



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: _____

Date & Time Received: _____

Date & Time of Response: _____

Entity Requesting FRF: _____

Title of Project: _____

Administrative Oversight: _____

Amount of Funding Requested: _____

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
- (2) Premium Pay
- (3) Government Services/Lost Revenue
- (4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category: _____

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: _____

Signature of DOJ Reviewer:  _____

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 NNDOJ Initial Eligibility Determination is 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: Blue Gap/Tachee Chapter Date prepared: Dec. 1, 2023

Chapter's P.O. Box 4497, Blue Gap, Arizona 86520 phone/email: (928) 349-0507 mailing address: website (if any): tachee.navajochapters.org

This Form prepared by: Harrison Blie phone/email: (928) 313-4347 Community Service Coordinator hblie@nnchapters.org CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: N-8069: Safety, Drainage & Connectivity Road Improvement Project (Revenue Replacement)

Chapter President: Marcus Tulley phone & email: (480) 226-0293 mtulley@naataanii.org

Chapter Vice-President: Marcinda Lameman phone & email: (928) 679-5843 mlameman@yahoo.com

Chapter Secretary: Betty V. Askie phone & email: (928) 313-4347 bvaskie@navajochapters.org

Chapter Treasurer: Betty V. Askie phone & email: (928) 313-4347 bvaskie@navajochapters.org

Chapter Manager or CSC: Harrison Blie, CSC phone & email: (928) 781-3610 fharrison@nnchapters.org

DCD/Chapter ASO: Edgerton Gene, Sr. Prog/Proj Sp phone & email: (928) 674-2251 egene@nndcd.org

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

Amount of FRF requested: \$15,000,000.00 FRF funding period: December 1, 2023 - 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 Blue Gap/Tachee N-8069: Safety, Drainage & Connectivity Road Improvement project will deliver safety, drainage & road improvements. This project will address safety issues that occur in wet or icy road conditions from flooding. This project will provide access to employment, school, expand community services & provide logistical support in emergencies. This project will improve quality of life & transportation equity for local residents. This project directly address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. Access to utilities & government services facilitates sustainable economic & social growth & can drastically increase the quality of healthcare provided. document attached

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

Most rural communities on the Navajo Nation lack access to governmental services & COVID-19 impeded these operations. This road improvement project will contribute & strengthens the local direct mitigation, preparedness, response & recovery of local governmental services & local emergency situations to address the needs for the community. This project will assist in promoting public health & economic stimulus & the Navajo people directly benefit from this project. 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:

Based on the funding, the project end date will be December 31, 2026 with all funds being incurred before December 31, 2024. Navajo Nation Budget Form 2 are attached for phase goals per quarter of funding period.

document attached

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

The Blue Gap/Tachee Chapter and Navajo Department of Transportation will be implementing the NN ARPA Funding Act & Blue Gap/Tachee N-8069: Safety, Drainage & Connectivity Road Improvement 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:

Navajo Department of Transportation will be responsible for operation and maintenance of N-8069, no additional cost or recurring cost will be incurred by Blue Gap/Tachee Chapter once project is 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:

Categories: Revenue Replacement: 6.1 - Provision of Government Services
Pursuant to the U.S. Treasury guidelines and funding objectives, this road improvement project will address the conditions that contributed to poor public health & economic outcomes during the pandemic. By concentrating in areas with limited economic opportunities & inadequate or poor housing quality, the access to resources facilitates improved health outcomes including services connecting residents with healthcare resources, public assistance & build healthier environments to support healthy living environments & communities conducive to mental & physical wellness. The exacerbation of health disparities during the pandemic & pre-existing social vulnerabilities are responsive to the public health impact of the pandemic. This project will support access to government

Part 3. Additional documents.

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

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Hamm Blue signature of Preparer/CONTACT PERSON, Approved by: [Signature] signature of Chapter President (or Vice-President)
Approved by: Hamm Blue signature of CSC, Approved by: [Signature] signature of Chapter ASD
Approved to submit for Review: [Signature] signature of DCD Director

FY 2024

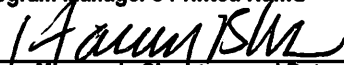
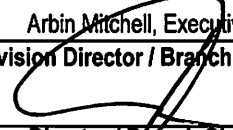
**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: Blue Gap/Tachee Chapter (6.1 Revenue Repl.: Govt. Svcs) Division/Branch: DCD Executive
 Prepared By: Harrison Blie, CSC Phone No.: (928) 313-4347 Email Address: hblie@nnchapters.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	(D)	(E)
NN Fiscal Recovery Funds	12/1/23-12/31/26	15,000,000.00	100%						
				2001 Personnel Expenses					
				3000 Travel Expenses					
				3500 Meeting Expenses					
				4000 Supplies					
				5000 Lease and Rental					
				5500 Communications and Utilities					
				6000 Repairs and Maintenance					
				6500 Contractual Services	6	0	500,000.00	500,000.00	
				7000 Special Transactions					
				8000 Public Assistance					
				9000 Capital Outlay	6	0	14,500,000.00	14,500,000.00	
				9500 Matching Funds					
				9500 Indirect Cost					
				TOTAL		\$0.00	15,000,000.00	15,000,000.00	
				PART IV. POSITIONS AND VEHICLES		(D)	(E)		
				Total # of Positions Budgeted:		0	0		
				Total # of Vehicles Budgeted:		0	0		
		TOTAL:	\$15,000,000.00 100%						

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

SUBMITTED BY: Harrison Blie, Community Service Coordinator APPROVED BY: Arbin Mitchell, Executive Director - DCD
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
 
 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: Blue Gap/Tachee Chapter (6.1 Revenue Relp.: Govt. Svcs.)

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:
 The Navajo Nation Chapters Plan of Operations is reference in Title 26 of the Navajo Nation Code.

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>Provide funds for road improvements for area residents to improve quality of life & connectivity.</u> Program Performance Measure: <u>Assist Chapter & surrounding communities with the delivery of a safe roads & emergency service</u>	1		1		1		1	
2. Goal Statement: <u>Complete Archeological & Biological clearances, Drainage Study</u> Program Performance Measure:					1			
3. Goal Statement: <u>Bid Project</u> Program Performance Measure:							1	
4. Goal Statement: <u>Construction</u> Program Performance Measure:	1		1		1		1	
5. Goal Statement: <u>Project Close-Out</u> Program Performance Measure:							1	

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

<u>Harrison Blie, Community Services Coordinator</u> Program Manager's Printed Name-  Program Manager's Signature and Date	<u>Arbin Mitchell, Executive Director - DCD</u> Division Director/Branch Chief's Printed Name  Division Director/Branch Chief's Signature and Date
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**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Blue Gap/Tachee Chapter (6.1 Revenue Repl.: Govt. Svcs.)</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)
6810	Architecture/Design (Non-Cap) 6814 - Arch/Design (NC) - Expenses Right-of-Way & Roadway Design	300,000.00	300,000.00
6830	Other Technical Services 6845 - Environmental Assessment/Survey Archeological & Biological clearances & Drainage Study	200,000.00	200,000.00
9020	Infrastructure 9024 - Roads Construction - Scope of Work: Grade, design, gravel, stabilization with possible paving or double chip seal. Revenue Replacement: Provision of Government Services - ARPA Chapter N-8069: Safety, Drainage & Connectivity road improvement project. This project addresses safety issues that occur in wet or icy road conditions from flooding. This project will provide access to employment, schools, expand community services & provide logistical support in emergencies. This project will improve quality of life & transportation equity for local residents. This project will directly address deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation. Access to utilities & government services facilitates sustainable economic & social growth & can drastically increase the quality of healthcare recieved.	14,500,000.00	14,500,000.00
TOTAL		15,000,000.00	15,000,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Blue Gap/Tachee Chapter - Chapter Road Improvement Project (6.1 Revenue Replacement: Provisions of Govt. Services)</u> Project Description <u>N-8069: Safety, Drainage & Connectivity road improvement project will deliver safety, drainage & road improvements.</u> This project will address safety issues that occur in wet or icy road conditions from flooding. This project will improve quality of life. Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification	PART II. Project Information Project Type: <u>Road Improvement Project</u> Planned Start Date: <u>12/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Harrison Blie</u>
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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 2024												FY 2025													Date 12/31/2026					
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.				O	N	D	J	F	M
Finance (Securing Funds)	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	
Planning & Selection				XX	XX	XX	XX			XX	XX	XX																			
Construction													XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX				xx			

PART V.	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
Expected Quarterly Expenditures							500,000.00			500,000.00			2,000,000.00			2,000,000.00			2,000,000.00			2,000,000.00						\$9,000,000.00		

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

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u> Project Title: <u>Blue Gap/Tachee Chapter - Chapter Road Improvement Project (6.1 Revenue Replacement: Provisions of Govt. Services)</u> Project Description <u>N-8069: Safety, Drainage & Connectivity road improvement project will deliver safety, drainage & road improvements.</u> <u>This project will address safety issues that occur in wet or icy road conditions from flooding. This project will improve quality of life.</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													PART II. Project Information Project Type: <u>Road Improvement Project</u> Planned Start Date: <u>12/1/2023</u> Planned End Date: <u>12/31/2026</u> Project Manager: <u>Harrison Blie</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 2026												FY 2027								Date 12/31/2026													
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.		4th Qtr.		O	N	D	J	F	M						
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M				
Finance (Securing Funds)																																		
Planning & Selection																																		
Construction	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX																					xx	
PART V.	\$			\$			\$			\$			\$			\$		\$		PROJECT TOTAL														
Expected Quarterly Expenditures	2,000,000.00			2,000,000.00			2,000,000.00													\$6,000,000.00														

BLUE GAP/TACHEE CHAPTER

P.O. Box 4427
Blue Gap, Arizona 86520
Ph: (928) 349-0507

CRYSTALYNE CURLEY, COUNCIL DELEGATE

HARRISON BLIE, COMMUNITY SERVICES COORDINATOR

BGCH23-12-002

RESOLUTION OF BLUE GAP/TACHEE CHAPTER

APPROVING AND REQUESTING AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR N-8069: SAFETY, DRAINAGE & CONNECTIVITY ROAD IMPROVEMENT PROJECT FOR ARPA ALLOCATION AND APPROVAL BY THE NAVAJO NATION COUNCIL FOR THE BLUE GAP/TACHEE CHAPTER AND NAVAJO DIVISION OF TRANSPORTATION AS AN ARPA FUNDED ROAD PROJECT

WHEREAS:

1. Pursuant to CMY-23-79, the Blue Gap/Tachee Chapter is certified chapter of the Navajo Nation vested with the authority and responsibility to provide and act 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 Blue Gap/Tachee Chapter to make decisions over local matters: and
3. The Blue Gap/Tachee Chapter has prioritized its community projects and identified the need for road improvement projects such as school bus routes, drainage crossings, access roads, road maintenance, grading, graveling, mitigation, drainage studies, and construction services: and
4. The Blue Gap/Tachee Chapter is dedicated to the safety and well-being of community members and the objective to ensure a safe, reliable and efficient unified system or transportation services responsive to the needs of the children and their families: and
5. The Blue Gap/Tachee Chapter N-8069 Safety, Drainage and Connectivity road improvement project will address safety issues that occur in wet or icy road conditions from flooding. This project will provide access to employment, schools, expand community services and provide logistical support in emergencies: and
6. This N-8069 project will improve quality of life and transportation equity for local residents. This project directly addresses deficiencies connected to the high outbreak of COVID-19 on the Navajo Nation provides access to utilities and government services facilitating sustainable economic and social growth and can drastically increase the quality of healthcare received: and
7. Most rural communities on the Navajo Nation lack access to governmental services and COVID-19 impeded these operations. This road improvement project will contribute and strengthen the local direct mitigation, preparedness, response and recovery of local governmental services and emergency situations to address the needs for the community: and

BLUE GAP/TACHEE CHAPTER

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CRYSTALYNE CURLEY, COUNCIL DELEGATE

HARRISON BLIE, COMMUNITY SERVICES COORDINATOR

8. This project will assist in promoting public health and provide an economic stimulus allowing for a directly benefit to the Navajo people from this project. By concentrating in areas with limited economic opportunities and inadequate or poor housing quality, the access to resources such as roads help facilitate improved health outcomes: and
9. This project will improve services connecting residents with healthcare resources, public assistance and build healthier environments to support healthy living environments and communities encouraging better mental and physical wellness. The exacerbation of health disparities during the pandemic and pre-existing social vulnerabilities caused the public health impact of the pandemic: and
10. The Navajo Division of Transportation (NDOT) provides professional and technical services to the Navajo Nation communities to address transportation needs for road maintenance, road improvement activities, and proposed transportation infrastructure: and
11. Navajo Division of Transportation provides a safe, efficient transportation system that supports economic opportunities and livable communities throughout the Navajo Nation while embracing safety work, with values and principles of teamwork through integrity, respect and quality assurance: and
12. Pursuant to Resolution CJN-29-22, the Navajo Nation Council approved the allocation of \$1,070,298,867.00 of the Navajo Nation Fiscal Recovery Funds and approved the Fiscal Recovery Fund Expenditure Plans for: Chapter and Regional Projects: and
13. Blue Gap/Tachee Chapter continues to approach the American Rescue Plan funds in a comprehensive manner to take advantage of this once in a lifetime opportunity to strength individuals, families and community-based services which are essential to addressing deficiencies identified during the COVID pandemic and our recovery: and
14. As the Navajo Nation and its community continue addressing allocation of ARPA funds to projects across the Navajo Nation, Blue Gap/Tachee Chapter has identified projects and are submitting them for ARPA eligibility and ARPA funding by the Navajo Nation Council: and
15. The Navajo Nation Capital Project Management Department (CPMD) has been instrumental in the processing of these ARPA Expenditure plans and move from concept to the completion phase for the benefit of the our communities: and
16. Blue Gap/Tachee Chapter plans to coordinate with the Navajo Nation CPMD for the duration of this ARPA project along with Navajo Division of Transportation (NDOT) and any other applicable departments, programs and offices: and
17. Blue Gap/Tachee Chapter determines its in the best interests of the Navajo Nation and the local community to support and encourage N-8069 project: Safety, Drainage and Connectivity road improvement project in order to secure the continued benefits to the Navajo people and our community.

BLUE GAP/TACHEE CHAPTER

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THEREFORE BE IT RESOLVED THAT:

- The Blue Gap/Tachee Chapter hereby approves and request American Rescue Plan Act (ARPA) funding for N-8068: Safety, Drainage, and Connectivity road improvement project for ARPA application and approval by the Navajo Nation Council for Blue Gap/Tachee Chapter and Navajo Division of Transportation as an ARPA funded road project and is listed below:

<u>Project Description</u>	<u>Category</u>	<u>Title</u>	<u>Amount</u>
01 N-8069: Safety, Drainage, etc.	6.1	Prov. Of Govt. Service	\$15,000,000.00
Grand Total:			\$15,000,000.00

- Blue Gap/Tachee Chapter hereby approves requesting the Division of Transportation, Capital Project Management Department, Navajo Nation Fiscal Recovery Fund Office of the Controller and Division of Finance to assist in the finalization of all necessary documents for Blue Gap/Tachee ARPA Project and provide any technical support necessary to the project for expenditures, implementation and construction: and
- Blue Gap/Tachee Chapter hereby expresses its profound gratitude to the staff within the Division of Transportation, Capital Projects Management Department, Fiscal Recovery Fund Office and the Office of Legislative Council for their support and work on the allocation of these funds for the direct benefit to the Blue Gap/Tachee community members: and
- The Blue Gap/Tachee Chapter hereby reaffirms these initiatives to ensure that quality direct local services are provided to citizens of the Navajo Nation

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Blue Gap/Tachee at a duly called meeting at Blue Gap/Tachee, Navajo Nation, Arizona, which quorum was present that same was passed by vote of: 22 in favor, 00 opposed, and 03 abstained on this 8th day of, **DECEMBER, 2023**

Motioned by: Jimmy Dougi

Seconded by: Bobby Tullie

Marcus Tulley
Marcus Tulley, Chapter President

Mlamema
Marcinda Lameman, Chapter Vice President

Betty Askie
Betty Askie, Chapter Secretary/Treasurer

Franklin Tsosie
Franklin Tsosie, Chapter Grazing Official

Crystalayne Curley
Crystalayne Curley, Council Delegate