1. **Purpose**

To provide Back Hoe Equipment services for community membership.. The fee shall be generated into Chichiltah Chapter Account 01 to generate revenue for governmental purposes.

1. **Insurance**
2. The Chapter shall maintain liability insurance with the Navajo Nation Exposure Summary Inventory with Navajo Nation Risk Management Program.
3. The Chapter Public Employment Program (PEP) fund shall employ one (1) On-Call Operator with one (1) Standby Position.
4. Any/All Damages to the equipment shall be the responsibility of the operator and the authorizing official(s).
5. **Equipment Operation**
6. Back Hoe Operator Qualification:

* Three (3) years of progressively responsible heavy equipment operation
* Maintenance experience
* Valid New Mexico State Driver License
* Navajo Nation Driving Permit ($25.00 to be paid by the Operator)

1. The Chapter Community Services Coordinator (CSC) shall approve all Work Order Request(s) which shall include required signatures, site location, Scope of Work, time schedule, and cost estimates.
2. The Back Hoe Equipment shall not be used for Burial Preparation on **Navajo Nation Trust Land**.
3. The Back Hoe Equipment can be utilized for Burial Preparation on **Indian Allotment Land** is at discretion of the Land Owner(s).
4. To prevent and avoid legal consequences and, undue hardship on the Equipment Operator and Chapter Administration, the backhoe equipment shall be operated only by an approved *PEP Employee approved by Chapter Membership.*
5. The Back Hoe Equipment shall not be used where there are land disputes and/or family disagreements. In this situation, the Land Board Official shall review the Work Order and approve or disapprove.
6. The Navajo Nation Water Resources (Vanderwagen Sub-Office), Program Supervisor is approved to operate the Chichiltah Chapter backhoe.
7. The Operator shall be orientated by CSC or AMS on the Work Order Report process.
8. The Operator shall take appropriate measures to prevent theft and vandalism to the equipment.
9. The Operator shall be responsible for liabilities caused by failure or negligence.
10. The Operator shall be responsible for proper maintenance, care and safety of the equipment.
11. The Operator shall provide a quarterly maintenance schedule, mileage log and materials/supplies list to the Chapter Administration.
12. Chapter Vice-President shall assist in the review of the Chapter Property Control process on quarterly basis as stated in The Local Governance Act – Navajo Nation Code Title 26.
13. The Operator shall park the equipment in the designated locations upon approval by the CSC and Chapter President if, the Work Order will take more than one (1) day.

* Unit 1 Navajo Nation Water Resource Office
* Unit 2 Tommy Nelson, Chapter President
* Unit 3, 4 & 5 Chapter Warehouse

1. **FEES/COSTS**
2. The Backhoe Heavy Equipment shall be utilized by registered community members upon submitting and approval from Chapter administration. Work Order shall be schedule Monday to Friday, 8:00 AM to 5:00 PM.
3. The Equipment shall be used for official emergency declaration(s) by local, Navajo Nation, County, State of New Mexico and Federal Government. The equipment can be used on weekend, Federal, State or Navajo Nation Holiday.
4. The Chapter Administration shall recover any and all funds from governmental entities if the Chapter Back Hoe Equipment is utilized for emergency.
5. All regular Work Orders shall be for a fee of $80.00 per hour.
6. Burial preparation shall be at no charge if, the deceased person was a registered voter with Chichiltah Chapter.
7. The Back Hoe Equipment shall **not** be utilized for Burial Preparation on **Navajo Nation Trust Land.**
8. The Back Hoe Equipment can be utilized for Burial Preparation on **Indian Allotment Land** is at discretion of the Land Owner(s).
9. The Chapter Accounts Maintenance Specialist (AMS) shall process all paymen
10. **Amendment**

The Chichiltah Chapter Backhoe Equipment Plan of Operation shall be amended at the beginning of each Fiscal Year or when deemed necessary by Chichiltah Chapter.

**CERTIFICATION**

WE HEREBY approve that the foregoing resolution was presented to the Chichiltah Chapter at a duly-called meeting at Chichiltah, Navajo Nation, New Mexico, at which a quorum was present, was motioned to approve by with a vote of 20 in favor, 00 opposed, 04 abstained this 13th day of September , 2015.

Motion: Joe M. Lee

Second: Loretta Mariano

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Tommy Nelson, President Seth Damon, Council Delegate

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Lula Boyd, Vice-President Paul Houston, Land Board Officer

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Norma Muskett, Secretary/Treasurer