

# 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-70-22, *An Action Relating to the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Eugene Tso's Delegate Region (Chapter: Chinle)*

Dear Speaker Tso,

The Nez/Lizer Administration supports 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 (NNDJ). Per BFS-31-21, each proposed expenditure must obtain NNDJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-70-22 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 NNDJ 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.

Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-70-22 into law.

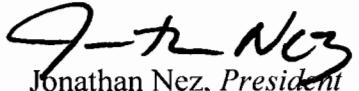
# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Sincerely,

  
Jonathan Nez, *President*  
THE NAVAJO NATION

  
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 EUGENE TSO'S DELEGATE REGION (CHAPTER:  
CHINLE)

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'íyáti' 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. Eugene Tso's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Eugene Tso'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. Eugene Tso's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Eugene Tso's Delegate Region (Chapter: Chinle) as set forth in Exhibit A.

### **SECTION THREE. APPROVAL OF HON. EUGENE TSO'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Eugene Tso's Delegate Region (Chapter: Chinle) 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 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

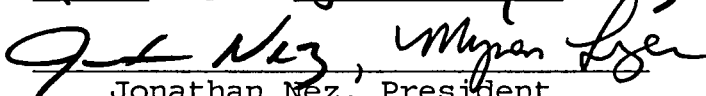
DATE

Motion: Honorable Jamie Henio  
Second: Honorable Eugene 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 10th 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 Eugene Tso

CHAPTERS: Chinle

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	*Chinle Chapter	Chinle Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0207	\$ 1,725,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Earth and Dam Project	Division of Community Development	2.22	HK0208	\$ 1,997,153.38
Division of Community Development	*Chinle Chapter	Chinle Chapter House Renovation Project	Division of Community Development	2.22	HK0209	\$ 800,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter South Manuelito Well Traffic Study	Division of Community Development	2.22	HK0210	\$ 15,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Vendor Village Project	Rosanna Jumbo-Fitch, Chapter President	2.22	HK0211	\$ 37,743.62
Division of Community Development	*Chinle Chapter	Chinle Chapter and Office of Dine Youth	Rosanna Jumbo-Fitch, Chapter President	2.14	HK0212	\$ 50,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter CYEP and PEP Funding	Division of Community Development	1.14	HK0213	\$ 1,150,953.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Watering Point Pavement Project	Division of Community Development	5.15	HK0214	\$ 70,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Warehouse	Division of Community Development	6.1	HK0270	\$ 1,200,000.00
Division of Community Development	*Chinle Chapter	Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery Centers - Day At A Time Club, Inc.	NN Department of Health	1.13	HK0203	\$ 250,000.00
<b>TOTAL:</b>						\$ 7,295,850.00

\*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."



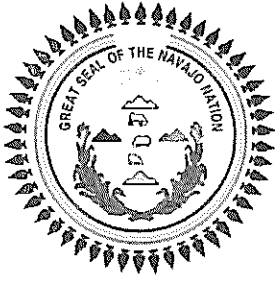
NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Eugene Tso

CHAPTERS: Chinle

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 7,295,850.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Equipment Project	Chinle Chapter Government	6.1	HK0268	\$ 288,500.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Wellness Center	Division of Community Development	2.22	HK0269	\$ 750,000.00
Division of Community Development	*Chinle Chapter	Chinle Chapter Emergency Funding	Division of Community Development	6.1	HK0276	\$ 250,500.00
Division of Community Development	*Chinle Chapter	Chinle Chapter N8095 Road Crossing Project	NN Division of Transportation	2.22	HK0274	\$ 217,490.00
		UN-ALLOCATED AMOUNT				
<b>TOTAL:</b>						\$ 8,802,340.00

\*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 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 #: HK0274

Date & Time Received: 12/06/22 17:15

Date & Time of Response: 12/12/2022 17:00

Entity Requesting FRF: Chinle Chapter Government

Title of Project: Chinle Chapter N8095 Road Crossing Project

Administrative Oversight: Navajo Division of Transportation

Amount of Funding Requested: \$217,490.00

**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

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U.S. Department of Treasury Reporting Expenditure Category: 2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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 GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Chinle Chapter Government Date prepared: 10-19-2022

Chapter's mailing address: PO BOX 1809 Chinle, AZ 86503 phone & email: (928) 674-2052  
website (if any): chinle@navajochapters.org

This Form prepared by: Dr. Rosanna Jumbo-Fitch phone/email: (928) 225-1658  
Chinle Chapter President rosanna.jumbo@naataanii.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Chinle Chapter N8095 Road Crossing Project

Chapter President: Dr. Rosanna Jumbo-Fitch phone & email: (928) 225-1658/rosanna.jumbo@naataanii.org

Chapter Vice-President: Shawna Claw phone & email: (928) 674-2052/sclaw@navajochapters.org

Chapter Secretary: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Treasurer: Roann Burbank phone & email: (928) 674-2052/rburbank@navajochapters.org

Chapter Manager or CSC: Walton Yazzie, Manager phone & email: (505)910-9473/wyazzie@navajochapters.org

DCD/Chapter ASO: \_\_\_\_\_ phone & email: \_\_\_\_\_

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

document attached

Amount of FRF requested: 217,489.93 FRF funding period: 2023-2025  
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:

Chinle Chapter Government N8095 Road Crossing Project includes design, engineering, and construction of an existing road low water crossing. The funds will be used to begin design and engineering of the low water crossing. The N8095 road crossing project will be located at Chinle, AZ (map is provided). The COVID-19 related needs with the use of the low water crossing for public use, public health needs, school bus traffic, and an secondary emergency route for our community members.

document attached

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

The Chinle Chapter N8095 Road Crossing Project would benefit the Navajo Nation, Chinle community, and our Navajo people by providing a secondary road crossing over the major washway. The community has currently closed the road crossing due to a wash out in 2021.

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:

Chinle Chapter Government N8095 Road Crossing Project timeline: Chinle Chapter resolution 10/17/2022, Navajo Nation and DOJ review submissions Winter 2022, Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023. Challenges would include Navajo Nation review timeline.

document attached

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

Chinle Chapter Government will be responsible for implementing the 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:

The Navajo BIA Roads Department will be responsible for operations and maintenance costs for the project once completed.

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:

COVID-19 Aid to Impacted Industries^ 1.10  
Chinle Chapter is seeking funding for the design and engineering for the N8095 low water crossing. The N8095 route is a public route that serves hundreds of residents that reside within the area. The road wash out has affected medical routes, mail routes, school bus route, and overall impacted the Chinle Chapter community secondary route in crossing the washway.

document attached

**Part 3. Additional documents.**

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

Chapter Resolution is attached, Topo map, NDOT TTIP draft, 2021 TTIP resolution, NDOT powerpoint, N8095 support letter, and N8095 monsoon letter.

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

Approved by: \_\_\_\_\_ Approved by: \_\_\_\_\_  
*signature of Chapter Manager or CSC* *signature of DCD/Chapter ASO*

Approved to submit for Review: \_\_\_\_\_  
*signature of DCD Director*

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: New Program Title: Chirle N8095 Division/Branch: DCD / Executive Branch  
 Prepared By: Walton Yazzie Phone No.: 928.674.2052 Email Address: wyazzie@nncnchapters.org

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	FY 23-FY25	217,489.93	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		217,490	217,490
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	217,489.93	217,490
				<b>PART IV. POSITIONS AND VEHICLES</b>				
				Total # of Positions Budgeted:		(D) 0	(E) 0	
				Total # of Vehicles Budgeted:		0	0	
<b>TOTAL:</b>						\$217,489.93	100%	

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: Walton Yazzie Program Manager's Printed Name  
 APPROVED BY: \_\_\_\_\_ Division Director / Branch Chief's Printed Name  
 \_\_\_\_\_ Program Manager's Signature and Date  
 \_\_\_\_\_ Division Director / Branch Chief's Signature and Date



FY 2023

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:

Program Name/Title: \_\_\_\_\_

Chinle N8095

Business Unit No.: \_\_\_\_\_

New

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		
6520	Consulting	217,490	217,490
6530	Consulting-Fees		
	TOTAL	217,490	217,490



THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE

PART I. Business Unit No.: <u>New</u>		PART II. Project Information	
Project Title: <u>Chinle N8095</u>		Project Type: <u>Chinle N8095</u>	
Project Description: <u>Provide a safety cross way</u>		Planned Start Date: <u>10/1/2022</u>	
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		Planned End Date: <u>9/30/2025</u>	
		Project Manager: <u>Walton Yazzie</u>	

PART III. List Project Task separately: such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.												Expected Completion Date if project exceeds 8 FY Qtrs.					
	FY <u>2023</u>																	
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.						
Hire a Consulting	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M

PART V. Expected Quarterly Expenditures	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	PROJECT TOTAL
																			\$217,490.00

FOR OMB USE ONLY: Resolution No: \_\_\_\_\_ FMIS Set Up Date: \_\_\_\_\_ Company No: \_\_\_\_\_ OMB Analyst: \_\_\_\_\_

# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**  
PRESIDENT

**Shawna Claw**  
VICE PRESIDENT

**RoAnn Burbank**  
SECRETARY TREASURER

**Eugene Tso**  
COUNCIL DELEGATE

**Oscar Bia**  
GRAZING COMMITTEE MEMBER

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## RESOLUTION OF THE CHINLE CHAPTER NAVAJO NATION CHIN-OCT-22-075

**APPROVING THE SELECTION OF THE N8095 ROAD CROSSING PROJECT FOR THE INCLUSION ON THE CHINLE CHAPTER DELEGATE REGION IN THE AMOUNT OF \$217,489.93.**

### WHEREAS:

1. Pursuant to Navajo Nation Code, Section 4001 (d) and 4028 (2), (b) the Chinle Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the chapter and submit appropriate recommendations to the Navajo Nation government of other local agencies by resolutions; and
2. To support the efforts of the Navajo Nation to mitigate the effects of the COVID-19 Pandemic, the American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to develop the basic infrastructure to improve lives of people who have lived without water, electricity and "basic services to support their daily activities, health, and welfare"; and
3. The Navajo Nation Council approved CJN-29-22, in response to the COVID-19 Pandemic in the best interest of the people: "An Action Relating to the Naabik'iyati' 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 Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding"; and
4. The Chinle Chapter Government has attended several meetings with Navajo Nation Division of Community Development, Navajo Tribal Utility Authority, and the Fiscal Recovery Fund Office; and
5. The eligible attached Exhibit: Chinle Chapter N8095 Road Crossing was selected as a Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$217,489.93 for the Chinle Chapter; and
6. The total amount for Chinle Chapter Delegate Region is \$ 8,802,340.00.


### NOW, THEREFORE BE IT RESOLVED THAT:

1. The Chinle Chapter Government hereby approves the selection of Chinle Chapter N8095 Road Crossing was a selected Project to be included on the Navajo Nation Council Delegate Eugene Tso Chapter Region in the amount of \$217,489.93.

### CERTIFICATION

We hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting at which time a quorum was present. A motion was made by Pamela Bia and seconded by Aaron Mubanghwa and the same was passed by a vote of 7 in favor, 0 opposed, and 4 abstained this 17th day of October, 2022.

  
Dr. Rosanna Jumbo-Fitch, President

  
Shawna Claw, Vice President

  
RoAnn Burbank, Secretary Treasurer

DRAFT NDOT TTIP  
for 2023 - 2027

Navajo DOT TTIP List

Project Name	Agency	<FY21	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY23-FY27 TOTAL	Project Total	Future FY Funding
N15 (2-3) SR264/Connfields, AZ	Ft. Defiance	\$16,000,000			\$5,300,000					\$5,300,000	\$21,300,000	
N6460/N6461 Denechote, AZ	Chino	\$7,529,259		\$2,900,741	\$5,300,000					\$5,300,000	\$15,730,000	
N4(S)/N8031(2)(3)(4) Pinery/ Hardrock, AZ	Chino	\$22,800,000	\$19,500,000		\$4,600,000					\$4,600,000	\$46,400,000	
N9073(1) Blue Canyon Road, AZ	Ft. Defiance	\$15,074,290	\$2,958,710		\$6,900,000					\$6,900,000	\$24,933,000	
N5001(1) Toadlena/Two Grey Hills, NM	Northern	\$10,000,000			\$4,000,000					\$4,000,000	\$14,000,000	
N12(13-2) Agency Line/ Wheatfields, AZ	Chino	\$5,591,717	\$8,457,981	\$1,950,302	\$8,000,000					\$8,000,000	\$24,000,000	
N8054(1) Many Farms, AZ	Chino	\$4,695,283	\$7,491,717		\$800,000					\$800,000	\$17,987,000	
N8066(3)/N8065(1), Black Mesa, AZ	Chino		\$17,000,000	\$2,600,000	\$1,800,000					\$1,800,000	\$20,800,000	
N609(2) Tuba City, AZ	Western			\$2,600,000	\$1,500,000					\$4,955,436	\$4,400,000	
N6485(1) Kayenta, AZ	Western										\$6,455,436	
N46(4)/N424(4) Counselor, NM	Eastern	\$12,704,427	\$2,095,573			\$2,000,000				\$2,000,000	\$16,800,000	
N474 Pavement Rehab, Ojo Encino, NM	Eastern					\$11,000,000				\$11,000,000	\$11,000,000	
N13(3-3) Pavement Rehab, Red Valley, NM	Northern		\$5,250,000			\$9,500,000				\$9,500,000	\$14,750,000	
N15(B-1) Cornfields/Sunrise, AZ	Ft. Defiance	\$9,303,436				\$14,544,564	\$1,000,000			\$15,544,564	\$24,850,000	
NDOT Maintenance Yard, Whitehorse Lake, NM	Eastern					\$4,500,000	\$4,500,000			\$4,500,000	\$4,500,000	
N36(SA-1) US491 to Chaco Wash	Northern					\$20,000,000	\$20,000,000			\$20,000,000	\$20,000,000	
N15(N60) Intersection Project, Dikens, AZ	Ft. Defiance					\$5,500,000	\$5,500,000			\$5,500,000	\$5,500,000	
N12 Fencing Tsalle/Round Rock, AZ	Chino					\$3,500,000	\$3,500,000			\$3,500,000	\$3,500,000	
N21 Coppermine, AZ	Western					\$5,500,000	\$5,500,000			\$5,500,000	\$5,500,000	
N11 Crownpoint, NM	Eastern					\$2,500,000	\$2,500,000	\$9,000,000		\$11,500,000	\$11,500,000	
N8095 Chinle, AZ	Chino					\$2,000,000	\$2,000,000	\$4,000,000		\$6,000,000	\$6,000,000	
N221 Shonto, AZ	Western					\$8,500,000	\$8,500,000	\$8,500,000		\$8,500,000	\$8,500,000	
N12 Pavement Rehab, Navajo, NM	Ft. Defiance					\$5,000,000	\$5,000,000	\$5,000,000		\$5,000,000	\$5,000,000	
N59 Pavement Rehab/Safety, Many Farms/Rough Rock, AZ	Chino					\$7,300,000	\$7,300,000	\$7,300,000		\$7,300,000	\$7,300,000	
N35 Pavement Rehab, Red Mesa, AZ & UT	Northern					\$1,000,000	\$1,000,000	\$7,500,000		\$8,500,000	\$8,500,000	\$ 9,600,000
N6910 Leupp, AZ	Chino					\$1,700,000	\$1,700,000	\$9,744,564		\$11,444,564	\$11,444,564	
CR 8990 Whiterock, NM	Eastern							\$13,000,000		\$13,000,000	\$13,000,000	\$ 500,000
N12/N13 Intersection Project, Lukachukai, AZ	Chino							\$4,000,000		\$4,000,000	\$4,000,000	
N112 Ft. Defiance, AZ	Ft. Defiance							\$3,755,436		\$3,755,436	\$3,755,436	\$ 3,500,000
N13 Pavement Rehab, Lukachukai, AZ	Chino							\$4,000,000		\$4,000,000	\$4,000,000	\$ 500,000
Total Construction Funding for Projects		\$99,894,977	\$62,753,991	\$16,756,479	\$42,000,000	\$42,000,000	\$42,000,000	\$42,000,000	\$42,000,000	\$210,800,000	\$383,495,436	

DRAFT NDDOT TTIP  
for 2023 - 2027

Project Name	Agency	<FY21	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY23-FY27 TOTAL	Project Total	Future FY Funding
Preliminary Engineering		\$3,022,767	\$3,000,000	\$600,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$20,000,000	\$4,000,000	\$4,000,000
Construction Engineering				\$2,299,771	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$20,000,000	\$4,000,000	\$4,000,000
PE & CE		\$3,022,767	\$3,000,000	\$2,297,771	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000	\$38,000,000	\$8,000,000	\$8,000,000
Administration			\$1,220,257	\$3,700,000	\$3,700,000	\$3,700,000	\$3,700,000	\$3,700,000	\$3,700,000	\$18,500,000	\$3,700,000	\$3,700,000
NDDOT Planning Funds			\$887,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$6,000,000	\$1,200,000	\$1,200,000
Airport Maintenance			\$110,194	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000	\$200,000	\$200,000
Graveling of Regional Routes			\$400,000	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000	\$3,750,000	\$750,000	\$750,000
NRDOT Maintenance			\$134,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000	\$150,000	\$150,000
NDDOT Maintenance			\$3,292,615	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$20,000,000	\$4,000,000	\$4,000,000
Administration, Planning & Maintenance			\$5,024,066	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$50,000,000	\$10,000,000	\$10,000,000
Fiscal Year Total		\$96,917,743	\$71,778,047	\$29,664,259	\$60,000,000	\$60,000,000	\$60,000,000	\$60,000,000	\$60,000,000	\$300,000,000	\$60,000,000	\$60,000,000

Agency	FY23	FY24	FY25	FY26	FY27
EASTERN AGENCY					
NORTHERN AGENCY					
WESTERN AGENCY					
FT. DUNNANCE AGENCY					
CHICKASAW AGENCY					

AGENCY CONSTRUCTION FUND ALLOCATIONS	NO. OF PROJECTS	5-YEAR (FY23-FY27) ALLOCATION	SHORTFALL (FY23-FY24) ALLOCATION	New Constr (FY26-FY27) ALLOCATION
EASTERN AGENCY	5	\$42,000,000	\$2,000,000	\$40,000,000
NORTHERN AGENCY	4	\$42,000,000	\$13,500,000	\$28,500,000
WESTERN AGENCY	6	\$42,000,000	\$7,100,000	\$34,900,000
FT. DUNNANCE AGENCY	6	\$42,000,000	\$12,200,000	\$29,800,000
CHICKASAW AGENCY	5	\$42,000,000	\$17,200,000	\$24,800,000
<b>TOTAL</b>	<b>26</b>	<b>\$210,000,000</b>	<b>\$52,000,000</b>	<b>\$158,000,000</b>

# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**  
PRESIDENT

**Shawna Claw**  
VICE PRESIDENT

**RoAnn Burbank**  
SECRETARY/TREASURER

**Eugene Tso**  
COUNCIL DELEGATE

**Oscar Bia**  
GRAZING COMMITTEE MEMBER

**RESOLUTION OF THE CHINLE CHAPTER  
NAVAJO NATION  
CHIN-FEB-21-004**

**REQUESTING NAVAJO DIVISION OF TRANSPORTATION (NDOT) TO INCLUDE N8081 & N8095 BRIDGE/ROAD PROJECTS ONTO THE TRIBAL TRANSPORTATION IMPROVEMENT PROGRAM (TTIP) FOR FUNDING OF BRIDGE/ROAD PROJECTS**

**WHEREAS:**

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; AND
2. Navajo Division Of Transportation (NDOT) has the primary responsibility for maintenance of roads on the Navajo Nation and have access to federal and tribal road funding for said roads; AND
3. N8081 and N8095 wash crossings are located within the community of Chinle and are critical crossings utilized by residents that usually wash out during heavy rainfalls; AND
4. Chinle Chapter has worked diligently with Chinle BIA DOT on the N8081 and N8095 bridge/roads projects to meet the preliminary engineering requirements for TTIP; AND
5. Navajo Regional Office BIA DOT and Chinle BIA DOT have expended substantial and significant amount of funds to repair and maintain the N8081 and N8095 wash crossings including extra monies to conduct preliminary engineering requirements for bridge constructions; AND
6. Chinle Chapter held three (3) previous Public Hearings, they were conducted on June 19, 1998 for N8081 (Taa yil k'id Road), June 03, 1999 for N8095 (NE of Chinle NTUA Sewer Lagoon) and December 14, 2016 for N8081 and N8095 proposed projects; AND
7. N8081 and N8095 were listed on the TTIP but in 2015 Navajo DOT removed them without informing Chinle Chapter; AND
8. The Chinle Chapter is requesting to have the road projects listed within the TTIP.

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. Chinle Chapter requests Navajo Division of Transportation (NDOT) to include N8081 & N8095 Bridge/Road Projects onto the Tribal Transportation Improvement Program (TTIP) for funding of bridge/road projects.

**CERTIFICATION**

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 9 in favor, 0 opposed, and 1 abstained, this 15<sup>th</sup> day of February 2021.

Motioned by: Welfon Yazzie

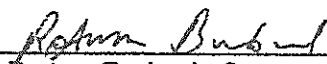
Seconded by: Michael Duki



Dr. Rosanna Jumbo-Fitch, President



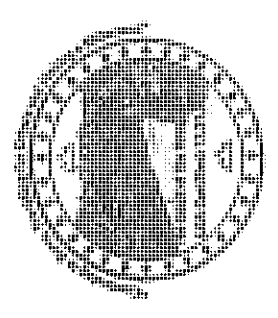
Shawna Claw, Vice-President



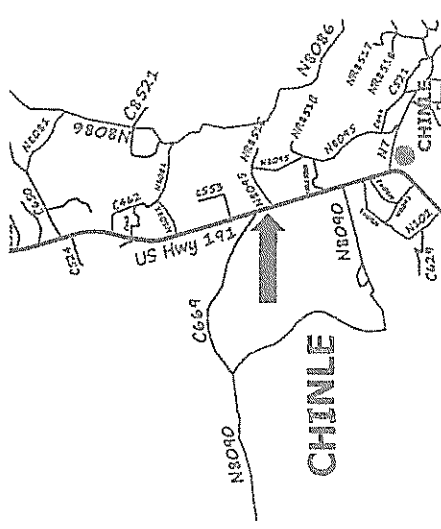
RoAnn Burbank, Secretary/Treasurer

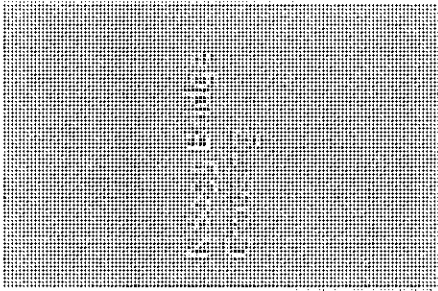
- 7 Welcome Address
- 8 Introductions
- III Chinle Chapter Request
  - 1 Current status of road, NB005
  - 2 Road Improvement with FET funds, availability
  - 3 NB095 Bridge Project on TTIP
  - 4 Infrastructure Investment Act
  - 5 Next Steps
  - 6 Other Road Projects for Chinle
- IV NDOT
  - 1 Response
  - 2 What is known about NB095?
  - 3 What would be next steps to get on TTIP
  - 4 Next Steps
  - 5 Other, if any
- V Next Steps
- VI Adjournment

- Chinle Agency Roads (CAR) Committee
  - FY 2006 Chinle Agency Roads, Bridge Construction Priority list
    - 2008: needed control points, cross section, archeological survey
    - 1995 Resolution
      - Request placement of route (a miles plus a bridge) be placed on seven year roads construction plan of area.

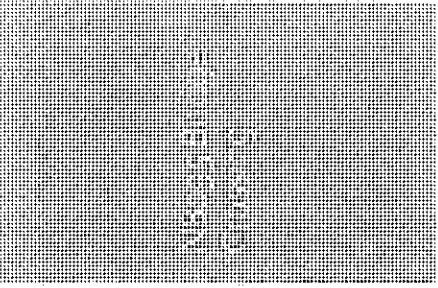


CHINLE CHAPTER  
 NATIONAL TRANSPORTATION  
 BUILDERS ASSOCIATION

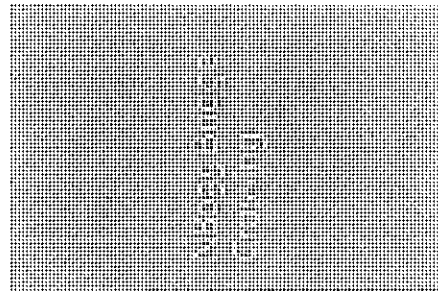




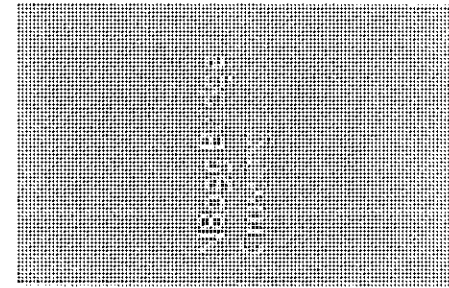
- Resolutions completed:
  - 2006 to NN President
  - 2006 to NDOT, Nav. Reg. Off. to complete control points
  - 2007 to NN President
  - 2010 to CAR Committee to change mileage on roadways
  - 2010 request for Nav. Reg. DOT to perform a scoping meeting
  - 2011 request final alignments from BIA- Nav. Reg. DOT
  - 2011 request CAR committee to support construction
  - 2011 request CAR committee to support asphalt extension
  - 2013 support NDOT to maintain roadways
  - 2014 request support of funding from NDOT and RDC
  - 2014 request support of funding from NDOT and RDC
  - 2016 request NDOT and BIA to restore bridge projects
  - 2021 request for NDOT to place on TTIP

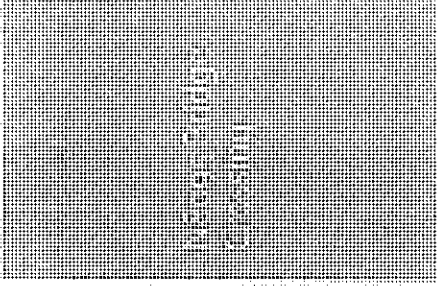
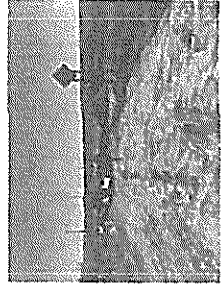
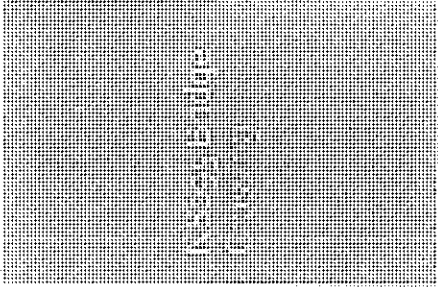


- Public Hearings:
  - 7/15/1992 (67 members signed in )
  - 6/19/1998 (16 members signed in)
  - 6/3/1999
  - 12/14/2016

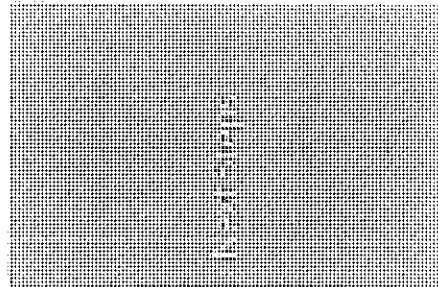


- Project Alignment Field Review completed by Navajo Region DOT on 3/4/11
- Project Alignment Field Review completed by Navajo Region DOT on 8/24/11

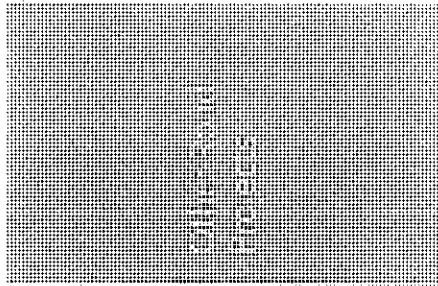




- To date operations update:
  - 7/24/21 Monsoon washed out existing crossing
  - 12/6/21 Mobilized equipment to begin repairs on culvert
  - 12/24/21 Repairs washed out
  - To date: awaiting repairs and possible solution

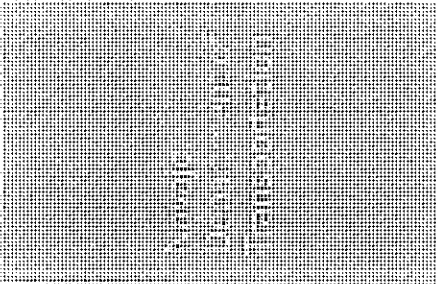
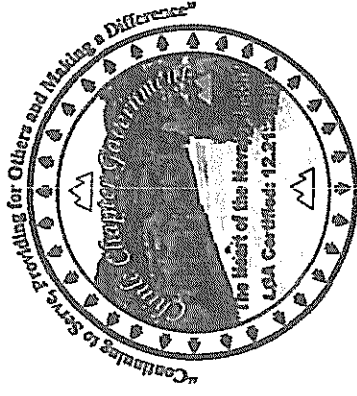
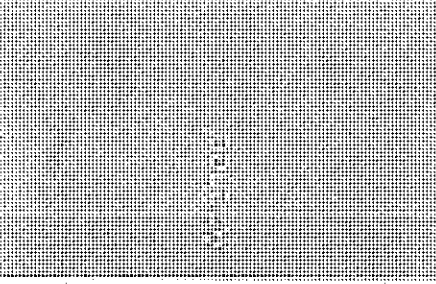


- Future solutions and planning:
  - Design and engineering
  - Drainage analysis
  - Other requirements
  - Funding
    - Road Improvement with FET funds, availability
    - NGO's Bridge Project on TTIP
    - Infrastructure Investment and Jobs Act



- N8095 gravel
- Other Roadways





- Response
- What is known about NBog5?
- What would be next steps to get on TTIP
- Next Steps
- Other, if any

# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**

PRESIDENT

**Shawna Claw**

VICE PRESIDENT

**RoAnn Burbank**

SECRETARY/TREASURER

**Eugene Tso**

COUNCIL DELEGATE

**Oscar Bia**

GRAZING COMMITTEE MEMBER

---

August 18, 2021

Kee Allen Begay Jr.  
24<sup>th</sup> NN Council Delegate  
P.O. Box 3390  
Window Rock, Arizona 86515

RE: Tribal Transportation Improvement Program (FY2021-22)

The Chinle Chapter Government is requesting for your assistance on placing our project regarding route N8095 bridge project and roads on the TTIP road inventory listing for bridge construction.

The N8095 bridge construction is essential and a top priority at this time. The route benefits the community residents that live along this route, in providing access for residents and bus routes. The N8095 route is estimated to be 1.7 miles in length and merges onto Highway 191.

At this time, I am submitting this letter on behalf of Chinle Chapter, in order to request your assistance in supporting our project. If there is further information needed, please do not hesitate to contact our Chapter. Thank you!

Sincerely,



Dr. Rosanna Jumbo-Fitch, LEED GA  
Chinle Chapter Government President  
Rosanna.Jumbo@navajochapters.org  
928-225-1658

CC: CCG File; Walton Yazzie, CCG Manager; Tyrone Begay, CCG Planner

# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**  
PRESIDENT

**Shawna Claw**  
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SECRETARY/TREASURER

**Eugene Tso**  
COUNCIL DELEGATE

**Oscar Bia**  
GRAZING COMMITTEE MEMBER

---

October 5, 2021

Navajo Department of Emergency Management  
P.O. BOX 2908  
Window Rock, AZ 86515

RE: NAVAJO NATION MONSOON WEATHER & RELIEF: Chinle Chapter

ATTN: Emergency Response Departments and Constituents,

The Chinle Chapter region has been impacted by this season of monsoons. One major roadway that has been heavily impacted, includes route N8095, as well other areas throughout the community. During our 10/4/21 Chapter planning meeting, our community members continue to express concern of this one particular roadway.

We are requesting for NDOT, BIA, and/or Apache County assistance in providing a temporary, but accessible roadway. The current roadway has been washed out since July 2021, and we are requesting assistance to repair the existing crossway, as it does impact multiple residents within the route.

The current roadway maintains access for those residents within the community and is essential for emergency needs. The Chapter wants to ensure there is access for current bus routes, resident healthcare medicine deliveries (CHR and Special Diabetes), access for any flooding activities near homes, aid those that experience utility outages, and overall provides future preparedness.

We appreciate assistance with the requested road repairs as we move forward through our monsoon and winter season. Thank you!

Respectfully,



Dr. Rosanna Jumbo-Fitch, LEED GA  
Chinle Chapter Government President  
Rosanna.Jumbo@navajochapters.org  
928-225-1658

CC: CCG File; Walton Yazzie, CCG Manager; Tyrone Begay, CCG Planner; CCG Officials

# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**  
PRESIDENT

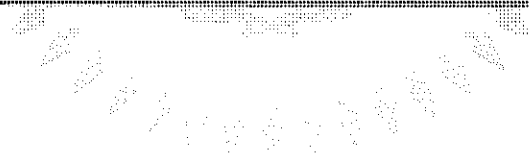
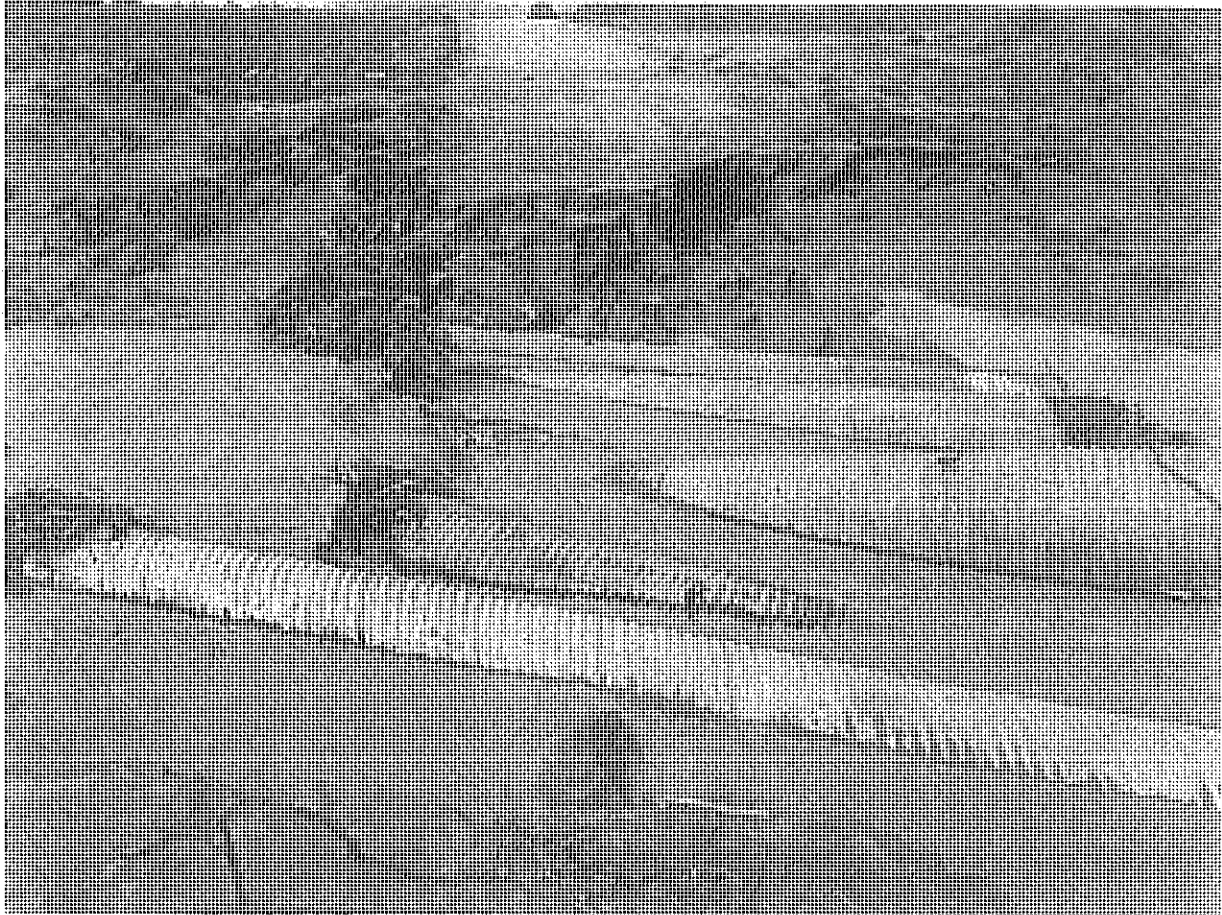
**Shawna Claw**  
VICE PRESIDENT

**RoAnn Burbank**  
SECRETARY/TREASURER

**Eugene Tso**  
COUNCIL DELEGATE

**Oscar Bia**  
GRAZING COMMITTEE MEMBER

---



# Chinle Chapter Government

THE NAVAJO NATION

**Dr. Rosanna Jumbo-Fitch**  
PRESIDENT

**Shawna Claw**  
VICE PRESIDENT

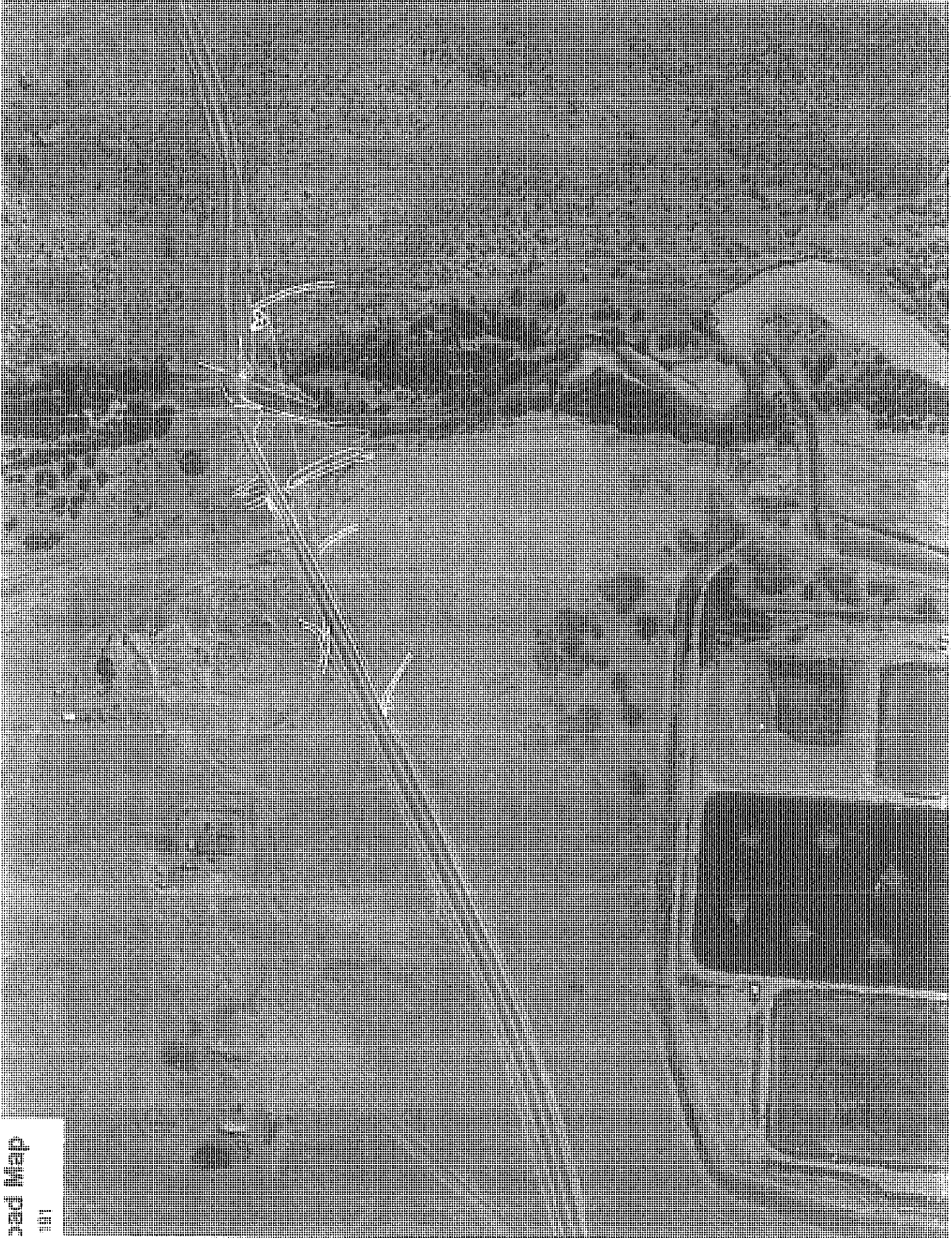
**RoAnn Burbank**  
SECRETARY/TREASURER

**Eugene Tso**  
COUNCIL DELEGATE

**Oscar Bia**  
GRAZING COMMITTEE MEMBER







NAVAJO NATION

1271

12/29/2022

Navajo Nation Council Special Session

05:09:11 PM

Amd# to Amd#

New Business: (Item L.)

PASSED

MOT Henio, J

CONSENT AGENDA-(12)Legislations:

SEC Tso, E

0221-22,0234-22,0239-22,0262-22,  
0263-22,0265-22,0268-22,...

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Begay, E

Damon

James, V

Tso, E

Begay, K

Daniels

Nez, R

Walker, T

Begay, P

Freeland, M

Smith

Wauneka, E

Brown

Halona, P

Stewart, W

Yazzie

Charles-Newton

Henio, J

Tso, D

Yellowhair

Crotty

Nay : 0

Excused : 2

Tso, C

Slater, C

Not Voting : 0

Presiding Speaker: Tso