

# THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

January 6, 2023

Hon. Otto Tso  
Office of the Speaker  
Post Office Box 3390  
Window Rock, AZ 86515

RE: CD-62-22, *An Action Relating to the Naabik 'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain)*

Dear Speaker Tso,

The Nez/Lizer Administration appreciates the Chapters' endeavors to work collaboratively with their respective Council Delegate in completing the process to access funding made available with the \$211,256,148 allocated for regional expenditure plans under CJN-29-22.

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDJOJ). Per BFS-31-21, each proposed expenditure must obtain NNDJOJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-62-22 has met all the requirements.

The ARPA/NNFRF process is still evolving since the inception of this funding. Within the United States Treasury and the Navajo Nation, processes have been updated at various times. An example is the Treasury guidelines referenced within Navajo Nation Council resolutions CJY-41-21 and CJN-29-22; the Treasury guidelines exhibit was updated by the United States Treasury on September 20, 2022. Accordingly, the legal guidance provided by NNDJOJ and Office of Legislative Counsel is modified to comply with the Treasury guidelines.

One such modification of legal guidance involved the processing of regional expenditure plans. Originally, the guidance was that all projects had to equal \$8,802,340 to be considered as completed and ready for legislative action. This guidance was modified in December 2022 to allow partial funding of the \$8,802,340 allocations so that proposed ARPA/NNFRF projects ready for legislative action could be processed by Office of Legislative Counsel. Because of the time constraints for the 24<sup>th</sup> Navajo Nation Council to act on proposed legislation, programs did not have sufficient time to provide written verification to Chapters regarding the change in legal guidance.

# THE NAVAJO NATION

---

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-62-22 into law.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Nez".

Jonathan Nez, *President*  
THE NAVAJO NATION

A handwritten signature in black ink that reads "Myron Lizer".

Myron Lizer, *Vice President*  
THE NAVAJO NATION

**RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - FOURTH YEAR, 2022**

**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 KEE ALLEN BEGAY, JR.'S DELEGATE REGION  
(CHAPTERS: TACHEE/ BLUE GAP, MANY FARMS, NAZLINI, TSELANI/  
COTTONWOOD, LOW MOUNTAIN)**

**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. Kee Allen Begay, Jr.'s Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Kee Allen Begay, Jr.'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. Kee Allen Begay, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) as set forth in **Exhibit A**.

### **SECTION THREE. APPROVAL OF HON. KEE ALLEN BEGAY, JR.'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Kee Allen Begay, Jr.'s Delegate Region (Chapters: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) 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 FIVE. 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 24<sup>th</sup> 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 29<sup>th</sup> day of December 2022.



Honorable Otto Tso, Speaker  
24<sup>th</sup> Navajo Nation Council

12/30/2022

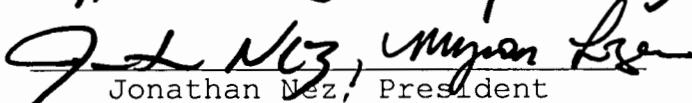
DATE

Motion: Honorable Vince James  
Second: Honorable Daniel E. Tso

Speaker Otto Tso 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 9th day of January, 2023.

  
Jonathan Nez, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2022 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Jonathan Nez, 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Leach Field Project	Division of Community Development	5.3	HK0226	\$ 120,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Bathroom Additions	Division of Community Development	1.14	HK0232	\$ 160,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Housing Wiring	Division of Community Development	2.18	HK0233	\$ 105,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Consulting Services	Division of Community Development	7.1	HK0234	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Warehouse Project	Division of Community Development	6.1	HK0235	\$ 400,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Administration Bldg	Division of Community Development	6.1	HK0237	\$ 350,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Cemetery Project	Division of Community Development	6.1	HK0238	\$ 150,000.00
Division of Community Development	*Nazlini Chapter	Nazlini Chapter Water Conservation Project	Division of Community Development	2.22	HK0239	\$ 590,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Housing Support: Bathroom Additions	Division of Community Development	1.14	HK0305	\$ 400,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Local Rural Addressing - E911	Katherine O. Arthur, Chapter President	2.22	HK0307	\$ 100,000.00
					<b>TOTAL:</b>	<b>\$ 2,525,468.00</b>

\*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."



NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 2,525,468.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter HVAC Systems	Division of Community Development	1.4	HK0308	\$ 150,000.00
Division of Community Development	NONE IDENTIFIED	Many Farms Chapter Broadband/Cellular Tower	Division of Community Development	1.14	HK0309	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Cellular Service Tower	Division of Community Development	1.14	HK0332	\$ 750,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Elderly Bathroom Makeover/Modification Project	Division of Community Development	1.14	HK0333	\$ 81,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Cellular Tower Project	Division of Community Development	1.14	HK0334	\$ 700,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Waterline Extension Project	Division of Community Development	5.13	HK0336	\$ 48,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter Drainage/Septic System Project	Division of Community Development	5.5	HK0312	\$ 140,000.00
Division of Community Development	NONE IDENTIFIED	Low Mountain Chapter New Homes Electric and Powerline Extension	Division of Community Development	2.18	HK0335	\$ 60,000.00
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Warehouse Building	Division of Community Development	6.1	HK0341	\$ 450,000.00
<b>TOTAL:</b>						\$ 5,654,468.00

\*Per C.JN-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."

COUNCIL DELEGATE: Delegate Kee Allen Begay, Jr.

CHAPTERS: Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	NONE IDENTIFIED	Blue Gap/Tachee Chapter Eight (8) Bathroom Additions	Division of Community Development	1.14	HK0346	\$ 294,265.00
		TOTAL AMOUNT from PAGE 02				\$ 5,654,468.00
		UNALLOCATED AMOUNT				\$ 2,853,607.00
					TOTAL:	\$ 8,802,340.00

\*Per C.JN-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."



**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 #: HK0309

Date & Time Received: 12/16/22 10:31

Date & Time of Response: 12/22/22 17:00

Entity Requesting FRF: Many Farms Chapter

Title of Project: Broadband/Cellular Tower

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$750,000.00

**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

---

---

---

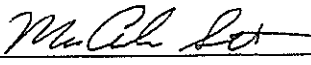
U.S. Department of Treasury Reporting Expenditure Category: 1.14 Other Public Health Services

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: MacArthur Stant

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 NON-GOVERNANCE CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Many Farms Date prepared: 10/27/22

Chapter's mailing address: P.O. Box 185 phone/email: (928) 781-3605/07 manyforms@navajochapters.org  
Many Farms, Arizona 86538 website (if any): manyforms.navajochapters.org

This Form prepared by: Francine Harrison phone/email: (928) 781-3610  
Community Service Coordinator fharrison@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Broadband/Cellular Tower

Chapter President: Katherine O. Arthur phone & email: (928) 255-2669 koarthur3241@yahoo.com  
 Chapter Vice-President: Aljerino Tsedah phone & email: (928) 679-1092 atsedah@naataanii.org  
 Chapter Secretary: Jacqueline J. Begaye phone & email: (928) 326-7853 jbegaye@naataanii.org  
 Chapter Treasurer: Jacqueline J. Begaye phone & email: (928) 326-7853 jbegaye@naataanii.org  
 Chapter Manager or CSC: Francine Harrison, CSC phone & email: (928) 781-3610 fharrison@nnchapters.org  
 DCD/Chapter ASO: Edgerton Gene, SPSS phone & email: (928) 674-2251 egene@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Smith Bagley Inc. - Cellularone of NE AZ  
1350 S. Whitemountain Rd. Show Low, AZ 85901  document attached

Amount of FRF requested: \$750,000.00 FRF funding period: 10/1/22 - December 31, 2025  
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:

Broadband/Cellular Tower is identified to be installed (18) miles East of Many Farms Chapter (N36°19' 41.00" W109° 25' 11.00"). There are approximately 2,500 community members who reside within the area and building a tower at this location would provide access to telephone and high-speed broadband services. The outbreak of the COVID-19 pandemic has defined the need for access to Internet services for work and distance learning, and when schools switched to distance learning in March 2020, the majority of the families living in this particular area lacked access to services which resulted in severely affecting the connectivity of students and homework bound.  document attached

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

This service will provide to community members of this region an opportunity to connect to 3G and 4G/LTE Network services. This network will offer unprecedented educational opportunities. Students will be able to attend classes on-line and will allow individuals to work from home. The 4G network will also improve public safety on the reservation, where patchy cell phone and radio coverage are vast.  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

Program(s) or Project(s) by December 31, 2026:

10/27/2022 - Draft Proposal Submittal; 11/7/2022 - Pass Chapter Resolution - Continue completing proposals; December 2022 NN Council Winter Session (Delegates Pass Legislation)  
1/01/2023 - Build Tower; scheduled to be completed by 12/31/2025.

document attached

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

Many Farms Chapter Administration & Officials  
Smith Bagley INC., Cellularone of NEAZ

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:

According to Smith Bagley INC., once the tower is built it will be the responsibility of the company for the operations and maintenance costs.

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:

Expenditure Category:

6.1 Chapter Projects

5.19 Broadband: "Last Mile" projects

This project will provide Internet and cell phone coverage to more than 2,500 people. That's nearly half of the resident within the Many Farms community. As a Third World communication platform we have today, this technology will allow customers to connect wirelessly to the broadband from home computer or mobile devices.

document attached

**Part 3. Additional documents.**

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

1. Smith Bagley, INC. - Wireless Assessment 10/20/22
2. Chapter Resolution (11/7/2022)
3. Chapter Resolution (MF-29-05-2021 Date: 5/10/2021) 4. Chapter Resolution (MF-45-08-2020)

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]  
Signature of Preparer CONTACT PERSON

Approved by: [Signature]  
signature of Chapter President (or Vice-President)

Approved by: [Signature]  
signature of CEC

Approved by: [Signature] 12/09/2022  
signature of Chapter ASO

Approved to submit for Review: [Signature] NN FRFO  
Signature of DCD Director

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Marty Farms Chapter</u>		Division/Branch: <u>Division of Community Development</u>	
Prepared By: <u>Francine Harrison, CSC</u>		Phone No.: <u>(928) 761-3610</u>		Email Address: <u>frarrison@nncchapters.org</u>	
Fiscal Year / Term: <u>10/1/2023 - 12/31/2025</u>		Amount: <u>750,000.00</u>		% of Total: <u>100%</u>	
PART II. FUNDING SOURCE(S): <u>APRA Funding Allocation</u>		PART III. BUDGET SUMMARY		Fund Type Code	
		2001 Personnel Expenses		(A) Approved Original Budget	
		3000 Travel Expenses		(B) Proposed Budget	
		3500 Meeting Expenses		(C) Difference or Total	
		4000 Supplies			
		5000 Lease and Rental			
		5500 Communications and Utilities		<u>750,000</u>	
		6000 Repairs and Maintenance			
		6500 Contractual Services			
		7000 Special Transactions			
		8000 Public Assistance			
		9000 Capital Outlay			
		9500 Matching Funds			
		9500 Indirect Cost			
		<b>TOTAL</b>		<b>\$0.00</b>	
		<b>TOTAL</b>		<b>750,000.00</b>	
		<b>TOTAL</b>		<b>750,000.00</b>	
PART IV. POSITIONS AND VEHICLES		Total # of Positions Budgeted:		(D)	
				0	
TOTAL:		Total # of Vehicles Budgeted:		(E)	
				0	
				0	

SUBMITTED BY: Mrs. Jim-Martin      APPROVED BY: Dr. Pearl Yellowman  
 Program Manager's Printed Name      Division Director / Branch Chief's Printed Name  
12/09/2022      12-8-22  
 Program Manager's Signature and Date      Division Director / Branch Chief's Signature and Date

**PART I. PROGRAM INFORMATION:**  
 Business Unit No.: NEW Program Name/Title: Many Farms Chapter  
*Broadsend Cell tower*

**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: Provide Wireless (Cell Tower) Facility for East Many Farms Community Program Performance Measure/Objective: This service will provide 4g and Cell Phone connectivity to members of East community.	1		1		1		1	
2. Goal Statement:								
3. Goal Statement:								
4. Goal Statement:								
5. Goal Statement:								

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

Program Manager's Printed Name: Mrs. Jim-Martin 12/09/2022  
 Program Manager's Signature and Date: *Jim-Martin*

Division Director/Branch Chief's Printed Name: Dr. Pearl Yellowman  
 Division Director/Branch Chief's Signature and Date: *12-8-22*



THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2023

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Many Farm Chapter</u> Business Unit No.: <u>NEW</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6) 5620	<b>Object Code Description and Justification (LOD 7)</b>  5620 - Cell Tower Facility & Services Broadband/Cellular Tower is identified to be installed (18) miles East of Many Farms Chapter. This service will provide 4G/LTE Network connectivity to members of the community. The network will offer unprecedented educational opportunities for students and working class families. This service will also improve services to Public Safety, EMS and community members.	Total by DETAILED Object Code (LOD 6) 750,000	Total by MAJOR Object Code (LOD 4) 750,000
<b>TOTAL</b>			750,000

# THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

DCDA-H23032

## MEMORANDUM

TO : DCD Department and Program Staff  
All Concerned

FROM : *Pearl Yellowman*  
Pearl Yellowman, Executive Director  
Division of Community Development

DATE : December 6, 2022

SUBJECT : DELEGATION OF AUTHORITY

In my absence from the office on December 6, 2022 at 2:00pm to December 9, 2022 at 5:00pm, Mr. James Adakai shall be delegated the authority of the Executive Director for Division of Community Development. This delegation includes handling administrative matters and signatory authority, except those matters he feels requires my attention.

Your assistance and cooperation are appreciated. Thank you.

ACKNOWLEDGED BY:

*[Signature]*  
James Adakai, Division Deputy Director  
Division of Community Development

c.

**MANY FARMS CHAPTER**

**WIRELESS ASSESSMENT**

**Smith Bagley, Inc., Cellular One**

**October 20, 2022**

Smith Bagley, Inc., has conducted an initial engineering study of two proposed wireless facility locations, which are identified as Many Farms east and Many Farms north.

Both site locations are approximately 6 - 8 miles north of the Chapter House with access from hwy 191.

Both proposed sites would include the installation of a permanent 120'+ tower and support 4G-LTE wireless services, connected by future fiber optic cable.

With the completion of these two facilities, mobile and fixed 4G wireless services will be extended into the north Many Farms area.

The initial proposed budget for each tower project, pre-sales tax is as follows:

Soft costs - site acquisition/permitting/eng.	\$28,000
Tower manufactured and delivered	\$85,000
Construction (foundation work)	\$210,000
RBS (Radio network)	\$260,000
Backhaul/utilities	\$103,000
Integration	\$8,000
Site BOM (bill of materials)	\$56,000
<b>Total</b>	<b>\$750,000</b>

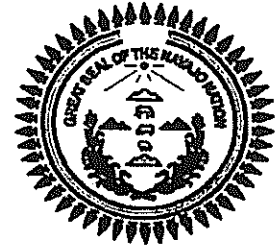
The total projected cost for both tower sites on air and in service is \$1,500,000.

Submitted by:

Brian Gilbert, Regulatory and Governmental Affairs  
Cellular One  
bgilbert@cellularoneaz.com  
928-358-7364

# MANY FARMS CHAPTER GOVERNMENT

P.O. BOX 185  
MANY FARMS, ARIZONA 86538  
PHONE: (928) 781-3605 FAX: (928) 781-3608  
Email: manyfarms@navajochapters.org



Kee Allen Begay Jr., Delegate 24<sup>th</sup> Navajo Nation Council

Katherine O. Arthur, President  
Aljerino Tsedah, Vice President  
Jacqueline Begaye, Secretary/Treasurer

Francine Harrison, CSC  
Lewanda A. Ben, AMS  
Roland Tso, Grazing Representative  
MF-07-11-2022

## Resolution of the Many Farms Chapter

### REQUESTING SUPPORT AND APPROVAL FROM THE NAVAJO NATION TO ALLOCATE FUNDING IN THE AMOUNT OF \$750,000.00 FROM THE NAVAJO NATION FISCAL RECOVERY FUND (NNFRF) FOR THE CONSTRUCTION OF A CELLULAR TOWER DEVELOPMENT WITHIN THE EAST REGION OF MANY FARMS CHAPTER BY THE SMITH BAGLEY INC.-CELLULARONE.

#### WHEREAS:

1. Pursuant to CMY-23-79, the Many Farms Chapter is a certified chapter of the Navajo Nation vested with authority and responsibilities to provide and enact on all matters affecting the community; and
2. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA) that allows Many Farms Chapter to make decisions over local matters; and
3. The COVID-19 pandemic has further demonstrated the importance of access to cellular, mobile broadband and internet technology for emergency, our children's education community meetings and economic development for our people to enter the global market; and
4. The COVID-19 pandemic has highlighted the urgent need to bridge the digital divide by recognizing the need for towers and networks of wireless communication and connectivity for everyone within our community; and
5. Telecommunication and broadband services are now considered a basic human necessity, since virtual learning and community meetings are now the primary communication models for all educational levels, employers are now implementing virtual work environments for their employees, and organization have now transitioned to offer only online services; and
6. The Many Farms community members do not have access to reliable cellular/broadband services, electricity, or Wireless fidelity within the East region of Many Farms Chapter; and
7. The development of the Cellular Tower within this region of the Chapter will provide sufficient Telecom and Network connectivity for residents throughout the area.

#### NOW THEREFORE BE IT RESOLVED THAT:

1. Approving the Request and Approval to the Navajo Nation to Allocate Funding in the Amount of \$750,000.00 from the Navajo Nation Fiscal Recovery Fund (NNFRF) for the Construction of a Cellular Tower Development within the East Region of Many Farms Chapter by Smith Bagley Inc.-Cellularone.

#### CERTIFICATION

We, hereby certify that the foregoing resolution was considered by the Many Farms Chapter at a duly called meeting in Many Farms, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 20 in favor, 9 opposed and 6 abstained this 7<sup>th</sup> day of November 2022.

Motion: Willander Charley

Second: Anson Etsitty

Katherine O. Arthur  
Katherine O. Arthur, Chapter President

Aljerino Tsedah  
Aljerino Tsedah, Vice President

Kee A. Begay, Jr.  
Kee A. Begay, Jr., Council Delegate

Roland Tso  
Roland Tso, Grazing Committee



**MANY FARMS CHAPTER  
P.O. BOX 185  
MANY FARMS, ARIZONA 86538  
PHONE: (928) 781-3605  
FAX: (928) 781-3608**

**E-Mail: [manyfarms@navajochapters.org](mailto:manyfarms@navajochapters.org)  
Kee Allen Begay, Jr., Council Delegate, 24<sup>th</sup> Navajo Nation Council**

**Katherine O. Arthur, President  
Aljerriso Tsodah, Vice President  
Jacqueline J. Begaye, Secretary/Treasurer**

**Francine Harrison, CSC  
Lewanda Ben, AMS  
Roland Tso, Grazing Committee**

**Resolution of the  
Many Farms Chapter**

**MF-29-05-2021**

**REAFFIRMING THE REQUEST TO THE NAVAJO NATION AND TELECOMMUNICATION  
TO ALLOCATE \$1,500,000.00 FROM THE AMERICAN RESCUE PLAN ACT (ARPA)  
FUNDING FOR THE SMITH BAGLEY INC. TO CONSTRUCT TWO RELIABLE TELECOM  
AND INTERNET TOWERS TO BE DEVELOPED WITHIN THE EAST AND NORTH VALLEY  
SITES OF MANY FARMS COMMUNITY**

**WHEREAS:**

1. Pursuant to CMY-23-79, the Many Farms Chapter is a certified chapter of the Navajo Nation vested with authority and responsibilities to provide and enact on all matters affecting the community; and
2. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA) that allows Many Farms Chapter to make decisions over local matters; and
3. The COVID-19 pandemic has further demonstrated the importance of access to cellular, mobile broadband and internet technology for emergency, our children's education, community meetings and economic development for our people to enter the global market; and
4. The COVID-19 pandemic has highlighted the urgent need to bridge the digital divide by recognizing the need for towers and networks of wireless communication and connectivity for everyone within our community; and
5. Telecommunication and broadband services are now considered a basic human necessity, since virtual learning and community meetings are now the primary communication models for all educational levels, employers are now implementing virtual work environments for their employees, and organizations have now transitioned to offer only online services; and
6. The Many Farms community members do not have access to reliable cellular/broadband services, electricity, nor Wireless Fidelity within the regions of East and North Valley Many Farms; and
7. Many Farms Chapter as a duly recognized tribal government entity to receive funds through the American Rescue Plan Act (ARPA) Funding to expend cost for Telecommunication services for our people.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Many Farms Chapter hereby supports and reaffirms the request to the Navajo Nation and Telecommunications to allocate \$1,500,000.00 from the American Rescue Plan Act (ARPA) Funding for the Smith Bagley Inc. to Construct Two Reliable Telecom and Internet Towers to be Developed within the East and North Valley Sites of Many Farms Community.

**CERTIFICATION**

We, hereby certify that the foregoing resolution was considered by the Many Farms Chapter at a duly called meeting in Many Farms, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 6 in favor, 0 opposed, and 1 abstained this 10<sup>th</sup> day of May 2021.

Motion: Aljerno Tsedah

Second: Roland Tso

Katherine O. Arthur  
Katherine O. Arthur, Chapter President

Aljerno Tsedah  
Aljerno Tsedah, Vice President

Jacqueline J. Begaye  
Jacqueline J. Begaye, Secretary/Treasurer

Kee A. Begay, Jr.  
Kee A. Begay, Jr., Council Delegate

Roland Tso  
Roland Tso, Grazing Committee



**MANY FARMS CHAPTER**  
**P.O. BOX 185**  
**MANY FARMS, ARIZONA 86538**  
**PHONE: (928) 781-3605**  
**FAX: (928) 781-3608**  
**E-Mail: [manyfarms@navajochapters.org](mailto:manyfarms@navajochapters.org)**

**Kee Allen Begay, Jr., Council Delegate, 24<sup>th</sup> Navajo Nation Council**

**Katherine O. Anbar, President**  
**Aljerino Tsedeh, Vice President**  
**Jacqueline J. Begaye, Secretary/Treasurer**

**Francine Harrison, CSC**  
**Lewanda Ben, AMS**  
**Roland Tso, Grazing Committee**

**Resolution of the**  
**Many Farms Chapter**

**MF-46-08-2020**

**Establish a Reliable Wireless Communication and Connectivity for the Enrolled Members of**  
**District # 10, Through the CARES Act Funding**

**WHEREAS:**

1. Pursuant to CMY-23-79, the Many Farms Chapter is a certified chapter of the Navajo Nation vested with authority and responsibilities to provide and enact on all matters affecting the community; and
2. Pursuant to CAP-34-88, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA) that allows Many Farms Chapter to make decisions over local matters; and
3. With technological advances occurring frequently, wireless communication and connectivity are no longer a luxury, but are now essential; and
4. Distant learning is now the primary learning model for all educational levels, employers are now implementing virtual work environments for employees, and organizations have now transitioned to offer only online services; and
5. The Many Farms community members do not have access to reliable cellular service, electricity, nor Wireless Fidelity; and
6. Pursuant to the 26 N.N.C. § 3(A), the Many Farms Chapter is a certified Chapter of the Navajo Nation as listed under 11 N.N.C., Part 1, P10; and
7. Pursuant to 26 N.N.C. § 1(B), the Many Farms Chapter is delegated the governmental authority to make decisions over local matters consistent with the "Dine Bi Beenahaz'aanii," Foundation of Dine Law (1 N.N.C. § 201)
  - a. Diyin bitsaadee beenahaz'aanii (Traditional Law)
  - b. Diyin Dine'e bitsaadee beenahaz'aanii (Customary Law)
  - c. Nahasdzaan doo Yadihlil bitsaadee beenahaz'aanii (Natural Law)
  - d. Diyin Nohockaa Dine bi beenahaz'aanii (Common Law)

And under 11 N.N.C. Part, P10 have delegated authority to make local decisions in the best interest and welfare of the community members; and

8. Pursuant to 26 N.N.C. § 102(A); Many Farms Chapter met the requirements under the Five Management System Policies & Procedures; and

9. Pursuant to 26 N.N.C. § 103(D) (1), the Resources and Development Committee certified Many Farms Chapter as Governance Certified, who shall exercise authorities pursuant to 26 N.N.C., Section 103, with exceptions of Land Administration Authority beginning February 28, 2012; and
10. Many Farms Chapter as a duly recognized tribal government entity shall receive funds through the Navajo Nation Council CARES Act Fund Expenditures; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Many Farms Chapter hereby supports and approves the Many Farms Chapter members' request to establish reliable cellular service, electricity, and Wireless Fidelity for the District # 10 community; and
2. The Many Farms Chapter urges the chapter staff to proceed and expedite the necessary procedures to enable the construction and installation of infrastructure to support cellular service, electricity, and wireless fidelity for the enrolled District # 10 members, who are deprived of said service.

**CERTIFICATION**

We hereby certify that the foregoing resolution was considered by the Many Farms Chapter at a duly called meeting in Many Farms, Navajo Nation, (Arizona) at which a quorum was present and that the same was passed by a vote of 16 in favor, 0 opposed, and 0 abstained this 16<sup>th</sup> day of August 2020.

Motion: Rosita Charles

Second: Theresa Tsosie

Katherine O. Arthur  
Katherine O. Arthur, Chapter President

Aljerino Tsedah  
Aljerino Tsedah, Vice President

Jaqueline J. Begaye  
Jaqueline J. Begaye, Secretary/Treasurer

Kee A. Begay, Jr.  
Kee A. Begay, Jr., Council Delegate

Roland Tso  
Roland Tso, Grazing Committee