



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

May 4, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-15-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill)

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-15-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Simonson's Delegate Region in the amount of \$4,140,047.47.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,

Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION
PROJECT PLAN FOR HONORABLE GERMAINE SIMONSON'S DELEGATE REGION
(CHAPTERS: HARD ROCK, FOREST LAKE, PINON, BLACK MESA,
WHIPPOORWILL)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Germaine Simonson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon.

Germaine Simonson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Germaine Simonson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. GERMAINE SIMONSON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Germaine Simonson's Delegate Region (Chapters: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions

of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 18th day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

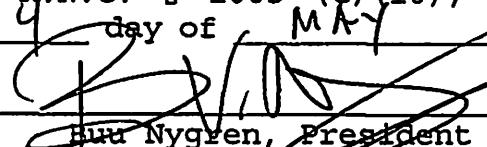
DATE

Motion: Honorable Rickie Nez
Second: Honorable Vince R. James

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 9 day of MAY, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Germaine Simonson

Exhibit A

CHAPTERS: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	* Pinon Chapter	Pinon Chapter Housing for Community	Division of Community Development	2.15	HK0282-2	\$ 1,000,000.00
Division of Community Development	*Pinon Chapter	Pinon Chapter Septic & Leach Field Repair or Replacement Project	Division of Community Development	5.3	HK0283	\$ 260,468.00
Division of Community Development	None Identified	Forest Lake Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0391	\$ 679,120.00
Division of Community Development	*Pinon Chapter	Pinon Chapter Housing Renovation and Repair for Pinon Community	Division of Community Development	2.18	HK0284-2	\$ 500,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Home Renovation Project	Division of Community Development	2.18	HK0427	\$ 160,439.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Septic Services Project	Division of Community Development	5.5	HK0426	\$ 78,750.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Elderly Bathroom Modification Project	Division of Community Development	1.14	HK0429	\$ 60,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter New Home Waterline Project	Division of Community Development	5.11	HK0430	\$ 48,000.00
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter New House Construction	Division of Community Development	2.15	HK0431	\$ 722,753.47
		CONTINUES on Page 2.....				

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

TOTAL: \$ 3,509,530.47

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Germaine Simonson

Exhibit A

CHAPTERS: Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 3,509,530.47
Division of Community Development	*Whippoorwill Chapter	Whippoorwill Chapter Hire of Personnel (Technical Staff/Skilled Construction Workers)	Division of Community Development	2.37	HK0447	\$ 630,517.00
		UN-ALLOCATED AMOUNT				\$ 4,662,292.53

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

TOTAL: \$ 8,802,340.00

Whippoorwill Chapter

Septic Services



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 0426

Date & Time Received: 3/30/23 at 14:05

Date & Time of Response: 04/06/2023 1638

Entity Requesting FRF: Whippoorwill Chapter

Title of Project: Septic Services Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$78,750.00

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 Sewer Infrastructure

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: Erika Pirotte

Signature of DOJ Reviewer: Erika Pirotte

Digitally signed by Erika Pirotte
Date: 2023.04.06 16:38:13 -0500

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 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 GOVERNANCE-CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Whippoorwill Chapter Date prepared: 10/21/22

Chapter's P.O. Box 279 phone & email: (928) 725-3728
mailing address: Pinon, Az 86510 website (if any): whippoorwill@navajochapters.org

This Form prepared by: Marieta Denny phone/email: (928) 725-3728
Chapter Manager whippoorwill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Septic Sevices Project

Chapter President: Aaron Yazzie phone & email: (928) 383-2751

Chapter Vice-President: Gerald Ahasteen phone & email: (928) 781-7269

Chapter Secretary: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Treasurer: Phillip Tom Jr. phone & email: (928) 675-7343

Chapter Manager or CSC: Marieta Denny phone & email: (928) 725-3756

DCD/Chapter ASO: Ella M. Kay phone & email: (928) 725-3727

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Project will be bid out and award project to responsible bidder and must be registered with Division of Economic Development's Source List. document attached

Amount of FRF requested: \$78,750 FRF funding period: May 01, 2023 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:

This Septic Service Project is to remove/pump sludge and scum from Septic Tank for families residing within chapter service area. This annual or bi-annual septic services has become a major expense for low-income families, since 60% of homes have water. This community is in rural and remote area located within once land disputed area. This project is a preventive maintenance service and assisting families whom are unable to pay for pumping service. Cleaning septic level is preventive health measure at this period due to constant threat of COVID.

document attached

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

Maintaining the health of the families and community are best practice for keeping families safe from COVID. This project will service over 50 families. With the number of families assisted, it will help the elderlies, handicaps and Veterans ease their monthly expenses and also provide a peace of mind.

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:

Procurement period: Bidding, award and contract period- March 2023; Project period June 2023 and complete by December 2023. The only challenges we anticipate is availability of contractors within our remote area.

document attached

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

Whippoorwill Chapter and staff will implement this project and oversee to completion.

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:

Residents will be responsible for the operation and maintenance of their septic system and this service is one time assistance. However, chapter can assist with this septic service in the future if homeowner is an elder, handicap or disable Veteran.

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:

Clean Water: Decentralized Wastewater 5.3

It is important to protect families' health who are residing in rural community. Inspecting the system on annual basis of home septic system and avoiding overflow saves the system.

document attached

Part 3. Additional documents.

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

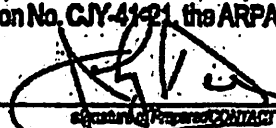
Chapter Resolution

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:

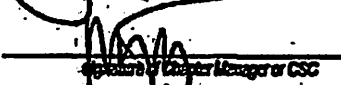
Chapter's Preparer:


Signature of Preparer/CONTACT PERSON

Approved by:


Signature of Chapter President (or Vice-President)

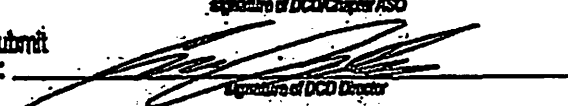
Approved by:


Signature of Chapter Manager or CSC

Approved by:


Signature of DCO Chapter ASO

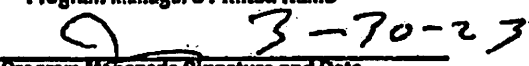

Approved to submit for Review:


Signature of DCO Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 1
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Whippoorwill Chapter - Septic Service Project</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Mareita Denny, Chapter Manager</u>		Phone No.: <u>928-725-3727</u>		Email Address: <u>whippoorwill@navajochapters.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
NN ARPA FUNDS	8-01-2023 12-31-2020	78,750.00	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				
				7000 Special Transactions				
				8000 Public Assistance	6	0	78,750.00	78,750.00
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	78,750.00	78,750.00
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:								
		\$78,750.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>			APPROVED BY: <u>Calvin Castillo</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
 3-70-23						3/28/2023		
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					



**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:
 Business Unit No.: NEW Program Name/Title: WHIPPOORWILL CHAPTER - SEPTIC SERVICE PROJECT

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>To assist with Septic Services Pumping to registered community members.</u> Program Performance Measure/Objective: <u>Assist 150-Community Members with Waterline Extension Infrastructure and connection.</u>							150	
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.

<u>James Ada Kai, Deputy Director</u> Program Manager's Printed Name	<u>Calvin Castillo</u> Division Director/Branch Chief's Printed Name
 Program Manager's Signature and Date <u>3-28-23</u>	 Division Director/Branch Chief's Signature and Date <u>3/28/2023</u>

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>WHIPPOORWILL CHAPTER - SEPTIC SERVICES PROJECT</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)
8000 8500 Att	Public Assistance Att Infrastructure (non cap) Att 8550 Water/Wastewater Att To assist 150-community members with sewage pumping (septic service) Att 150 community members x \$525 = \$78,750.00 Att	78,750.00	78,750.00
TOTAL		78,750.00	78,750.00



Whippoorwill Chapter



P.O. Box 279

Pinon, AZ 86510

Phone #: (928)725-3727/3728

Fax #: (928)725-3745

Marcita Denny, Chapter Manager

Ella M. Kay, Administrative Assistant

Germaine Simonson, Council Delegate Aaron Yazzie, President Gerald Ahasteen, Vice-President Phillip Tom Jr., Secretary/Treasurer

RESOLUTION OF WHIPPOORWILL CHAPTER

Resolution No. WC-23-25

REQUESTING THE DEPARTMENT OF JUSTICE AND DIVISION OF COMMUNITY DEVELOPMENT TO ACCEPT OUR COMPLETED FISCAL RECOVERY FUND REQUEST FORM AND EXPENDITURE PLAN FOR OUR CHAPTER'S SEPTIC SERVICE PROJECT SUBJECT TO BE FUND IN THE AMOUNT OF \$78,750.00 BY AMERICAN RESCUE PLAN ACT

WHEREAS:

1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, AND
2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seq. to properly administer, to provide accountability in the Five Personnel and Property Management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24, AND
3. The funding from American Rescue Plan Act was received to combat and mitigate COVID-19, thereby; this project meets the criteria and eligible under Treasury Expenditure Categories final rule, Water and Sewer: Other 5.18 and Housing Support: Other Housing Assistance 2.18, AND
4. The Office of Environment Health and Engineering under the 93-638 on yearly basis has continually bring clean water system to families in the remote area, including installation of septic system. However, certain families particularly the elderly realized there is a service cost to owning a septic tank, AND
5. Not just the elderly, but families with low income and overcrowded houses would need yearly service. Added to the situation, only one septic pumping service is available, and is thirty miles away and septic service includes travel and disposal cost, AND
6. This assistance conforms to our Chapter Mission Statement of protecting the public includes the elderlies, having service available for them provides a peace of mind and promotes their best interest.
7. Whippoorwill Chapter affirms that chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

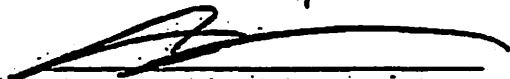
NOW, THEREFORE IT BE RESOLVE THAT:

1. Whippoorwill Chapter hereby requests the Department of Justice and Division of Community Development to accept our completed Fiscal Recovery Fund Request Form and Expenditure Plan for our Chapter's Septic Service Project subject to be fund in the amount of \$78,750.00 by American Rescue Plan act.

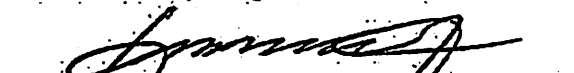
CERTIFICATION


We, the undersigned hereby certify that the foregoing resolution was considered by the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a vote 4 in FAVOR, 0 OPPOSED, and 2 ABSTAINED on the November 4th, 2022.

Motioned by Reynold Joe Second by Johnny Neize


Aaron Yazzie, Chapter President


Gerald Ahasteen, Chapter Vice President


Phillip Tom Jr., Chapter Secretary/Treasurer


Jimmy Yellowhair, NN Council Delegate