



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 #: HK0249

Date & Time Received: 12/02/22 15:49

Date & Time of Response: 9 December, 2022; 1:49 pm

Entity Requesting FRF: Chilchinbeto Chapter

Title of Project: Septic Tank Cleanout

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$125,345.00

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: 5.5, Clean Water: Other

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: Chilchinbeto Chapter Date prepared: 10-05-2022

Chapter's mailing address: PO Box 1681 Kayenta, Arizona 86033 phone & email: 928-697-5680
website (if any): chilchinbeto@navajochapters.org

This Form prepared by: Eugene Badonie phone/email: 928-697-5681
Eugene Badonie, Chapter Manager ebadonie@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chapter Septic Tank Cleanout

Chapter President: P. M. Moh phone & email: pmads@naataanii.org

Chapter Vice-President: T. Bradley phone & email: tbradley@naataanii.org

Chapter Secretary: Virginia White phone & email: (928)349-2648 vwhite@navajochapters.org

Chapter Treasurer: Virginia White phone & email: (928)349-2648 vwhite@navajochapters.org

Chapter Manager or CSC: Eugene Badonie phone & email: 928-697-5681 ebadonie@nnchapters.org

DCD/Chapter ASO: _____ phone & email: _____

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Chilchinbeto Chapter Utility Assistance - Septic Tank cleanout. ☐ document attached

Amount of FRF requested: \$125,345.00 FRF funding period: October 05, 2022 to October 05, 2023
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 Chilchinbeto Chapter was the only Navajo community under lockdown during the early days of pandemic. Many lives were lost and the people continue to fear going places or visiting other people. The trauma was very hard on the people. Many homes need to service septic tanks. Many people had built outdoor portlet potties because the inside toilets are full. Some of these elderly do not know how to call in the septic service contractors.

☐ document attached

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

The Navajo Nation will actually indirectly provide a service to the people for their restroom utility needs. The nation will benefit from cleanliness, sanitation, and running water. It is especially hard on ADA people that are on wheel chairs, using crutches, canes, and those that need to use the toilet more often including cold nights.

☐ 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:

March 1, 2023 → March 1st 2024

There is plenty of time. Only the sewer pond closure by NTUA will make it a challenge.

☐ document attached

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

Chapter Manager, Eugene Badonie has already doing the assessment on number of homes, those that are not being used, and those that are most extreme need. He will be responsible for filing the ARPA paperwork, applications, requisition, and contract including the purchases.

☐ 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:

The Chilchinbeto Chapter will teach the people to saving at least \$30 per month so they do not repeat the predicament in the future. Each owner understands completely what can happen if bills are not paid or services are not make immediately.

☐ 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:

2.1 Household Assistance: Rent, mortgage, utility Aid - The community experienced the worst life threatening pandemic in thier lifetime. Most of them are using septic services to their homes and they were not ready for the pandemic that caused them so much pain. They could not get their septic tank service because of Stay-at-home Executive Orders, No visitations, and the use of mask and gloves. They did everything they could to fend for themselves and they are still staying home and distrust visitors.

☐ 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:

Eugene Badonie
signature of Preparer/CONTACT PERSON

Approved by:

Pat M...
signature of Chapter President (or Vice-President)

Approved by:

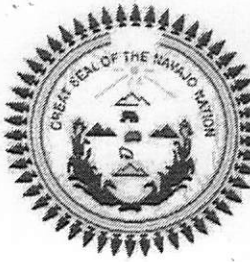
Eugene Badonie
signature of Chapter Manager or CSC

Approved by:

Sonlati Jr 11.23.22
signature of DCD/Chapter ASO

Approved to submit
for Review:

Lisa J... NWFRFO
signature of DCD Director



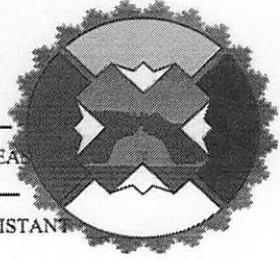
Chilchinbeto chapter

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Paul Madson- PRESIDENT • Thomas Bradley- VICE PRESIDENT • Virginia White- SEC/TREAS
Delbert Big- GRAZING OFFICIAL • Nathaniel Brown- COUNCIL DELEGATE

Eugene Badonie -MANAGER • Rose Gillis-ADMIN ASST • Neveah Kee-OFFICE ASSISTANT



RESOLUTION OF THE CHILCHINBETO CHAPTER OF THE NAVAJO NATION

APPROVING TO USE THE ARPA-FSF FUNDS ON COMMUNITY SEPTIC SERVICES.

Resolution # CCH-10-07-2022C

WHEREAS:

1. Pursuant to Title 26 N.N.C., Chilchinbeto Chapter is a Certified Chapter of the Navajo Nation and is delegated the authority and responsibility to promote projects which benefits the local community; and
2. Pursuant to 2 N.N.C., Section 4028 (a), the Chilchinbeto Chapter is vested with the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, Federal, State, and local agencies for appropriate actions; and
3. The Chilchinbeto Chapter has an allocation of \$2.9 million dollar to provide chapter services, make capital purchases, or use as part of the recovery program according to the ARPA, and Utility Aid is one of the eligible projects listed in the guide lines; and
4. The Chilchinbeto Chapter is planning to hire a contractor to service all the septic tanks for community registered residents who apply for services between November 1st, 2022 to January 31, 2023. The contractor will have (12) months to complete the services.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chilchinbeto Chapter hereby approve to forward a request to the American Rescue Plan Act Fiscal Recovery Fund Committee; Community Development Project Management; and the Navajo Nation Budget and Finance Committee for an ARPA fund to pay up to \$125,345.00.

CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called Special Meeting at Chilchinbeto Chapter, Navajo Nation, at which time a quorum was present and that the same was passed by a vote of 19 in favor, 00 opposed, and 05 abstained, this 07th day of October, 2022.

Motioned By: Leonard Bailey

Seconded By: Johnathan Russell

Paul Madson

Mr. Paul Madson, President

Thomas Bradley

Mr. Thomas Bradley, Vice President

Virginia White

Ms. Virginia White, Secretary/ Treasurer

FY 2023*Chilchinbeto*THE NAVAJO NATION
PROGRAM BUDGET SUMMARYPage ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u> </u> <u>New</u>		Program Title: <u>SEPTIC TANK CLEANOUT</u>		Division/Branch: <u>Div.Comm. Development</u>	
Prepared By: <u>Eugene Badonie</u>		Phone No.: <u>928-697-5681</u>		Email Address: <u>ebadonie@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	2023	125,345.00	100%	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	125,345	125,345
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	125,345.00	125,345

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>SONLATA JIM-MARTIN</u> Program Manager's Printed Name <u><i>Sonlata</i></u> 12.2.22 Program Manager's Signature and Date	APPROVED BY: <u><i>Reandy Yellow</i></u> 12.1.22 Division Director / Branch Chief's Printed Name <u><i>Reandy Yellow</i></u> 12.1.22 Division Director / Branch Chief's Signature and Date

FY 2023Chilchinbeto

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page of
BUDGET FORM 2

PART I. PROGRAM INFORMATION:Business Unit No.: New

Program Name/Title:

SEPTIC TANK CLEANOUT**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**

RESOLUTION# CCH-10-07-2022C; The Chilchinbeto Chapter hereby approves forwarding a request to the American Recovery Plan Act Fiscal Recovery Fund Committee; Community Development Project Management; and the Navajo Nation Budget and Finance Committee for an ARPA fund to pay up to 125,345.00 for Septic Tank Cleanout.

PART III. PROGRAM PERFORMANCE CRITERIA:

Chilchinbeto Chapter

1. Goal Statement:

To clean the septic tank for the chapter community that are using septic tanks.

Program Performance Measure/Objective:

Performance will depend on the satisfaction of the homeowners.

2. Goal Statement:

To control the high rate of covid exposure.

Program Performance Measure/Objective:

The people will feel at ease once the homes are able to use the toilet again.

3. Goal Statement:

To prevent contact and contract of any virus that may undermine the health of the family.

Program Performance Measure/Objective:

The rate of the pandemic will diminish.

4. Goal Statement:

To provide for ADA members and people in wheel chairs an access to inside restrooms.

Program Performance Measure/Objective:

People will not have to go outside anymore

5. Goal Statement:

To keep the pandemic and other virus under control in the community.

Program Performance Measure/Objective:

Health and wellness will be enjoyed again.

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

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.SONLATSA JIM-MARTIN

Program Manager's Printed Name

Sonlatsa Jim Martin 12.2.22

Program Manager's Signature and Date

Reedy Hlawn 12.1.22

Division Director/Branch Chief's Printed Name

Reedy Hlawn 12.1.22

Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage ____ of ____
BUDGET FORM 4*Chilchinbeto*

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>SEPTIC TANK CLEANOUT</u>		Business Unit No.: <u>New</u>	
Chilchinbeto Chapter			
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 Septic Service Provider to empty out and clean out all the community septic	125,345	125,345
TOTAL		125,345	125,345