



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 #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

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: _____

<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	

Name of DOJ Reviewer: _____

Disclaimers:

An NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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 NON-GOVERNANCE CERTIFIED CHAPTERS

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Klagetoh Chapter Date prepared: 11/1/2022

Chapter's mailing address: UNIT 42 HC58 BOX 90 phone/email: 928.652.2700
GANADO, AZ 86505 website (if any): _____

This Form prepared by: AARON LONG phone/email: 928.550.9787
LAND USE COMMITTEE CHAIR AARON.J.LONG90@GMAIL.COM
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: ARPA CONSULTANT

Chapter President: LELAND NEZ phone & email: 928.321.0160 LNEZ@NAVAJOCHAPTERS.ORG

Chapter Vice-President: LEON JACKSON phone & email: 928.206.0630 LEJAXN@GMAIL.COM

Chapter Secretary: MAUREEN WOODMAN phone & email: 928.797.1508 RAIZINDOUGH@HOTMAIL.COM

Chapter Treasurer: MAUREEN WOODMAN phone & email: 928.797.1508 RAIZINDOUGH@HOTMAIL.COM

Chapter Manager or CSC: LELA SANGSTER (AMS) phone & email: 928.652.2700 KLAGETOH@NAVAJOCHAPTERS.ORG

DCD/Chapter ASO: PATRICIA BEGAY phone & email: 928.871.7515 PDBEGAY@NNDCCD.ORG

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

CONSULTANT - AIR INDUSTRIES NBN: SB-0066-FD EIN: 85-2544803 ☒ document attached

Amount of FRF requested: \$50,000 FRF funding period: 11/1/2023 - 12/31/2024
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:

This project hires a consultant to assist the Klagetoh Chapter with the six (6) NNFRF eligibility programs and projects that will be approved. Those projects are: Rural Addressing, Chapter Renovation, BIA compound Demolish and Rehabilitate, Dumpsite Remediation, and Veteran Housing.

☐ document attached

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

The Klagetoh Chapter has a sudden vacant Community Service Coordinator/Manager position. In order to aid the chapter with the added work load of 6 projects during an uncertain time, this project consultant will help to maintain the chapter's capacity and ensure the other projects success.

☐ 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:

Project time frame: Jan 2023 - Dec 31, 2024

Phase 1: Contract services.

Phase 2: Project start | Phase 3: Project 50% | Phase 4: Project Complete.

Challenges: managing 5 projects at the same time.

☐ document attached

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

The Klagetoh Chapter is responsible for hiring a consultant and the consultant (Air Industries) is responsible for completing the objectives of each assigned project.

☐ 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:

Klagetoh Chapter will be responsible for project deliverables after the consultant is complete.

☐ 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:

CJN-29-22 SECTION 3(L)2: Delegate Region Projects Plans may include NNFRF-eligible projects for programs to provide government services to Chapter members; "...; to plan and design projects; to hire consultants to assist with NNFRF-eligible programs and projects;...".

CJN-29-22 SECTION 3(L)2. Expenditure Category 2.37. NEGATIVE ECONOMIC IMPACTS: Other Economic Impact. April 2022

CJN-29-22 Section 3(L)2. Expenditure Category 2.13. NEGATIVE ECONOMIC IMPACTS: Other Economic Support*^*. Jan 2022.

☐ document attached

Part 3. Additional documents.

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

Attached:

- Resolution KLA 2209-11/2022

- Scope of Work - Resolution No. KLA 2206-11/2022

☐ 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

AARON LORA

Approved by:

signature of Chapter President (or Vice-President)

LELAO NEZ

Approved by:

signature of CSC/Deputy

Approved by:

signature of Chapter ASO

Approved to submit
for Review:

signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>KLagetoH Chapter</u> <u>ARPA CONSULTANT</u>		Division/Branch: <u>KLGETOH CHAPTER</u>	
Prepared By: <u>AARON LONG</u>		Phone No.: <u>928.550.9787</u>		Email Address: <u>AARON.J.LONG90@GMAIL.COM</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
NN FISCAL RECOVERY FUNDS	<u>FY23</u>	50,000.00	100%					
	<u>1/1/23-12/31/24</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>ALC</u>	\$	\$ 50,000.00	<u>50,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$	50,000.00	<u>50,000</u>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	1
Total # of Vehicles Budgeted:	0	0

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>Sonlata Jim. Martin - Dept Manger</u> Program Manager's Printed Name <u>Sonlata Jim. Martin</u> 11.16.22 Program Manager's Signature and Date	APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u> Division Director / Branch Chief's Printed Name <u>Pearl Yellowman</u> 11.28.22 Division Director / Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page of
BUDGET FORM 2**PART I. PROGRAM INFORMATION:**Business Unit No.: NEWProgram Name/Title: Klagetoh Chapter ARPA CONSULTANT**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

CJN-29-22 SECTION 3(L)2: Delegate Region Projects Plans may include NNFRF-eligible projects for programs to provide government services to Chapter members; "...; to plan and design projects; to hire consultants to assist with NNFRF-eligible programs and projects;..."

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

Complete projects

Program Performance Measure/Objective:

Phase 1 preliminary, Phase 2 50%, Phase 3 75%, Phase 4 complete

1		2		3		4	
---	--	---	--	---	--	---	--

2. Goal Statement:

Phase 1 Preliminary

Program Performance Measure/Objective:

1 Project proposal 2 funding approval

2							
---	--	--	--	--	--	--	--

3. Goal Statement:

Phase 2 25% complete projects

Program Performance Measure/Objective:

1 get project to 25% progress

		1					
--	--	---	--	--	--	--	--

4. Goal Statement:

Phase 3 50% complete projects

Program Performance Measure/Objective:

1 get projects to 50% progress

				1			
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5. Goal Statement:

Phase 4 100% complete projects

Program Performance Measure/Objective:

1 get projects to 100% progress

						1	
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonlata Jim-Martin Prog. Manager
Program Manager's Printed Name

Sonlata Jim-Martin 11.16-22
Program Manager's Signature and Date

Dr. Pearl Yellowman, Division Director
Division Director/Branch Chief's Printed Name

Pearl Yellowman 11.29.22
Division Director/Branch Chief's Signature and Date

3

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>ARPA CONSULTANT</u>		Business Unit No.: <u>NEW</u>		
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)	
6500 CONTRACTUAL SERVICES			\$ 50,000.00	
	Professional Services for various program initiatives. Contractual services for specialized services.			
6520	Consulting	\$ 50,000.00		
6530	Consulting Fees: Phase <u>2</u> <u>1</u>	\$ 12,500.00		
6530	Consulting Fees: Phase <u>3</u> <u>2</u>	\$ 25,000.00		
6530	Consulting Fees: Phase <u>4</u> <u>3</u>	\$ 12,500.00		
6510	Professional	\$ -		
6510	Professional Services:	\$ -		
9000 CAPITAL OUTLAY				
9010	Land and Improvements			
9012	Land			
9014	Land Improvements			
9050	Buildings			
9052	Buildings			
9054	BLDG Improvements			
9060	Construction in Progress			
9062	Contingencies			
TOTAL		\$ 50,000.00	\$ 50,000.00	

KLAGETOH CHAPTER

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MAILING: Unit 42 HC58 Box 90
Ganado, AZ 86505

PHYSICAL: US HWY 191 Mile Post 397
Klagetoh, AZ 86505



PRESIDENT: LELAND NEZ

VICE PRESIDENT: LEON JACKSON

SECRETARY/TREASURER: MAUREEN WOODMAN
TAPAH

GRAZING OFFICER: ALLAN

COUNCIL DELEGATE: RAYMOND SMITH, JR.

COMMUNITY SERVICE COORDINATOR: VACANT

ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

RESOLUTION OF THE KLAGETOH CHAPTER

KLA 2230-03-2023:

Amending Resolution 2206-11/2022 to read as "An Action Supporting
ARPA Project Consultant in the amount of (\$50,000.00) to be
included as part of the Delegate Region Plan for Honorable Council
Delegate Lomardo Aseret

WHEREAS:

1. Pursuant to the Local Governance Act, 26 N.N.C. § 1 et. seq., the KLAGETOH CHAPTER is certified as a political subdivision on the Navajo Nation; and
2. Pursuant to the Local Governance Act, 25 N.N.C. § 1(B)(2), the KLAGETOH CHAPTER is allowed to make decisions over local matters; and
3. Pursuant to Navajo Nation Council Resolution No. CJY-41-21 and Budget and Finance Committee Resolution No. BFS-31-21, a duly approved Chapter Resolution is required when requesting for the use of Fiscal Recovery Funds (FRF) under the American Rescue Plan Act of 2021 (ARPA) and therefore this Chapter Resolution must include "a statement supporting the Project and affirming that the Chapter will only use awarded Funds in compliance with the ARPA, ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations"; and
4. Pursuant to Navajo Nation Council Resolution No. CJN-29-22, each of the twenty-four (24) Delegate Regions were allocated eight million eight hundred two thousand three hundred forty dollars (\$8,802,340.00) for Chapter and Regional Projects and each Navajo Nation Council Delegate Region Projects Plan; and
5. The ARPA Project Consultant is being submitted in the amount of (\$50,000.00) for consideration to be selected as part of the Delegate Region Plan for the purpose of monitoring the ARPA Projects according to the description within the Project Application; and
6. If, and when, the Project is selected, the Council Delegate will add the Project as part of the Delegate Region Plan and will thereafter sponsor to be approved by the Navajo Nation Council.

KLAGETOH CHAPTER

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TAPAH

GRAZING OFFICER: ALLAN

COUNCIL DELEGATE: RAYMOND SMITH, JR.

COMMUNITY SERVICE COORDINATOR: VACANT

ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

NOW THEREFORE BE IT RESOLVED THAT:

1. The KLAGETOH CHAPTER supports the ARPA Project Consultant in the amount of (\$50,000,00) Project consideration for the Delegate Region Project Plan; and
2. The KLAGETOH CHAPTER affirms that the Chapter will only use awarded Funds in compliance with the ARPA, the ARPA Regulations, and all other applicable Navajo Natin and federal laws and regulation.

CERTIFICATION

We hereby certify that the foregoing resolution was considered by the KLAGETOH CHAPTER at a duly called meeting at KLAGETOH, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 12 in favor, 00 opposed and 03 abstained, on this 20th day of March, 2023.

Motioned by: Maggie Roanhorse

Seconded by: Juanita Begay

A handwritten signature in black ink, appearing to read "Leland Nez", is written over a horizontal line.

Leland Nez, Klagetoh Chapter President

KLAGETOH CHAPTER

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PRESIDENT: LELAND NEZ VICE PRESIDENT: LEON JACKSON SECRETARY/TREASURER: MAUREEN WOODMAN GRAZING OFFICER: ALLAN TAPAH
COUNCIL DELEGATE: RAYMOND SMITH, JR. COMMUNITY SERVICE COORDINATOR: EDWARD CLARK, JR. ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

RESOLUTION NO. KLA 2206-11/2022

Approve \$50,000 of CJN-29-22 for the ARPA project Consultant.

WHERE AS:

- 1) Pursuant to 26 NNC, § 3 (A) the Klagetoh Chapter is a duly recognized certified Chapter of the Navajo Nation Government, as listed as 11 N.N.C., Part 1, § 10; and
- 2) Pursuant to Title 26 N.N.C., § 1 (B) Klagetoh Chapter is vested with authority to address community needs and to make decisions to govern with responsibility and accountability to community membership; and
- 3) Pursuant to ARPA Section 3 of the N.N.C, CJN-29-22., Expenditure Category 2.37. NEGATIVE ECONOMIC IMPACTS: Other Economic Impact. April 2022; and
- 4) The project manager is to assist the chapter in the eligible ARPA projects approved; and
- 5) The consultant shall assist the chapter who is currently absent of a CSC/Manager.

NOW THEREFORE BE IT RESOLVED THAT

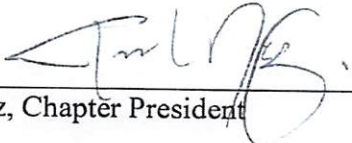
1. The Klagetoh Chapter hereby support the ARPA projects Consultant.

CERTIFICATION

I hereby certify that the foregoing resolutions was duly called at a Klagetoh Chapter meeting, Navajo Nation, Arizona at which a quorum was present and the same was passed by a vote of 10 in favor, 00 opposed and 01 abstained, on this 20th day of November 2022.

Motion by: Mateo Shenale

Second by: Leon Jackson


Leland Nez, Chapter President

ARPA CONSULTANT - SCOPE OF WORK

PROJECT OVERVIEW

The Scope of work includes but is not limited to the following: Complete the Klagetoh Chapter eligible ARPA projects. These projects may be: Rural Addressing, BIA Compound Demolish and Cleanup, Illegal Dumpsite Cleanup, Veteran Housing, Chapter renovations. Projects completed in 24 months. (The word "Provide" means to furnish all labor, materials, equipment, accessories and incidental items required and to install the item completely and correctly within the specified tolerances. From here on the complete project will be referred to as "the project.").

SCOPE OF WORK

1. Complete Rural Addressing project. This involves the purchase and installation of street signs and residential RA numbers. Work closely with Public Health Department and Division of Community Development Rural Addressing. Report to Klagetoh Chapter with updates. Work with subcontractor to ensure project is complete.
2. Complete BIA Compound Demolish and Rehabilitation project. This involves asbestos removal, recycle salvageable materials, rehabilitate utility line, rehabilitate water line. Dispose of demolished material. Remove Siberian/Chinese elm Trees. Work with subcontractors to ensure project is complete. Report to Klagetoh Chapter.
3. Complete Illegal Dumpsite Cleanup project. This involves working with a subcontractor to ensure completion. Dispose of trash items to appropriate waste management facilities. Report to Klagetoh Chapter.
4. Complete Veteran housing project. Work with subcontractor to obtain materials, labor, construction, and build an earth-based structure. Install electrical system and plumbing sufficient for off grid and on grid capability to NTUA services. Report to Klagetoh Chapter. Work with Architecture and Engineering.
5. Complete Chapter renovations project. Coordinate with the Chapter and subcontractor to facilitate the design and renovations of project. Front and back door insulation. Install Window and doors, repair roof. Acquire new furniture.
6. Be a representative of the Chapter and coordinate meetings, updates, and facilitate project with the relevant contractor to each project.
7. Provide accountability of material cost to supervisory entity, ie Chapter or Navajo Nation Office of Business Management

TIMELINE AND PAYMENT OVERVIEW

- | | |
|---------|--|
| Phase 1 | 25% to start the projects |
| Phase 2 | 25% to get projects to ¼ complete. |
| Phase 3 | 25% of payment to progress projects to ½ complete. |
| Phase 4 | 25% of payment upon completion of projects. |

CONSULTANTS CONSIDERED

1. AIR INDUSTRIES, 928.550.9787 rockair70@gmail.com

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COUNCIL DELEGATE: RAYMOND SMITH, JR. COMMUNITY SERVICE COORDINATOR: VACANT ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

RESOLUTION OF THE KLAGETOH CHAPTER

Resolution KLA-2210-11/2022

REQUESTING THE NAVAJO NATION COUNCIL TO ACCEPT THE REGIONAL AMERICAN RESCUE PLAN ACT PROJECTS IN
THE AMOUNT OF 1,770,468.00 MILLION DOLLARS

WHEREAS:

1. The Klagetoh Chapter, pursuant to Navajo Nation Council Resolution CAP-76-00, is a certified Navajo Nation Chapter Government, is a delegated government, and authority with respect to local matters consistent with Navajo Nation Laws, including custom, tradition and final matters; and
2. The Klagetoh Chapter, pursuant to 26 N. N. C. (B) (1) (2) ss 103 (B), is delegated certain authorities and responsibilities to local matters consistent with Navajo Nation Laws; and
3. The Klagetoh Chapter, pursuant to 26 N. N. C., Section 1 (B) is vested with the authority to review and approve all matters affecting the community and make recommendations to the Navajo Nation and other agencies for appropriate actions; and
4. The Navajo Nation Council is the governing body of the Navajo Nation;
5. The Navajo Nation Council passed Legislation CJN-29-22 allocating 8.8 million out of the \$1760,468 of the Navajo Nation Fiscal Recovery fund for the Twenty-four Council Delegate Regional Projects; and
6. The Klagetoh has reviewed and discussed the recommended Regional American Rescue Plan projects for:

A. Chapter Renovation in the amount off	\$ 827,774.29
B. Old BIA Compound Clean up in the amount of	\$ 200,000.00
C. Illegal Dumping Remediation in the amount of	\$ 100,000.00
D. Rural Addressing in the amount of	\$ 100,000.00
E. Complete Housing and/or Renovation in the amount of	\$ 482,693.71
F. Consultant in the amount of	\$ 50,000.00
Klagetoh Chapter FY'22 ARPA Total Funding	\$ 1,760,468.00

NOW THEREFORE BE IT RESOLVED THAT:

Klagetoh Chapter request the Navajo Nation Council to accept and approve the Regional American Rescue Plan Act Projects in the amount of \$1.7 million for Klagetoh Chapter.

RESOLUTION KLA 2210-11/2022

KLAGETOH CHAPTER

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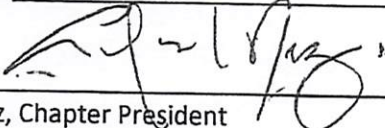
PRESIDENT: LELAND NEZ VICE PRESIDENT: LEON JACKSON SECRETARY/TREASURER: MAUREEN WOODMAN GRAZING OFFICER: ALLAN TAPAHA
COUNCIL DELEGATE: RAYMOND SMITH, JR. COMMUNITY SERVICE COORDINATOR: VACANT ACCOUNT MAINTENANCE SPECIALIST: LELA SANGSTER

CERTIFICATION

We hereby, certify, that the foregoing resolution was considered by the Klagetoh Chapter at a duly called meeting at which a quorum was present and that same was passed with a Vote of 09 in Favor, 00 Opposed, and 01 abstained on this **20th** day of **November 2022**.

MOTIONED Leon Jackson

SECONDED: Aaron Long



Leland Nez, Chapter President