

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
23rd Navajo Nation Council --- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND RESOURCES AND DEVELOPMENT COMMITTEES; APPROVING AN AMENDMENT TO THE NAVAJO NATION HOMESITE LEASE REGULATIONS, RDCO-74-16, TO WAIVE FEES, PENALTIES AND FINES FOR INDIVIDUALS SIXTY-FIVE (65) YEARS OF AGE, OR OLDER, AND FOR HONORABLY DISCHARGED VETERANS

BE IT ENACTED:

Section One. Authority

- A. The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Division of Social Services and the Division of Veterans Affairs. 2 N.N.C. § 401(C)(1)(6).
- B. The Resources and Development Committee of the Navajo Nation Council is the oversight committee for the Division of Natural Resources. 2 N.N.C. § 501(B)(1).
- C. The Resources and Development Committee of the Navajo Nation Council is empowered to approve procedures for issuing homesite leases, pursuant to 2 N.N.C. § 501(B)(1), through its authority to promulgate rules and regulations for the use and development of Navajo lands.

Section Two. Findings

- A. Pursuant to RCDO-74-16, the Resources Committee of the Navajo Nation Council approved amendments to the Homesite Lease Regulations; and
- B. Pursuant to Exhibit "F" of the Homesite Lease Regulations, attached as **Exhibit "1"**, enacted by RCDO-74-16, the approved Homesite Lease Application Fee; Penalties and Fines Fee Schedule is as follows:

HOMESITE LEASE APPLICATION FEE; PENALTIES AND FINES FEE SCHEDULE

1.	Homesite Lease Application Filing Fee:	\$30.00
	a. Assignment	\$45.00
	b. Amendment	\$45.00
	c. Termination	\$45.00
2.	Annual Fee	\$12.00
3.	Homesite Land Use Adjustment Fee	
	a. Full acre \$2,000.00	\$2,000.00
	b. Half acre \$1000.00	\$1,000.00
4.	Homesite Land Use Adjustment Rent plus Annual Fee	
	c. Full acre \$2,000.00 (\$27.00 + 12.00)	\$39.00
	d. Half acre \$1,000.00 (\$13.00 + 12.00)	\$25.00
5.	Archaeological Survey (Fees to be established by services provider).	
6.	Resurvey Fee	\$350.00
7.	Re-tie Survey Fee	\$350.00
8.	Homesite Application Dispute Filing Fee	\$65.00
9.	Transportation Permits Fee	\$30.00
10.	Land Surveyor Permit Fee	\$30.00

PENALTIES AND FINES

•	Warning citation (No fee)	
•	2 nd Citation	\$100.00
•	3 rd Citation (Penalties with trespassing)	\$200.00
•	4 th Citation	\$500.00
1.	Illegal Parking of Trailer/Mobile Home \$200.00 per month (Fees will apply until the Tenant comes into compliance)	

2. *Storage sheds, corrals, etc., without a lease/permit to improve \$200.00 per month (Fees will apply until the Tenant comes into compliance)*
 3. *Illegal burial open range locations \$500.00 per incident (Fees will apply annually until the illegal burial sites comes into compliance)*
 4. *Environmental Valuation is enforced by Navajo EPA (Junk cars/household trash).*
- C. A request has been made to waive all the fees listed in Exhibit "F" of the Homesite Lease Application Fee; Penalties and Fines Fee Schedule of the Homesite Lease Regulations enacted by RCDO-74-16 for individuals 65 years of age and older and for honorably discharged veterans.

Section Three. Waiver of fees for applicants who are 65 years of age or older

The Resources and Development Committee of the Navajo Nation Council hereby approves a waiver of fees for individuals sixty-five (65) years of age and older with respect to the Homesite Lease Application Fee; Penalties and Fines Fee Schedule listed in Exhibit "F" of the Homesite Lease Regulations, attached hereto as **Exhibit "1"**.

Section Four. Waiver of fees for applicants who are honorably discharged veterans

The Resources and Development Committee of the Navajo Nation Council hereby approves a waiver of fees for honorably discharged veterans with respect to the Homesite Lease Application Fee; Penalties and Fines Fee Schedule listed in Exhibit "F" of the Homesite Lease Regulations, attached hereto as **Exhibit "1"**.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Nation Council Chambers, Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained on this 30th day of May 2018.



Alton Joe Shepherd, Chairperson
Resources and Development Committee
of the 23rd Navajo Nation Council

Motion: Honorable Leonard Pete
Second: Honorable Jonathan Perry

HOMESITE LEASE APPLICATION FEE; PENALTIES AND FINES FEE SCHEDULE

1.	Home site Lease Application Filing Fee:	\$30.00
	a. Assignment	\$45.00
	b. Amendment	\$45.00
	c. Termination	\$45.00
2.	Annual Fee	\$12.00
3.	Home Site Land Use Adjustment Fee	
	a. Full acre \$2,000.00	\$2,000.00
	b. Half acre \$1000.00	\$1,000.00
4.	Home Site Land Use Adjustment Rent plus Annual Fee	
	c. Full acre \$2,000.00 (\$27.00 + 12.00)	\$39.00
	d. Half acre \$1,000.00 (\$13.00 + 12.00)	\$25.00
5.	Archaeological Survey (Fees to be established by services provider).	
6.	Resurvey Fee	\$350.00
7.	Re-tie Survey Fee	\$350.00
8.	Home site Application Dispute Filing Fee	\$65.00
9.	Transportation Permits Fee	\$30.00
10.	Land Surveyor Permit Fee	\$30.00
PENALTIES AND FINES		
	• Warning citation (No fee)	
	• 2 nd Citation	\$100.00
	• 3 rd Citation (Penalties with trespassing)	\$200.00
	• 4 th Citation	\$500.00
1.	Illegal Parking of Trailer/Mobile Home (Fees will apply until the Tenant comes into compliance)	\$200.00 per month
2.	Storage Sheds, corrals, etc., without a lease / permit to improve (Fees will apply until the Tenant comes into compliance)	\$200.00 per month
3.	Illegal burial open range locations (Fees will apply annually until the illegal burial sites comes into compliance)	\$500.00 per incident
4.	Environmental Valuation is enforced by Navajo EPA (Junk cars/household trash).	

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE AMENDMENTS
TO THE NAVAJO NATION HOMESITE LEASE REGULATIONS

BE IT ENACTED:

Section One. Findings

A. The Resources and Development Committee of the Navajo Nation Council is empowered to approve procedures for issuing homesite leases pursuant to 2 N.N.C. Sections 501(B)(1) and to delegate the authority to issue homesite leases pursuant to 501 (B)(3); and

B. Pursuant to RDC-289-93 (Exhibit F), the Resources Committee of the Navajo Nation Council delegated its authority to approve, issue, amend, assign, relinquish, and execute homesite leases to the Navajo Land Department in accordance with procedures adopted by the Resources Committee; and

C. The Division of Natural Resources Navajo Land Department is proposing amendments to the Homesite Leases Policy and Procedures approved by RCD-289-93, attached as Exhibit "F." The recommended Homesite Lease Regulations are attached hereto and incorporated herein as Exhibit "A"; and

D. With the assistance of Navajo Nation Divisions, Grazing Officials, Chapter Officials, Chapter administration employees; Land Boards, Farms Boards, and BIA Real Estate Services representatives, the Homesite Section of the Navajo Land Department conducted public hearings from August 2007 to date to obtain comments and recommendations on the revisions of the Homesite Lease Regulations. Navajo Land Department conducted many education/public hearings and meetings, provided news media releases and publications. Examples of these activities are attached hereto and marked as Exhibit "B"; and

E. The proposed amended Homesite Lease Regulations will benefit qualified applicants who are seeking housing assistance and/or utility infrastructure assistance through various Navajo

Nation Divisions, Enterprises, and State and Federal programs. Individuals obtaining a homesite lease include but are not limited to Navajo citizens with tribal census numbers and home buyers seeking home loan financing; and

F. The Navajo Land Department recommends the establishment of a proprietary fund account to be administered by the Navajo Land Department Homesite Section for the purpose of defraying the costs of administering the Homesite Land Offices, recording of homesite leases in the Navajo Land Title Data Systems, providing public education outreach programs, and enforcement of the Homesite Lease Regulations. By supplementing proposed proprietary fund account monies with annual fiscal year allocations, the Navajo Nation can better provide homesite lease related services to the Navajo People; and

G. The Navajo Land Department recommends the approval of the Homesite Lease Application Fee Schedule which includes: an increase of the standard homesite application, assignment, amendment, and termination fees to \$30.00; the resurvey fee increase to \$350.00; and an annual rental fee of \$12.00 for the term of the homesite lease. The Fee Schedule is attached on page 23 in Exhibit "A"; and

H. The Navajo Land Department recommends the approval of the Homesite Lease Penalties and Fines Fee Schedule attached at page 23 of Exhibit "A." Fines and Penalties would be assessed for situations such as illegal parking of trailer or mobile home, storage sheds and corrals without a lease or permit to improve, and illegal burial; and

I. The Navajo Land Department recommends creating five (5) new Compliance Officer positions to the Navajo Land Department Fiscal Year Budget Appropriation and increased operation costs to enforce the Homesite Lease Regulations within the five agency Navajo Land Offices; and

J. It is necessary to amend the standard forms that will be used in applying for a homesite lease on the Navajo Nation Trust Land and Fee Land. The amended forms are consistent with the proposed amendments to the Homesite Lease Regulations, which will include amendments of Homesite Application FORM 1; Field Clearance Certification FORM 2; and consent FORM 3 for Navajo Trust / Fee Land. These forms are attached hereto and marked respectively as Exhibits "C," "D," and "E"; and

K. It is in the best interest of qualified applicants seeking a homesite lease on Navajo Trust or Fee Land that the Resources and Development Committee of the Navajo Nation Council approve the recommended amended Homesite Lease Regulations, attached hereto as Exhibit "A."

Section Two. Approvals

A. Resources and Development Committee of the Navajo Nation Council hereby approves the Homesite Lease Regulations, attached hereto as Exhibit "A," which shall supersede Homesite Lease Policy and Procedures approved by RCD-289-93; and

B. The Resources and Development Committee of the Navajo Nation Council approves the amended standard homesite lease application forms which include Homesite Application FORM 1; Field Clearance Certification FORM 2; and Consent FORM 3 for Navajo Trust and Fee Land. These forms are attached hereto as Exhibits "C," "D," and "E"; and

C. The Resources and Development Committee of the Navajo Nation Council approves the Homesite Lease Regulations Application Fee schedule, attached at page 23 of Exhibit "A"; and

D. The Resources and Development Committee of the Navajo Nation Council approves the Homesite Lease Penalties and Fines Fee Schedule, attached at page 23 of Exhibit "A"; and

E. The Resources and Development Committee of the Navajo Nation Council recommends the establishment of the Navajo Land Department proprietary fund account to be administered by the Navajo Land Department Homesite Section, for the purpose of defraying the costs of administering the Homesite Land Offices and providing public education/awareness, upgrades of survey equipment/software, processing of homesite lease applications and maintaining homesite lease historical records; and

F. The Resources and Development Committee of the Navajo Nation Council recommends to the Navajo Nation Council the approval of budgets for five (5) new Compliance Officers positions and budgets for increased operation costs to enforce the Homesite Lease Regulations within the five agency Navajo Land Offices.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Department of Transportation, (Navajo Nation) Tse Bonito, New Mexico, at which quorum was present and that same was passed by a vote of 3 in favor, 2 opposed, 1 abstained this 4th day of October, 2016.



**Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council**

**Motion: Honorable Leonard Pete
Second: Honorable Davis Filfred**

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting
May 30, 2018

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0394--17: An Action Relating to Health, Education and Human Services and the Resources and Development Committees; Approving an Amendment to the Navajo Nation Homesite Lease Regulations, RDCO-74-16, to Waive Fees, Penalties and Fines for Individuals Sixty-Five (65) Years of Age, or Older, and For Honorably Discharged Veterans. *Sponsor: Honorable Amber K. Crotty*

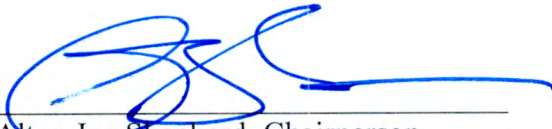
MAIN MOTION: Leonard Pete S: Jonathan Perry V: 3-0-1 (CNV)

ROLL CALL VOTE TALLY:

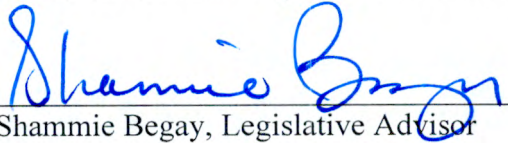
YEAS: Alton Joe Shepherd, Leonard Pete, and Jonathan Perry

NAYS:

EXCUSED: Davis Filfred and Walter Phelps



Alton Joe Shepherd, Chairperson
Resources and Development Committee



Shammie Begay, Legislative Advisor
Resources and Development Committee