

Coppermine Chapter

CLUPC Plan of Operation

I. ESTABLISHMENT

- A. In accordance with the Navajo Nation Local Governance Act, 26 N.N.C. § 2004, the Coppermine Chapter Community Land Use Planning Committee (CLUPC) is hereby established by Chapter Resolution # CO-04-17-25, at a duly called regular Chapter meeting on at which a valid quorum was present.
- B. The CLUPC will also be known as the Coppermine Chapter Land Use Planning Committee.
- C. The Navajo Nation Department of Justice (NNDOJ) created this Plan template and if unaltered, the CLUPC may begin using it upon approval of the Chapter membership.
- D. Hereinafter, the Coppermine Chapter will be referred to as “Chapter.”

II. PURPOSE

- A. The CLUPC is a standing committee of the Chapter and is an advisory committee of the Chapter.
- B. This Plan serves as the main guide for activities related to the operation of the CLUPC.
- C. The original primary purpose of the CLUPC is to prepare and finalize a Community-Based Land Use Plan (CLUP) that meets the needs of the community. After the public hearings, the CLUP shall be submitted for community approval at a duly called Regular Chapter Meeting. Thereafter, the CLUP will be presented to the Resources and Development Committee of the Navajo Nation Council for approval.
- D. After certification of the CLUP, the CLUPC of a Governance Certified Chapter shall review all zoning ordinances to ensure compliance with the CLUP.

III. COMMITTEE AUTHORITY

- A. The CLUPC shall exercise the applicable duties and responsibilities outlined in the Navajo Nation Local Governance Act, 26 N.N.C. § 2004.
- B. The CLUPC will develop and oversee the implementation of a Comprehensive Plan, managed in 5-year increments, for the Chapter by making decisions and recommendations about its planning and administrative process and land use development.
- C. The CLUPC may recommend the selection of a Planner to assist in the development and update of the CLUP. The contracting of a Planner shall be done in compliance with the Chapter Five Management System and subject to Chapter fund availability.
- D. The CLUPC may coordinate with various entities, including Universities and Colleges, to assist in data collection, analysis, and implementation of the planning process.
- E. The people of the Chapter, in a duly called meeting, will have the authority to review all development-related matters recommended by the CLUPC which may require further review by the Navajo Nation.

Coppermine Chapter CLUPC Plan of Operation

- F. CLUPC will not formulate budgets or monitor chapter assets, projects and programs.
- G. CLUPC members may provide recommendations to the Chapter and will not overstep the boundaries of the Chapter Administration. See 26 N.N.C. § 1004 et seq.
- H. CLUPC does not have the power to grant grazing privileges to community members. However, CLUPC can communicate with the appropriate grazing permit granting authority to ensure permits are granted in keeping with the community's larger plan for land use.
- I. The CLUPC has no implied authority to enforce other Navajo Nation laws and policies such as the Resource Grazing and Livestock Management Regulations.
- J. CLUPC has no implied authority to assist the Land Board with mediation of any land disputes.
- K. All resolutions approved by the CLUPC shall be set forth in writing and certified; copies of certified resolutions shall be provided to the Chapter Administration.

IV. MEMBERSHIP

- A. CLUPC shall consist of five (5) members.
- B. CLUPC Members shall serve a four (4) year term that runs concurrently with Chapter officials.
- C. Selections:
 - 1. Generally:
 - a. Interested Individuals shall submit their letter of interest to the Chapter President.
 - b. Upon a favorable review, the Chapter President appoints all CLUPC Members; and
 - c. The Chapter President's selection shall be approved by the community at a duly called Regular Chapter Meeting. See 26 N.N.C. § 2004 (C)(1).
 - 2. Alternative Selection Procedure:
 - a. Interested Individuals shall submit their letter of interest to the CLUPC.
 - b. Upon a favorable review, the CLUPC shall submit their nominee(s) to the Chapter.
 - c. The nominee(s) shall be approved by the community at a duly called Regular Chapter Meeting.
- D. Chapter Officials are eligible to serve as CLUPC Members but will need to avoid any conflicts of interest.

V. QUALIFICATIONS

- A. Must be at least 18 years of age.
- B. Registered member of the Chapter.

Coppermine Chapter CLUPC Plan of Operation

- C. Have experience, expertise, or knowledge of land use planning and development principles.

VI. CLUPC OFFICERS

A. CHAIRPERSON

1. The CLUPC Membership shall select all CLUPC Officers.
2. The Chairperson shall preside over all CLUPC meetings. The Chairperson shall call special meetings of the CLUPC with prior notice to the membership, when necessary.
3. The Chairperson maintains order at all CLUPC meetings and has the authority to suspend or adjourn a CLUPC meeting in the event of:
 - a) Disorderly conduct
 - b) Lack of decorum including, but not limited to, rudeness
 - c) Unforeseen emergency
4. The Chairperson provides all representatives of the community with an equal opportunity to speak on concerns before the CLUPC.
5. The Chairperson shall work closely with the Chapter officials, Chapter Administration staff, and other concerned groups or agencies.
6. The Chairperson encourages and promotes community participation in planning and development.
7. The Chairperson shall advance the interest of the community in all matters.

B. VICE-CHAIRPERSON

1. Presides and performs the duties of the Chairperson in the absence of the Chairperson and shall perform all other duties that may be assigned by the Chairperson.
2. Assist with preparing the CLUPC meeting agendas.
3. Assist with meeting minutes in the absence of the Secretary.

C. SECRETARY

1. Electronically record and write CLUPC meeting minutes and keep record of all adopted resolutions, records, and minutes of each meeting.
2. Assist the Chairperson and Vice-Chairperson in preparing the agenda for CLUPC meetings and ensuring the agenda is posted at least forty-eight (48) hours in advance of the start of the meeting.
3. Submit all CLUPC records to the Chapter Administration within ten (10) working days.
4. Secretary shall return all CLUPC records and property upon the end of the tenure from office.

Coppermine Chapter CLUPC Plan of Operation

VII. MEETING AND QUORUM

- A. CLUPC members may conduct one (1) meeting per month, prior to chapter planning meeting of each month. All CLUPC meetings shall be open to the community. However, any portion of the meeting may need to go into Executive Session upon approval majority vote of the CLUPC.
- B. All CLUPC actions shall be recorded through a certified resolutions or written memorandum setting forth the action taken and filed with the CLUPC Secretary and Chapter Administration.
- C. Each meeting will be held in person and each CLUPC official is required to appear in person for each duly called meeting. However, if the Chapter has authorized virtual-hybrid meetings, the Chapter may also extend virtual-hybrid meetings for the CLUPC. The CLUPC may need to contact the Department of Justice for further guidance.
- D. A quorum is established when three (3) CLUPC members are present at a duly called meeting.
 - 1. Special Meetings may be called by the Chairperson.
 - 2. Special Emergency meetings and Work sessions also require adherence to the forty-eight (48) hour notice requirement.

VIII. REMOVAL, RESIGNATION OR VACANCIES

- A. Removal
 - 1. There is no entitlement to the membership of the CLUPC. Any CLUPC member(s) may be removed for any reason such as failure to attend three (3) consecutive meetings, and including any habitual indulgences in drugs or alcoholic beverages.
 - 2. Removal of a CLUPC member before the term ending date requires minimal due process. The following steps should be followed when removing a CLUPC member with due process:
 - a) The Chairperson shall provide notice to the affected member by providing written notice that the member is being recommended for removal. If the Chairperson is being recommended for removal, the Chapter President shall issue notice to the CLUPC Chairperson. The Notice shall inform the member that he/she will have an opportunity to speak at the upcoming Regular Chapter Meeting to explain why he/she should not be removed.
 - b) At the Regular Chapter Meeting, the member will have an opportunity to be heard. Thereafter, the Chapter membership will vote in favor or opposed to the removal.
 - c) The decision by the community is final. Also, separate or individual removal resolutions are required for each member being recommended for removal.
- B. Resignation
 - 1. A CLUPC member may resign at any time.

Coppermine Chapter CLUPC Plan of Operation

2. The CLUPC member shall provide their resignation in writing.
 3. Failure to provide a resignation in writing will trigger the removal process in subsection (A) herein.
- C. Abandonment. When a majority of the CLUPC abandons their position resulting in the inability of the CLUPC to operate and/or the CLUPC has not operated for a significant amount of time, the Chapter President shall inform the community at a Regular Chapter Meeting of the need to replace the CLUPC membership using the appointment procedure in Section IV.
- D. Vacancies. When a member is removed or resigns, a registered community member within the Chapter can be appointed or nominated in accordance with Section IV.
- IX. RULES
- A. The CLUPC shall conduct its meetings according to applicable portions of the Parliamentary Rules of Order.
- B. Meetings shall be conducted with *K'ee* respect and Rules of Ethics principals.
- X. COMPENSATION
- A. Eligible CLUPC members shall be compensated upon submittal of a claim form to the Chapter Administration.
- B. Committee members may receive a stipend of \$125.00 for each monthly meeting in accordance with the approved Chapter budget. Additional meetings may be compensated depending on the availability of funds and any necessary budget modifications.
- C. Reports shall be furnished for all CLUPC meetings, regular or special, on CLUPC member's attendance to ensure proper compensation for said meetings.
- D. Chapter shall pay stipends for CLUPC members selected in accordance with Section IV. There shall be no compensation for *pro tempore* members.
- E. CLUPC members are not entitled to travel reimbursement. However, when properly approved, CLUPC members may receive allowable travel expenditure reimbursements per the Chapter's approved budget for the attendant fiscal year, and in accordance with all applicable Navajo Nation laws and regulations including the Navajo Nation Employee Travel Policies and Procedures Handbook.
- F. A Chapter Employee serving as a CLUPC member shall be on authorized leave prior to performing CLUPC duties. This includes attendance of CLUPC meetings. Accordingly, such employees may earn a stipend in accordance with the rules herein.
- XI. ETHICS
- A. Appointment. The Navajo Nation Ethics in Government Law 2 N.N.C. Sections 3751-3761 to Section 3751(A), requires accountability to the people of the Navajo Nation by their elected, appointed, and assigned public officials and employees in exercising the authority rested or to be rested with them as a matter of public trust.

Coppermine Chapter CLUPC Plan of Operation

- B. Conflict of Interest. Generally, there is no inherent conflict of interest for a Chapter Official or Chapter Employee to serve on the CLUPC. However, there is always a potential for a conflict of interest to arise requiring the CLUPC member to recuse (disqualify) themselves from the particular action being considered by the CLUPC. A CLUPC member serving in both capacities has the duty and responsibility to know about conflicts of interests.

XII. LOCATION

The principal location of CLUPC meetings shall be at the Chapter house.

XIII. CHAPTER OVERSIGHT

The CLUPC committee shall operate under the oversight of the Chapter.

XIV. DEFINITIONS

- A. Conflict of interest – means the reasonable foreseeability that any personal or economic interest of a public official, or employee, will be affected in any materially different manner from the interest of the general public, but any decision, enactment, agreement, award or other official action or function of any governmental body or political obligation of the Navajo Nation. See 2 N.N.C. § 3743(G).
- B. Reaffirmation resolution – means every year, at the beginning of each fiscal year the committee membership will be reaffirmed by the Chapter membership through a Chapter resolution.

XV. AMENDMENTS

This CLUPC Plan of Operation can be amended at the recommendation of the Chapter Administration, Chapter Officials, and CLUPC Committee members. All amendments proposing new language will be underlined and any amendments being deleted will be overstricken. The draft containing the underlines and strikeouts will be presented by the CLUPC at a Planning meeting. The CLUPC will thereafter present the amendments at a Regular Chapter meeting. The Chapter shall approve or disapprove the amendments at a regularly duly called chapter meeting.