



**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 #: HK0283

Date & Time Received: 12/07/22 16:29

Date & Time of Response: 13 December, 2022; 12:03 pm

Entity Requesting FRF: Pinon Chapter Government

Title of Project: Septic & leach field repair or replacement

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$ 260,468.00

**Eligibility Determination:**

- FRF eligible
- FRF ineligible
- Additional information requested

**FRF Eligibility Category:**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

U.S. Department of Treasury Reporting Expenditure Category: 5.3 Clean Water:

**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: \_\_\_\_\_

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer:  \_\_\_\_\_

Disclaimers: An NNDOJ Initial Eligibility Determination will be 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.

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

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Pinon Chapter Date prepared: 12/01/2022

Chapter's P. O. Box 12 phone & email: 928-725-3710/3711  
mailing address: Pinon Arizona 86510 website (if any): \_\_\_\_\_

This Form prepared by: Sharon A. Begay phone/email: 928-725-3710/3711  
Chapter Manager

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Housing Septic & Leech field repair or replacement for Pinon Community

Chapter President: Bessie S. Allen phone & email: 928-313-4983

Chapter Vice-President: Bill Yazzie phone & email: 928-383-6113

Chapter Secretary: Ramona Nalwood phone & email: 928-675-7520

Chapter Treasurer: Ramona Nalwood phone & email: 928-675-7520

Chapter Manager or CSC: Sharon A. Begay phone & email: 928-675-7021

DCD/Chapter ASO: Edgerton Gene phone & email: 928-674-2251

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

document attached

Amount of FRF requested: 260,468.00 FRF funding period: December 2022 to December 31, 2026

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:

The Pinon Chapter is requesting \$260,468.00 to repair or replace existing septic/leechfield systems to assist Navajo families. Throughout this COVID-19 pandemic stay at home orders, all families stayed home and some septic/leechfield systems were overloaded since they were not built to sustain the large number of family members. Bathrooms will become usable again by replacing or repairing the systems. This program will address public health challenges that partly caused the impact on the Navajo Nation and Pinon Community.

document attached

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

Currently there are a high number of homes in the Pinon community that lack access to one or more of the following utilities: electricity, water, wastewater and broadband. ARPA Septic/leechfield repair or replacement will provide one utility to a home that lacks this and will assist in promoting public health. The Pinon community members receiving this repair or replacement will directly benefit from this program.

document attached

(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:

This program estimates the successful completion of approximately 15 septi/leechfield repair or replacements and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.

document attached

(d) Identify who will be responsible for implementing the Program or Project:  
Pinon Chapter Manager and Officials will be the oversight of the contractor.

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:  
Homeowners are responsible for the operation and maintenance of the repair or replacement of septic/leechfield following completion.

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:  
This project falls under the new expenditure Category 1.14 Other Public Health Services- for Spetic tank and leech field  
Providing home septic system repairs for navajo families in need will help to address the public health housing support and improving access to safe & secure restrooms as well as support healthy living environments and neighborhoods condusive to mental and physical wellness..

document attached

**Part 3. Additional documents.**

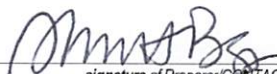
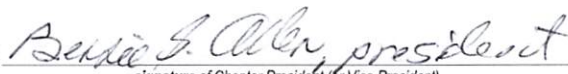
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):



This program estimates the successful completion of approximately 15 septi/leechfield repair or replacements and will obligate the funds no later than December 31, 2024 and will fully expend the funds no later than December 31, 2026.


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:  signature of Preparer/CONTACT PERSON  
Approved by:  signature of Chapter President (or Vice-President)

Approved by:  signature of Chapter Manager or CSC  
Approved by:  signature of DCD Chapter ASO

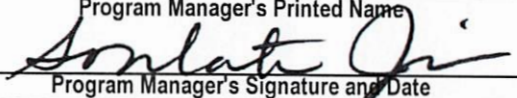
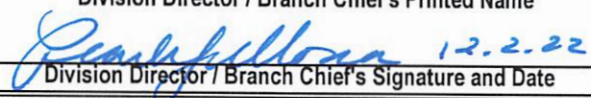
Approved to submit for Review:  signature of DCD Director 12.5.23

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

APPENDIX B

BUDGET FORM 1

|  |                           |                                     |   |  |                |                                  |                     |                         |
|--|---------------------------|-------------------------------------|---|--|----------------|----------------------------------|---------------------|-------------------------|
| PART I. Business Unit No.: <u>ARPA FUNDS</u>   |                           | Program Title: <u>Pinon Chapter</u> |   | Division/Branch: <u>ASC/DCD</u>              |                |                                  |                     |                         |
| Prepared By: <u>Sharon A. Begay</u>  |                           | Phone No.: <u>928-725-3710</u>      |   | Email Address: <u>sabegay@nnchapters.org</u> |                |                                  |                     |                         |
| 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 |
| ARPA FUNDS   | 2022 to 2026              | 260,468.00                          | 100%  |  |                |                                  |                     |                         |
|  | <u>12/1/22 - 12/31/26</u> |                                     |   | 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                    | <u>6</u>       | <u>0</u>                         | 260,468             | <u>260,468</u>          |
|  |                           |                                     |   | 7000 Special Transactions                    |                |                                  |                     |                         |
|  |                           |                                     |   | 8000 Public Assistance                       |                |                                  |                     |                         |
|  |                           |                                     |   | 9000 Capital Outlay                          |                |                                  |                     |                         |
|  |                           |                                     |   | 9500 Matching Funds                          |                |                                  |                     |                         |
|  |                           |                                     |   | 9500 Indirect Cost                           |                |                                  |                     |                         |
|  |                           |                                     |   | <b>TOTAL</b>                                 |                | \$0.00                           | 260,468.00          | <u>260,468</u>          |
|  |                           |                                     |   | PART IV. POSITIONS AND VEHICLES              |                | (D)                              | (E)                 |                         |
|  |                           |                                     |   | Total # of Positions Budgeted:               |                |                                  |                     |                         |
|  |                           |                                     |   | Total # of Vehicles Budgeted:                |                |                                  |                     |                         |
| <b>TOTAL:</b>  |                           | \$260,468.00                        | 100%  |  |                |                                  |                     |                         |
| PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. |                           |                                     |   |  |                |                                  |                     |                         |
| SUBMITTED BY: <u>Sonlata Jim- Martin, ASC Manager</u>  |                           |                                     | APPROVED BY: <u>Pearl Yellowman, DCD Director</u>                                     |  |                |                                  |                     |                         |
| 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                                 |  |                |                                  |                     |                         |



## PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712

### RESOLUTION # 23-01 OF PINON CHAPTER THE NAVAJO NATION, PINON, ARIZONA

APPROVING, PRIORITIZING AND SUBMITTING PINON CHAPTER'S LISTED PROPOSED PROJECT FOR FULL FUNDINGS FROM THE AMERICAN RESCUE PLAN ACT, PURSUANT TO CJN-29-22, AS PROJECTS IN EXHIBIT A, B, AND C, TO COMBAT COVID 19 PANDEMIC.

#### WHEREAS:

1. THE Navajo Nation Council by Resolution CS-34-98, enacted the Navajo Nation Local Governance Act and Codified it under the Navajo Nation Code; AND
2. That pursuant to Title 26 NNC, Section B-1&2, Pinon Chapter is an LGA Certified Chapter government of the Navajo Nation Government, thus acts on this foregoing resolution pursuant to the authority vested to Pinon Chapter to recognize, address and advocate for the local needs, its interests, and matters consistent with the Navajo Nation Laws, which includes Navajo customs and traditions; AND
3. That the Navajo Nation Council enacted Resolution CIN-29-22, \$1,070,298,867. the Navajo Nation Fiscal Recovery Fund Expenditure Plans for the Navajo Nation Chapters and Regional Projects; Public Safety, Emergency Communications, E911, Rural Addressing, Cyber Security, Public Health Projects, Hardship Assistance, Water and Waste Water Projects, Broadband Projects, Home Electricity Connections, Electric Capacity Projects, Housing Projects, and Manufactured Housing, Bathroom Additions, and Construction Contingency fundings, AND
4. That the Pinon Chapter, hereby, submits their listed proposed projects, (see Exhibit A), pursuant to CJN-29-22, to Division of Community Development ARPA Portal via our Council Delegate, Jimmy Yellowhair, for consideration by the Navajo Nation Council; AND
5. That the Pinon, hereby, submits their Chapter's listed proposed projects, (see Exhibit B), pursuant to CJN-29-22, via our Council Delegate, Jimmy Yellowhair, for ARPA funding consideration from the Delegate Regional distribution; AND

6. That the Pinon Chapter, hereby, submits, pursuant to CJN-29-22, their Chapter's listed proposed projects with listed recipients that was duly considered and recommended by Chapter Resolution to the Navajo Hopi Land Commission, (see Exhibit C), from the Navajo Partition Land allocation for Modular Homes; AND
7. That it is in the best Health interests of Pinon Chapter and its community to have the Navajo Nation Council to fully consider to fully ARPA fund all of the Pinon Chapter's listed proposed projects on the attached Exhibits.

NOW, THEREFORE, BE IT RESOLVED THAT:

THE Pinon Chapter, hereby, pursuant to CJN-29-22, Approves and Recommends The Submission of the Chapter's Proposed Projects listed on the attached Exhibit A, Exhibit B and Exhibit C for Full Fundings Consideration by the Navajo Nation Council from Funds Allocated by the United States Congress, the American Rescue Plan Act, to Combat the Health Pandemic, COVID 19.

#### CERTIFICATION

WE, the undersigned, hereby, certified that the foregoing resolution was duly considered at a duly called Pinon Chapter meeting at which a quorum was present and same was duly discussed and acted upon by a vote of 35 in favor, 0 opposed and 14 abstained On the 10th day of October, 2022, at Pinon Chapter House, the Navajo Nation, Pinon, Arizona.

Motioned by: Laverne Gorney

Seconded by: Danny Luman

Bessie S. Allen

Bessie S. Allen, Chapter President

Bill Yazzie

Bill Yazzie, Chapter Vice-President

Ramona Nalwood

Ramona Nalwood, Chapter Secretary/Treasurer

CONCURRED; Council Delegate

\_\_\_\_\_

*Legislation CJN-29-22: \$8,802,340 mil per Delegate*

*Pinon Chapter equal distribution \$1,760,468 per 5 chapters*

|                        |   |  |
|------------------------|---|--|
| <b>\$ 260,468.00</b>   | 1 | Septic & Leech field repairs: 10 repairs @ \$20,000 each |
| <b>\$ 1,000,000.00</b> | 2 | New Housing- 5 families have HSL                         |
| <b>\$ 500,000.00</b>   | 3 | Housing renovations @ \$5000.00 ea = 100 homes           |
| <b>\$ 1,760,468.00</b> |   | <b>TOTAL</b>   |



