

### NAVAJO NATION DEPARTMENT OF JUSTICE

### OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH Attorney General HEATHER CLAH Deputy Attorney General

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

RFS/HK Review #: HK 0678											
Date & Time Received: 10/31/23 at 16:31											
Date & Time of Response: 11/3/23 at 17:00											
Entity Requesting FRF: Whitehorse Lake Chapter											
Title of Project: Whitehorse Lake Chapter Home Renovation 26 Families											
Administrative Oversight: Division of Community Development											
Amount of Funding Requested: \$145,000											
Eligibility Determination:  ✓ FRF eligible FRF ineligible Additional information requested  FRF Eligibility Category:  ✓ (1) Public Health and Economic Impact (3) Government Services/Lost Revenue  (4) Water, Sewer, Broadband Infrastructure											
U.S. Department of Treasury Reporting Expenditure Category:											

### Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures): Missing Form Expenditure Plan incomplete Supporting documentation missing Funds will not be obligated by Project will not be completed by 12/31/2026 12/31/2024 Ineligible purpose \_\_Incorrect Signatory Submitter failed to timely submit CARES reports Inconsistent with applicable NN or Additional information submitted is insufficient federal laws to make a proper determination Other Comments: Name of DOJ Reviewer: Navalyn R. Platero Ryn Reifen Signature of DOJ Reviewer:

#### Disclaimers:

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An 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.

APPENDIX A

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

### Part 1. Identification of parties.

Governance-Certified Chapter Whitehorse Lake Chapter requesting FRF:	Date prepared: 11-23-2022											
Charter's HCR 79 Box 4089	phone & email: 505-655-5430 whitehorselake@navajochapters.org											
mailing address: Cuba, NM 87301	website (if any):											
This Form prepared by: Frannie George	phone/email: 505-726-3310 compassion@frontiernet.net											
Chapter Secretary Treasurer	Secretary Treasurer											
CONTACT PERSON'S name and title CONTACT PERSON'S info  Title and type of Project: Whitehorse Lake Chapter Home Renovation 26 families												
Chapter President: Art Lee Chavez	phone & email: 505-655-5430 whitehorselake@navajochapters.org											
Chapter Vice-President: Vacant	_ phone & email: Vacant											
Chapter Secretary: Frannie George	phone & email: 505-726-3310 compassion@frontiernet.net											
Chapter Treasurer: Frannie George	phone & email: 505-726-3310 compassion@frontiernet.net											
Chapter Manager or CSC: Dedrick Tolino	phone & email: 505-655-5430 whitehorselake@navajochapters.org											
DCD/Chapter ASO:	phone & email: WS blakey (A hinded one)											
List types of Subcontractors or Subrecipients that will be paid with FRF (if known):												
	document attached											
Amount of FRF requested: 145,000.00 FRF funding period: 10												
,	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 and what COVID-related needs will be addressed:	v the funds will be used, for what purposes, the location(s) to be served,											
The project will renovate homes for 26 families in the three communities of Whitehorse Lake Chapter. The homes have deteriorated as the homes were built over 30 years ago. During the COVID-19 pandemic needed renovation could not be addressed as repair crews were not allowed to physically go out to the homes for 3 years. In the meantime roofs, walls, windows, ceilings, interior walls, doors, closets, laundry rooms and regular living spaces have become health hazards are unsafe and rodents have in some cases invaded the whole home.												
(b) Explain how the Program or Project will benefit the Navajo Nation, Na	avaio communities or the Navaio People:											
The project will benefit at least 130 individuals many will be more secure, healthy and safe. Educational of the elderly will experience safety and security. Inflect prevented plus seasonal cold viruses. Lessen visits costly expenses for the needy families.	of which are children and elderly. The families endeavors for the children will be encouraged and ction by current COVID-19 variants will be											

<sup>(</sup>c) 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 Program(s) or Project(s) by December 31, 2026:

APPENDIX A

The project will begin 10-1-23. Current assessments will be rereviewed and field vis will be completed within 3 mos and contact with suppliers for materials will be done, material delivery will be completed within 6 mos and work crews will be organized by the use of PEP funds as well as supervision. Funds for costs to be incurred will be months and all funds will encumbered by 12-1-24 and all funds expended by 12-2-2.	Scheduling of y the chapter thru completed in 9
	document attached
(d) Identify who will be responsible for implementing the Program or Project:	
Division of Community Development Navajo Nation and Whitehorse Lake Chapter was project with the CSC, Chapter officials and the CLUPC committee will provide needs monitoring and reviews.	ed coordination,
(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how a prospectively:	such costs will be funded
Individual homeowners will maintain operations and maintenance and related costs. preventive maintenance will be coordinated thru NTU in Crownpoint, NM.	Training in
	document attached
(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasu proposed Program or Project falls under, and explain the reason why:	ury Appendix 1 listing the
repairs for 3 years. The structures for these homes being built over 30 years ago ar repairs for health and safety reasons. The majority of the homes affected house chi These groups of people are most venerable to diseases and inflection. A primary of prevention, protection and security against this horrible disease, COVID-19 and its values these homes also provides employment opportunities for the unemployed in the Whithat have had their jobs depleted by the pandemic. The sooner this can be done, the	Idren and elderly. oncern is to ensure variants. Repairing itehorse Lake area
	document attached
Part 3. Additional documents.	
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):	
Chapter Resolution Letter of support by CLUPC chair Letter of support by community members	
	apter Resolution attached
Part 4. Affirmation by Funding Reciplent.	
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plawith Resolution No. C.IY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, Chapter's Preparer.  Approved by:  Approved by:	regulations, and policies:
Approved by: Approved by: Approved by: Approved by: Approved to submit	07/24/2023
for Review, algorithme of DCO Direct	do

### Navajo Nation Fiscal Recovery Funds Whitehorse Lake Chapter Expenditures Plan

The purpose of the Whitehorse Lake Chapter Expenditure Plan is to allow the use and expenditure of One Hundred Forty-Five dollars (\$145,000.00) to support families with home improvements and renovation. Improvement and renovation. This will ensure that families who are served will be adequately protected from exposure to the further spread of COVID 19 and interior and exterior repairs will ensure the longevity of homes.

The Whitehorse Lake Chapter home improvement/renovation project will assist approximately 26 homes with Roofing, ceilings, interior walls, flooring, and replacement of windows, doors, and handicapped ramps.

Building materials will be purchased for up to \$5,576.00 per home. The Whitehorse Lake Chapter CLUPC members based on Community Assessment have identified 26 community members that have determined the type of improvement or renovation is needed. The 26 community members will submit applications. Using the Whitehorse Lake Chapter Housing Discretionary Application.

### FY2023 / 2024

### THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 4 BUDGET FORM 1

Prepared By: Frannie Georg	e	Phor	e No.: 50	05 726 3310 Emai	Address:	Fgeorge@navajoch		
PART H. FUNDING SOURCE(S)	Fiscal Year /Term 10-1-23 - 9/1/24	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference or
1	10-1-23-1/1/20	145,000.00	1	2001 Personnel Expenses	Code	Original Budget	Proposed Budget	Total
			1	3000 Travel Expenses	-			<del> </del>
			<del>                                     </del>	3500 Meeting Expenses	+ +			
			1	4000 Supplies	<del>                                     </del>			<del></del>
			1	5000 Lease and Rental	1			
				5500 Communications and Utilities				
				6000 Repairs and Maintenance	6	0	445.000	
				6500 Contractual Services	1 0 1		145,000	145.000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
		T dies		9500 Matching Funds				
				9500 Indirect Cost				
			1		TOTAL	\$0.00	145,000	145,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions B	Sudgeted:	0	0	
	TOTAL:	145,000	100%	Total # of Vehicles B	Budgeted:	0	0	
PART V. I HEREBY ACKNOWLEDG SUBMITTED BY:	E THAT THE INF	ORMATION CO	NTAINED I	N THIS BUDGET PACKAGE IS COMPLET  APPROVED BY: Calvin C	E AND ACC	EXACULTURA	n.vatar	
Pro	gram Manager's	Printed Name		Divisi	on Director	/ Branch Chief's Pri	nted Name	
drimos bodo	Kai Deor	- Mair					7/13/202	3
	am Manager's Sig		9	Division	Director / B	ranch Chief's Signat	ure and Date	

FY \_2023/2025\_\_\_\_

### THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Page 2 of 4 BUDGET FORM 2

1st C Goal	Actual	2nd Goal	QTR Actual	Goal	QTR Actual ment for o	Goal	QTR Actual nity men
1st C Goal   dard of	TR Actual	2nd Goal	QTR Actual	<b>Goal</b> mprover	Actual	Goal	Actual
dard of	Actual	Goal	Actual	<b>Goal</b> mprover	Actual	Goal	Actual
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REVIEW	aur	In Cer	Branch Chie	Kecus Pa Printed	Ave DIK	ester 3	
	-	Division	Division Director	Division Director/Branch Chie	Division Director/Branch Chief's Printed	REVIEWED.  Costilla, Executive DIV.  Division Director/Branch Chief's Printed Name  7/3/202  Division Director/Branch Chief's Signature and Date	Division Director/Branch Chief's Printed Name

FY 2023/2025

### THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 4 BUDGET FORM 4

PART I. F	PROGRAM INFORMATION:			
		Unit No.: NEW		
PARTI	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)
6000	Housing support other assistance purchase building materials for 26 families to renovate, repair and replace roofs, windows, doors, walls, calling &	k plumbing	145,000.00	145,000.00
	<u> </u>	TOTAL	145,000.00	145,000.00 -

### THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page 4 of 4
PROJECT FORM

PART I. Business Unit No.: NEW												Marie Comme				the sales			Etoliji de			PAR	et II.	****		Proj	ect In	form	ntion	
Project Title: Whitehorse Li	ake Ch	apter	Home	Renov	ation 2	26 fam	lies															Proj	ect Typ	e:	Hom	e Reno	ovation			
Project Description To as	sist con	nmun	ity mer	nbers	with ro	ofing n	nateria	ls, floo	reptac	cemer	t, wido	ws, wa	alts, ce	iling, pl	umbin	g, doo	rs and	exterk	or work			Plan	ned St	art Date	e: 1	0-1-23				
																						Plan	ned En	d Date	:	9-1-26	i			
Check one box:	30	Origin	al Bud	get		Budg	jet Re	vision	[	Bu	dget R	ealloc	ation		8udg	et Mo	dificat	ion				Proje	ect Mar	nager:		Art Le	e Cha	vez		
PART III.  List Project Task separately; such as Plan, Design, Construct, Equip	PAR	T IV.	Us	e Fisc	cal Ye		) Qua		com	plete	the inf	ormal	tion be	alow. (	0 = 0	ct.; N	= Nov		Dec.								ed Cor			
or Furnish.		1st Q	ttr.		2nd C	atr.		3rd Qt	J.		4th Qt	г.	Π	1st Qt			2nd Qt	<b>T</b> .		3rd Qt	г.		4th Qt	tr.		Date	9/	11-	20	
Finalize list of 26 families Notify identified families Develop project listing Develop work olan Advertise for needed workers Secure needed materials Bids for material	0,	N	D x	X	F	M	A	M	J	Jul	A	S	0	N	D	J	F	M	A	М	J	Jul	A	S	0	N	D	J	F	M
Start work on projects Reports Complete projects							x	x		×	x			x	x			x	x		x	×		x	X		x x	X		X
PART V.		\$			\$			\$			\$			\$			\$			\$			\$				OJEC		TAL	
Expected Quarterty Expenditures	1	18,125	5		18,125		1	8,125			18,12	5	_1	8,125			18,125	Te a	18	,125			18,125	5		145	5,000.0	)0	roeB roeB	

FOR OMB USE ONLY: Resolution No: FMIS Set Up Date: Company No: OMB Analyst

Whitehorse Lake Chapter HCR 79 Box 4069 Cuba, New Mexico 87013 Telephone 505 655-5430 Fax 505 655-5430,5431 Whitehorselake@chapters.org



Art Lee Chavez, President Kirk Sandoval, Vice President Fran George, Secretary Treasure Clyde Yazzie, Land Board Member George Tolth, Council Delegate Dedrick Tolino, CSC Vacant, AMS

President Navajo Nation Dr. Buu Nygern

Vice President Navajo Nation Richelle Montoya

### WHITEHORSE LAKE CHAPTER RESOLUTION WHL Mar 23 23-54

WHITEHORSE LAKE CHAPTER APPROVING AND SUPPORTING RESOLUTION FOR AMERICAN RESCUE PLAN ACT FUNDING TO ASSIST HOME RENOVATION FOR 26 FAMILIES IN THE AMOUNT OF \$145,000.00

#### WHEREAS;

- 1. Pursuant to 26 N.N.C. Section 3 (A) Whitehorse Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government as listed at 11 N.N.C. part 1, section 10; AND
- Pursuant to 26 N.N.C. section 1 (B) is vested with the authority to review all matters
  affecting the community to make appropriate corrections when necessary and make
  recommendations to the Navajo Nation and other local agencies for appropriate actions;
  AND
- 3. Whitehorse Lake has an allocation of \$1.1 million dollars under the American Rescue Plan Act Fiscal Recovery Fund to provide chapter services to community members, who are eligible and, in most need, and without electrical services for years; AND
- 4. Whitehorse Lake Chapter has identified 26 families who need renovation with roofing repairs, ceilings, interior walls, exterior walls, flooring, and these homes are over 30 years old and have become health hazards,
- 5. Whitehorse Lake Chapter will use the PEP funds under the chapter to do some of the minor repairs and the project will benefit the community's elderly, veterans, special needs persons, and families.

#### NOW THEREFORE BE IT RESOLVED

WHITEHORSE LAKE CHAPTER APPROVING AND SUPPORTING RESOLUTION FOR AMERICAN RESCUE PLAN ACT FUNDING TO ASSIST HOME RENOVATION FOR 26 FAMILIES IN THE AMOUNT OF \$145,000.00

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by Whitehorse Lake Chapter at a duly called chapter meeting at the Whitehorse Lake (Navajo Nation) at which a quorum was present and that same was passed by a vote in favor, <u>21</u> opposed <u>0</u> abstained <u>04</u> on this 15th day of March 2023

Motion Connie Begaye

Second Lavern Wagner

Derrick Yazzie, Vice President

Frannie George, Secretary/Treasurer

George Tolth, Council Delegate



# Whitehorse Lake HCR 79 Box Cuba, New Mexico 87013 505/655-5431 Fax# 505/655-5430/5431 whitehorselake@navajochapters.org



Lucita L. Nolan - President

Community Land Use Planning Committee Lavern Wagner -Vice President

Chee Smith, Secretary

Cherlyn Largo-member

Clyde Yazzie-Land Board

RESOLUTION OF
WHITE HORSE LAKE CHAPTER
COMMITTEE LAND USE PLANNING COMMITTEE (CLUPC)
October 9, 2023

Resolution supporting the ARPA Home Improvement/Renovation for 26 homes in the amount of \$145,000.00

#### Whereas:

The Whitehorse Lake Chapter CLUPC Committee has been working eagerly to adhere to the Navajo Nation Title 26 1-GA. prepared Community Assessment.

The devastating effects of COVID-19 in our community have caused much loss of lives, business closures, school closures, food and housing insecurity, loss of jobs, unsafe home conditions, and economic impact.

The isolated communities of Whitehorse Lake were traumatized. Visitation between families and Neighbors stopped. When a loved one was medically airlifted it meant that the loved one was not coming home.

Slowly the community people started coming out, but the impact was great,

The Whitehorse Lake CLUPC committee members, the first responders, started going from home to home doing assessments. The community assessment was to help the Whitehorse Lake Chapter understand the needs and decide how to address these concerns.

The assessment involved (1) an evaluation of the current situation in a community, (2) a judgment of what the preferred or desired situation in that community would be, and (3) a comparison of the actual and desired situation to prioritize concerns. The assessments found families tend to house multiple generations under one roof, therefore putting everyone in the house at greater risk of contracting the virus, especially Elders.

As it is, many of the Elders are more susceptible to contracting COVID-19 on account of the high prevalence of chronic health conditions, such as diabetes, heart disease, obesity, asthma, and other respiratory illnesses. Further escalating the issue is the fact that roughly 80 percent of

residents have no access to running <u>water</u> making it difficult to follow federally recommended handwashing guidelines to limit the spread of coronavirus.

Whitehorse Lake Chapter has three (3) large land bases. Communities, because our chapters are 26 miles apart, although tribal leaders are taking aggressive steps to fight the spread of the virus within the Navajo community, there is still much that can be done to aid residents who have limited access to food, water, and medical care. Firstly, important is a safe home environment.

#### NOW THEREFORE BE IT RESOLVED

The Whitehorse Lake Chapter CLUPC committee Supports the ARPA Home Improvement/Renovation for 26 homes in the amount of \$145,000.00

#### **CERTIFICATION**

We hereby certify that the above-mentioned resolution was duly reviewed by the Community Land Use Planning Committee at a duly called meeting in Whitehorse Lake on October 9, 2023, at which a quorum was present and was approved by a vote of / in favor, opposed, / abstained.

Motion:	Second:	
Justa Rom Lucita L. Nolan, President		Lavern Wagner, Vice President
Chee Smith, Jr. Secretary		Cherlyn Largo, member