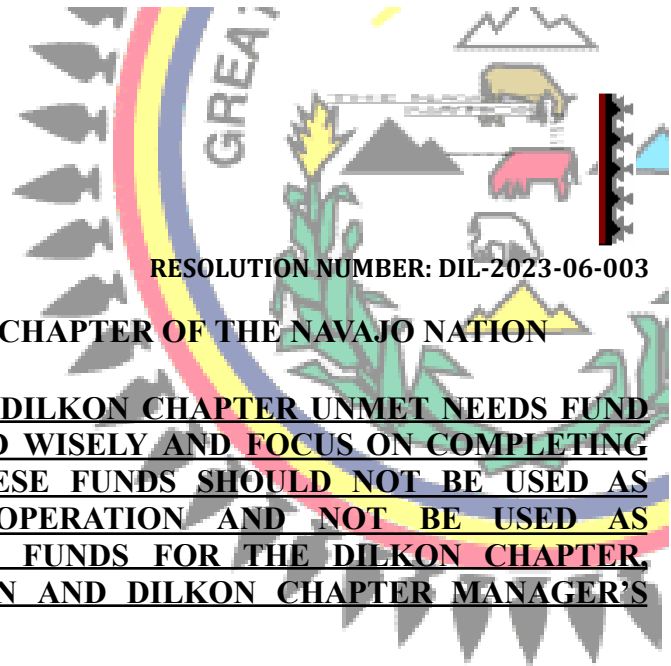


Cherilyn Fazzio, Council Delegate
Lorenzo Lee, Sr., President
Felix Tsahjternie, Vice President
Elizabeth Fazzio, Secretary Treasurer
Chaster Benton, Granting Committee Officer
Margie Benton, Chapter Manager
Charmayne Billie, Administrative Assistant

DILKON CHAPTER

HCR 63 BOX E • WINSLOW, AZ • 86047



RESOLUTION NUMBER: DIL-2023-06-003

RESOLUTION OF THE DILKON CHAPTER OF THE NAVAJO NATION

REQUESTING AND APPROVING THE DILKON CHAPTER UNMET NEEDS FUND BUDGET OF \$1,250,500.00 TO BE USED WISELY AND FOCUS ON COMPLETING PROJECTS. THE MAJORITY OF THESE FUNDS SHOULD NOT BE USED AS EXPENDITURES ON DAY-TO-DAY OPERATION AND NOT BE USED AS EXPENDITURES ON THE GENERAL FUNDS FOR THE DILKON CHAPTER, DILKON CHAPTER ADMINISTRATION AND DILKON CHAPTER MANAGER'S OFFICE

WHEREAS:

1. Pursuant to 26 N.N.C Section 3(A) the Dilkon Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11N.N.C, part 1, Section 10; and
2. Pursuant to 26 N.N.C Section 1 (B) Dilkon Chapter is vested with the authority to review all matters affecting the community; and
3. Dilkon Chapter is vested with the authority to make appropriate decisions on behalf of the community and to make recommendations to the Navajo Nation and other agencies for appropriate actions; and
4. The primary reason Former Council Delegate Elmer Begay requested the UnMet Needs Funds states to meet the needs of the Chapter project completion. The resolution states:
 - A. The chapter projects that lack funds for services are: the 40 Unit Elder & Veteran Housing Architectural & Engineering construction documents development and grant writing services to obtain construction funds; the Dilkon Justice Center program development to ensure the entire usage of the buildings and develop needed mental health and behavioral health services to the inmates and their families; the Cultural Program development through consultant services to provide regular cultural, language, and traditional education and services to the community; the District 7 Solid Waste Program development to mitigate the numerous illegal dumpsites and develop a regional program that the grant writer will seek funds to implement the project; and
 - B. The chapter buildings need maintenance and repair but lack funds are: the log cabin currently is unfinished and needs to be repaired on the exterior and interior areas. This building is available to rent out upon completion; the administration building's exterior and interior locks are all damaged except one, the ceiling is leaking in the storage room, and mailboxes need to be removed from the wall then repaired to accommodate another office space; the warehouse door is broken and will be removed and reset on the south end. The building will be upgraded to store equipment and supplies; the three buildings given to the chapter by the police department will be moved to the fairgrounds and set up for usage as needed; and the fencing of the north side of the chapter 700 acres to keep animals from entering the area and prepare the site for infrastructure and economic development; and

C. The chapter lack funds for the land withdrawal process cost and environmental Clearance Consultant Services for the cemetery and the access road to the cemetery, the access road to the fairgrounds from Navajo Route 60 and to connect the land from the east section of the 700 acres to the fairgrounds. This will allow the chapter ownership to seek funds to upgrade the access roads; and

D. Chapter lack funds to complete the projects and work listed to hire personnel, CLUPC stipends and fringe benefits for all new hires and members, provide training services, purchase supplies, material & equipment, to publish advertisements, schedule monthly project meetings and rent space as needed, to hire an auditor, and accounting services to ensure all expenditures are in compliance with record keeping and expenditure; and

E. The Unmet Needs Fund was budgeted to meet the above listed projects, services, and work for the Dilkon Chapter.

5. If you add up the list of UnMet Needs Projects from A, B & C listed above, the expenditures will not fully complete all of the projects if too much leeway is given to use the UnMet Needs fund as expenditures on the Day-to-Day Operation or as expenditures on the General Fund Account; and

6. There is no direct oversight for the Dilkon Chapter Administration and Dilkon Chapter Manager on expenditures being used at the Chapter Manager's discretion on the UnMet Needs Account. The only documentation Voters see is the Dilkon Chapter Financial Report which is not as detailed on all project expenditures.

7. It was mentioned by the Dilkon Chapter Council Delegate Cherilyn Yazzie that an accountant who is not a Navajo Nation tribal employee is being used as an accounting consultant. So who is the oversight? The Dilkon Chapter President Lorenzo Lee is the Supervisor and the Dilkon Chapter Vice President Felix Tsinijinnie would be the Supervisor if Lorenzo Lee is not available. On May 18, 2023, the Chapter Officials: President Lorenzo Lee, Vice President Felix Tsinijinnie and Secretary/Treasurer Elizabeth Yazzie were not fully informed on changes to the Dilkon Chapter Financial Report. So they are not fully informed, then who is the oversight?

8. Due to Title 26, the Chapter Officials are not allowed to be involved in the Day-to-Day Operation of the Dilkon Chapter Administration and Dilkon Chapter Manager's Office. This creates a problem with having an oversight on expenditures in the Chapter Administration and Chapter Manager's Office.

9. The Dilkon Chapter Manager does not inform the Dilkon Chapter officials on changes made on the Dilkon Chapter Financial Statements. This is an Ethic and Rule Violation to the Voters for not being properly informed. Chapter Manager Margie Barton said in a meeting that they do not ask questions. According to Dilkon Chapter Secretary/Treasurer Elizabeth Yazzie, "She is not welcome in the Administration Building and I cannot do my job well if you cannot answer my questions regarding the Financial Statements". On April 11, 2023, Lorenzo Lee or Felix Tsinijinnie was presenting the Financial Statement but could not explain why the UnMet Needs Funds pay for invoices for the NTIA (Broadband) accounts and eventually get reimbursed. Due to Title 26, the Dilkon Chapter Officials are not allowed to get involved in the Day-to-Day operation of the Dilkon Administration and Dilkon Chapter Manager's Office. So this problem falls entirely on the Dilkon Chapter Manager Margie Barton's inability to explain her expenditures on the Financial Statement. This is a Ethic and Rule Violation since the Voters are not getting accurate information from the Dilkon Chapter Administration and Dilkon Chapter Manager's Office.

10. Voters have not seen any project expenditure list to justify the request for funds on projects and expenditures for each project. There is no documentation to justify expenditures.

11. From 10/1/2022 to 5/31/2023, we had a negative (\$192,801.21) on Consultation Fees on the UnMet Needs Funds. This negative balance was due to the fact that we had to get reimbursed from the NTIA (Broadband) account to offset an invoice paid on behalf of NTIA. The total Consultation Fees on the Total Dilkon Chapter budget is well over \$84,209.20. This total includes the Consultation Fees within the UnMet Needs account which totaled to \$22,500.70. These expenses include paying consultants on a monthly basis, such as the non-tribal Accountant, Multi-Media Consultant and plenty of other consultants. If the consultant fees exceed \$50,000, these expenditures need to be justified. Who is getting paid for these fees? These expenditures are excessive and using Consultant Fees is very generic to pay anyone.

12. It was mentioned by the Dilkon Chapter Council Delegate Cherilyn Yazzie that an accountant who is not a Navajo Nation tribal employee is being used as an accounting consultant. How much leverage does this accountant have since she is not a Tribal Employee?

NOW THEREFORE BE IT RESOLVED THAT;

1. As Voters, we are requesting that the majority of these funds **should not** be used as expenditures on the Day-to-Day Operation and **should not** be used as expenditures on the General Fund for the Dilkon Chapter, Dilkon Chapter Administration and Dilkon Chapter Manager's Office.

2. Are the Voters in charge of being the Oversight to these expenditures if the Dilkon Chapter Officials are not allowed to be involved in the Day-to-Day operation of the Dilkon Chapter Administration and Dilkon Chapter Manager's Office?

3. Dilkon Chapter Manager Margie Barton needs to sit down with the Dilkon Chapter Officials and inform them on her expenditures on projects as well as explain the expenditures on the Financial Report. This is listed in her job description. The Dilkon Chapter officials should not have to ask, it is the Dilkon Chapter Manager Margie Barton's job to inform the Chapter Officials. Then at the Dilkon Chapter meetings, the Voters can be well informed on the expenditures on projects as well as review the expenditures on the Dilkon Chapter's Financial Statement. This is called transparency and accountability,

C E R T I F I C A T I O N

Dilkon Chapter hereby approves the foregoing resolution was considered by the Dilkon Chapter at a duly called meeting in Dilkon, Navajo Nation, Arizona at which a quorum was present, and that same day was passed by a vote of _ in favor, 0 opposed and _ abstained on this 15th day of June, 2023.

Motion:

Second:

Presiding Chair:

Lorenzo Lee Sr., President, Dilkon Chapter