



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0387

Date & Time Received: 1/3/2023 at 14:43

Date & Time of Response: 18 January 2023; 12:28 pm

Entity Requesting FRF: Coalmine Chapter

Title of Project: Coalmine Chapter Warehouse Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$450,000

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- ☐ (1) Public Health and Economic Impact
☒ (3) Government Services/Lost Revenue
☐ (2) Premium Pay
☐ (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: 6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: Please note that we have modified the expenditure category from 1.14 (Other Public Health Services) to 6.1 (Government Services). Given the intended uses of the warehouse, the Government Services category is a better fit for the Project.

Name of DOJ Reviewer: Adjua Adjei-Danso



Signature of DOJ Reviewer:

Disclaimers: This Initial Eligibility Determination is based on the documents provided which we have assumed are true, correct, and complete. Should the Project or Program change in any material way after this initial determination, the requestor must seek the advice of NNDOJ. This initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

**THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter Coalmine Chapter
requesting FRF: _____

date prepared: 12-11-22

Chapter's PO Box 742
mailing address: Tuba City, Az, 86045

phone/email: _____

website (if any): _____

this Form prepared by: Benjamin Nez
Coalmine Chapter Vice President

phone/email: 928-280-8690

benjamin.nez@naataanii.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

title and type of Project: Coalmine Chapter Warehouse Project

Chapter President: Rena Dodson

phone & email: 928-640-1433 r.dodson@naataanii.org

Chapter Vice-President: Benjamin Nez

phone & email: 928-280-8690 benjamin.nez@naataanii.org

Chapter Secretary: Benjamin Zahne

phone & email: 928-401-6097 (email next line)

Chapter Treasurer: Benjamin Zahne

phone & email: Coalminechapter@navajochapters.org

Chapter Manager or CSC: Acting CSC Milford Maloney

phone & email: _____

DCD/Chapter ASO: SPPS Milford Maloney

phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____

☐ document attached

Amount of FRF requested: \$450,000

FRF funding period: FY 2023-FY 2026

10/1/22 - 9/30/26

Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Coalmine Chapter will utilize ARPA funding for a Warehouse. This warehouse will provide logistical support to assist in mitigating covid-19. It will expand and improve community services. Warehouse will be utilized to store PPEs, MREs, Cleaning Supplies, Bottled Water, Dry Food, Water Containers, and extra supplies that will be used to combat COVID-19. Also to store heavy equipment.

☐ document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

Coalmine Chapter currently does not have a place to safely store items to combat Covid-19 nor can they assist families who are in quarantine needing food boxes or sanitation kits. The warehouse will be located on the chapter compound to distribute PPEs, food, and supplies.

☐ document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

The project end date will be December 31, 2026 with all funds being incurred before December 31, 2024. Navajo Nation Budget Form 2 are attached for phase goals per quarter of funding period.

☐ document attached

(d) Identify who will be responsible for implementing the Program or Project:

Coalmine Chapter is uncertified chapter and lacks staff. With assistance from DCD and SPPS, Coalmine Chapter will implement the NN ARPA Funding Act for a warehouse to better serve the community.

☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

All maintenance and daily operations will be maintained by Coalmine Chapter

☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Public Health: 1.14- Other Public Health

Coalmine Chapter Warehouse Project will be a place to safely store PPEs, MREs, Cleaning Supplies pellets of bottled water, food boxes, water containers, and emergency supplies to mitigate Covid-19.

☐ document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

☐ Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's
Preparer:

Bon Zalene
signature of Preparer/CONTACT PERSON

Approved by:

Burmin Noy
signature of Chapter President (or Vice-President)

Approved by:

[Signature]
signature of CSC

Approved by:

[Signature]
signature of Chapter ASO

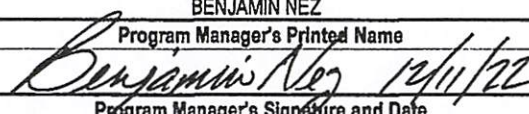
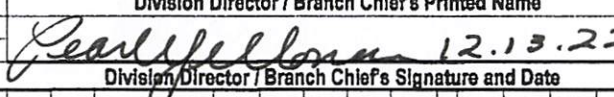
Approved to submit
for Review:

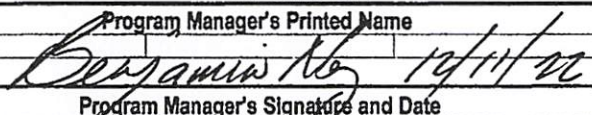
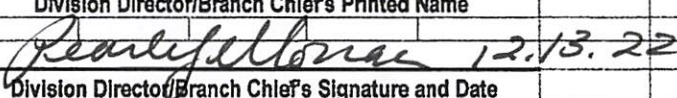
[Signature]
signature of DCD Director

PART I.		Business Unit No.: NEW		Program Title: Coalmine Chapter Warehouse		Division/Branch: DIVISION OF COMMUNITY DEVELOPMENT	
Prepared By: BENJAMIN NEZ		Phone No.: 928-280-8690		Email Address: BENJAMIN.NEZ@NAATAANII.ORG			

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN FISCAL RECOVERY FUNDS	FY23-FY26	450,000.00	100%					
	10/1/22 - 9/30/26			2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6	0	450,000	450,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	450,000.00	450,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$450,000.00	100%					

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: BENJAMIN NEZ Program Manager's Printed Name  Program Manager's Signature and Date	APPROVED BY: Division Director / Branch Chief's Printed Name  Division Director / Branch Chief's Signature and Date
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PART I. PROGRAM INFORMATION:											
Business Unit No.:		NEW		Program Name/Title: <u>Coalmine Chapter Warehouse</u>							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
Resolution #:CCC-12-0086-23 : Reaffirming And Approval Of the Coalmine Canyon Chapter Priority Project Listing of Justification Usage For The ARPA Funding Of \$1,760,468.00; Warehouse 450,000											
PART III. PROGRAM PERFORMANCE CRITERIA:				1st QTR		2nd QTR		3rd QTR		4th QTR	
Coalmine Chapter				Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:											
Provide funds for the development construction of a new warehouse for Nazlini Chapter											
Program Performance Measure/Objective:											
Assist the community with government and emergency services				1		1		1		1	
2. Goal Statement:											
Program Performance Measure/Objective:											
3. Goal Statement:											
Program Performance Measure/Objective:											
4. Goal Statement:											
Program Performance Measure/Objective:											
5. Goal Statement:											
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
BENJAMIN NEZ											
Program Manager's Printed Name				Division Director/Branch Chief's Printed Name							
											
Program Manager's Signature and Date				Division Director/Branch Chief's Signature and Date							

PART I. PROGRAM INFORMATION:

Program Name/Title: Coalmine Chapter Warehouse

Business Unit No.: NEW

PART II. DETAILED BUDGET:

(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6	6200- External Contractor- The chapter will contract a company to design and construct a warehouse.	450,000	450,000
		TOTAL	450,000

PART I. Business Unit No.: NEW															PART II.						Project Information													
Project Title: COALMINE CHAPTER WAREHOUSE															Project Type:						Warehouse													
Project Description: The chapter will contract a company to design and construct a warehouse, to be utilized for dry goods storing, protective equipment to Mitigate Covid-19, store heavy equipment, to better serve Coalmine Community															Planned Start Date:						12/11/2022													
Check one box:															Planned End Date:						12/31/2026													
															Project Manager:						Benjamin Nez													
PART III.							PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																								Expected Completion Date if project exceeds 8 FY Qtrs.			
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.							FY 2023												FY 2024												Date 12/31/26 O N D J F M A M J Jul A S O N D J F M A M J Jul A S O N D J F M			
							1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.						
							O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J
Bidding																																		
164 Process/Contract																																		
Construction																																		
PART V.							\$			\$			\$			\$			\$			\$			\$			\$						
Expected Quarterly Expenditures							37,500.00			37,500.00			75,000.00			75,000.00			75,000.00			75,000.00			75,000.00			PROJECT TOTAL						
							\$450,000.00																											
FOR OMB USE ONLY:							Resolution No:							FMIS Set Up Date:							Company No:							OMB Analyst:						

COALMINE CANYON CHAPTER

Rena Dodson, Chapter President

Benjamin Nez, Chapter Vice-President

Ben Zahne, Secretary/Treasurer



Thomas Walker Jr., Council Delegate

Harry Goldtooth, Grazing Official

WESTERN NAVAJO AGENCY – NAVAJO NATION

PO Box 742, Tuba City, AZ 86045

Resolution #: CCC- 12-0086-23

Reaffirming And Approval Of The Coalmine Canyon Chapter Priority Project Listing of Justification Usage For The A.R.P.A Funding Of 1,760,468.00

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3: Chapter Certification and 11 N.N.C. Part 1, Section 10, the Coalmine Canyon Chapter is a duly recognized and certified chapter of the Navajo Nation Government; and,
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation Chapters, Section 1., (B) Purpose: (1) & (2), the Navajo Nation Council delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapters to make decisions to govern with responsibility and accountability to community membership; and,
3. The Coalmine Canyon Chapter recognized that the financing of public project have become a major concern on the Navajo Nation and Nationally, therefore, the ARPA funding of 1,760,468.00 will be used according to some of the needs of our constitutes; and
4. In times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and
5. During the pandemic times, many of our Navajo people suffered emotionally, spiritually and physically; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Coalmine Canyon Chapter hereby supports and approves the ARPA funding to be utilize in accordance with the following chapter projects priorities;

- | | |
|----------------------|--------------|
| 1. Bathroom Addition | 1,260,468.00 |
| 2. Septic Cleaning | 50,000.00 |
| 3. Chapter Warehouse | 450,000.00 |

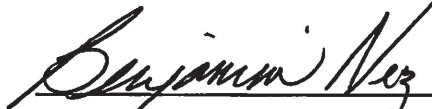
CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Coalmine Canyon Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 28 In Favor, 0 opposed, and 0 Abstained on this 13th Day of December, 2022

Main Motioned Made By: Bi jii bah Begay Second Motioned Made By: Starlenn Nez



Rena Dodson, Chapter President



Benjamin Nez, Chapter Vice President



Ben Zahne, Chapter Secretary/Treasurer



Harry Goldtooth, Grazing Official

Thomas Walker, Council Delegate4