

NAVAJO REVITALIZATION FUND (NRF)

POLICIES & PROCEDURES

Rev. 9/2023

Approved 5/25/2023



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Utah Department of Workforce Services
Housing & Community Development Division
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<https://jobs.utah.gov/housing/community/nrf.html>

VERSION CONTROL

12/18/2021 – Document drafted

5/18/2022 – Fixed typo

10/18/2022 – Updated board membership

12/20/2022 – Clarified meeting schedule, updated financials

3/14/2023 – Updated renewals to two years; adding non-UNTF funded monitoring requirements

4/10/2023 – Updates to monitoring

5/16/2023 – More updates to monitoring, revisions throughout

6/8/2023 – Updates per 5/25/2023 board meeting

9/15/2023 – Added resolution on electronic meetings approved in 9/15 board meeting

TABLE OF CONTENTS

NAVAJO REVITALIZATION FUND (NRF)	1
VERSION CONTROL	3
TABLE OF CONTENTS	4
CHAPTER 1. INTRODUCTION	5
A. Overview	5
B. Eligible Grant Applicants	5
C. Administration	5
D. Navajo Revitalization Fund Board Members	6
E. Staff Personnel.....	6
F. Partnership with the Utah Navajo Trust Fund (UNTF).....	7
CHAPTER 2. FUNDING PROCESSES	9
A. NRF Funding Allocation	9
B. Application / Project Restrictions.....	9
C. Statutory Funding Restrictions	10
D. Application Checklist	11
E. Board Meetings.....	11
F. Fund Reimbursements	12
G. Project Reallocations	12
H. Project Durations	12
I. Renewal Procedures	13
J. Closing Projects.....	13
K. Reporting Requirements.....	13
Chapter 3. Monitoring	14
A. General Project Monitoring	14
B. Monitoring Requirements.....	16
APPENDIX A: NRF HOUSING POLICY – APPROVED 9/25/2011	18
APPENDIX B: NEW ALLOCATIONS BY YEAR	20
APPENDIX C: APPROVED FUNDING BY NUMBER AND CATEGORY	21
APPENDIX D: UNTF POLICIES	22
APPENDIX E: APPLICATION CHECKLIST	23
APPENDIX F: REPORTING FORM	24

CHAPTER 1. INTRODUCTION

A. OVERVIEW

The Navajo Revitalization Fund (NRF) is funded and operated under Utah Code, Section 35A-8-17 including all operating regulations and memorandums pertaining thereto.

THE PURPOSE OF THE NAVAJO REVITALIZATION FUND:

“To maximize the long-term benefit of state severance taxes derived from lands in Utah held in trust by the United States for the Navajo Nation and its members by fostering funding mechanisms that will, consistent with sound financial practices, result in the greatest use of financial resources for the greatest number of citizens of San Juan County; and promote cooperation and coordination between the state, its political subdivisions, Indian tribes, and individuals, firms, and business organizations engaged in the development of oil and gas interests in Utah held in trust by the United States for the Navajo Nation and its members (UCA 35A-8-1703 (1)).”

The purpose of this document is to provide instruction and guidance regarding requirements to eligible entities wishing to apply for NRF funds.

B. ELIGIBLE GRANT APPLICANTS

Consistent with state law, funding may only go to **eligible applicants** for the NRF program, as follows (35A-8-1702 (4)):

- the Navajo Nation;
- a department or division of the Navajo Nation;
- a Utah Navajo Chapter: Aneth, Oljato, Dennehotso, Mexican Water, Navajo Mountain, Red Mesa, TeecNosPos.
- the Navajo Utah Commission;
- an agency of the state or a political subdivision of the state; or
- a nonprofit corporation.

C. ADMINISTRATION

The State of Utah Department of Workforce Services (DWS), Housing and Community Development Division (HCD) administers the Navajo Revitalization Fund program. As the lead agency responsible for the program's design and implementation, HCD will:

- Obtain policy guidance from the NRF Board

- Ensure grantee compliance with all applicable program regulations
- Monitor grantee program compliance
- Provide technical assistance to applicants

D. NAVAJO REVITALIZATION FUND BOARD MEMBERS
(35A-8-1705)

The Board is composed of five members as follows:

BOARD POSITION	PERSON	CHANGES WITH
Governor, or his designee (chair)	Evan Curtis (385) 228-1999 ecurtis@utah.gov	Governor
San Juan County Commission (Eastern Utah Navajo area)	Jamie Harvey (435) 485-8513 jharvey@sanjuancounty.org	Elections
San Juan County Commission (Western Utah Navajo area)	Silvia Stubbs (435) 485-8487 sstubbs@sanjuancounty.org	Elections
Navajo Utah Commission Board Chair, or designee	Patricia Blackhorn (928) 401-8333 patriciablackhorn131@gmail.com	NUC annual change in their board chair (January), or by elections
Utah Navajo Chapter Presidents representative	Larry Tuni, Dennehotso President larrytuni@navajochapters.org	Per chapter on a rotating yearly basis (see below).

UTAH NAVAJO CHAPTER PRESIDENT ROTATION

FISCAL YEAR	CHAPTER
2022	Aneth Chapter
2023	Dennehotso Chapter
2024	Mexican Water Chapter
2025	Navajo Mountain Chapter
2026	Oljato Chapter
2027	Red Mesa Chapter
2028	Teec Nos Pos Chapter

E. STAFF PERSONNEL

For assistance regarding the Navajo Revitalization program, please see the following contact:

PROGRAM ADDRESS

Department of Workforce Services
Housing & Community Development Division
Navajo Revitalization Fund Program
140 East 300 South

Salt Lake City, Utah 84111
Telephone: (607) 339-8259
<https://jobs.utah.gov/housing/community/nrf.html>

STAFF

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Christopher Pieper..... Legal Counsel, Assistant Attorney General
cpieper@agutah.gov

F. PARTNERSHIP WITH THE UTAH NAVAJO TRUST FUND (UNTF)

Most NRF projects are funded by both the NRF and UNTF. As outlined in an interagency agreement, these jointly funded projects are administered by the Utah Navajo Trust Fund (UNTF) and are hereafter referred to as “jointly funded projects”. UNTF is an independent state agency under the State of Utah. Due to the remote location of the Navajo Nation it is far more effective for NRF to collaborate with UNTF on project management. Unless directly contracted, all NRF grant funding is paid through an interagency fund transfer from UNTF.

UNTF has its own policies when it pertains to UNTF-specific items such as residency and grant assistance to Utah Navajos as related to the Federal Act of 1933 and 1968 Amendment but UNTF is subject to Utah policies for everything else. UNTF is subject to State of Utah policies on board and committee policies, fleet, personnel, travel, insurance, audits, procurement, etc. The Purchasing Division recognizes that UNTF is unique and authorizes UNTF in a Letter of Limited Purchasing Delegation (LPD) to engage in certain UNTF-specific purchasing practices, which is authorized in the Utah Procurement Code.

On public facility projects or big projects, UNTF can enter into a participation agreement with the Navajo Nation (NN) to transfer funding to the NN if they use their tribal procurement procedures that are similar to State and Federal procurement policies. The NN has a department called the Capital Projects Management Dept (CPMD) which is the equivalent of DFCM that administers the construction management duties and

responsibilities for big projects. Sometimes, the entities agree to have DFCM administer a project instead of CPMD; if so, the State of Utah's procurement policies are utilized. The CMPD administers big projects on the reservation about 80% of the time and DFCM 20%.

CHAPTER 2. FUNDING PROCESSES

A. NRF FUNDING ALLOCATION

NRF funds are allocated by the state from severance taxes derived from mineral extraction on lands in Utah held in trust by the United States for the Navajo Nation. New funds are allocated into subdivided entity accounts within the NRF fund, one for each Utah Navajo Chapter. New funds are allocated in the Fall meeting according to a formula: $\text{BASE } (\$28,500 \text{ PER CHAPTER} = \$199,500) + \text{PERCENT OF POPULATION} \times \text{BALANCE}$. UNTF provides the population estimates, which were last updated in 2008.

These new funds are given to each chapter's fund that hasn't been set aside for a specific project. Those are called uncommitted funds. The board receives information about the current balance of uncommitted funds during meetings or when requested by a board member or entity. When a project is approved for a chapter, the funds are set aside for that project. Those are called committed funds. The project expenses are then paid from these committed funds. If there is any money left over when a project is completed, it goes back to the chapter's uncommitted fund.

Projects for non-chapter organizations need to be funded from the non-chapter account. The board generally entertains non-chapter proposals during the Fall meeting, decides which non-chapter proposals will be funded, and allocates that amount to non-chapter funding. The balance is then allocated among the chapters in the same method as outlined in the first paragraph of this section.

According to a specific law (35A-8-1704 (3)), 4% of the new revenue received is saved for administrative purposes. The NRF fund also earns interest, which the board can assign during any meeting.

See Appendix B for new allocation history.

B. APPLICATION / PROJECT RESTRICTIONS

Applications must be completed before the board reviews and funds them. The application is a joint form with the Utah Navajo Trust Fund (UNTF), and is available

through UNTF. The majority of projects are jointly funded, and joint funding is encouraged for all projects.

For purposes of project approval, the board reviews the application, scope of work, and chapter resolution as part of the board packet for each project application. Other documents may be required to be submitted, and are presented to the board as requested. These documents allow the administrator to review applications for completeness and compliance.

Projects must be approved before funds are spent. NRF works on a reimbursement basis for all projects.

Housing Funding

Funding for each home is limited to \$85,000 in NRF funds. All requesting individuals must work through their respective chapter, and all requests will be processed through the chapter. Chapter officials are not eligible for housing assistance without verification of a conflict of interest policy and documentation of compliance with that policy. The requesting Chapter or organization will ensure that the client proposed to be assisted has not already been assisted with funding from another housing agency within the past 15 years. All requests must follow the applicable chapter policies and guidelines.

C. STATUTORY FUNDING RESTRICTIONS

(35A-8-1707)

Priority is given to capital projects or infrastructure; housing; and educational endowments.

The board shall not fund:

- start-up or operational cost of a private business venture;
- general operating budget of an eligible entity; or
- project that will operate or be located outside of the Navajo Reservation in San Juan County, Utah, except for an educational endowment approved by the board under Subsection 35A-8-1707(2)(c).

Projects must operate and be located on Utah Navajo Nation Lands within San Juan County, Utah, except as defined in statute for educational endowments.

Non-Chapter funds are generally reserved for projects that benefit and are available to serve more than one chapter. Typical recipients include Navajo Utah Commission, San Juan County, and chapter projects which benefit multiple chapters.

D. APPLICATION CHECKLIST

Completed applications are due by the deadline provided in the meeting announcement, typically 2 weeks before a meeting.

Completed applications include:

- Completed application, naming NRF specifically, with appropriate detail such as client names and estimated project dates.
- Scope of work, naming applicable clients and including relevant project dates.
- Chapter resolution, signed by chapter officials, dated within the past year, which includes the project, applicable clients, and specifically requests funds from NRF.
- Quotes (optional)

For home new construction, in addition to the above, applications must include:

- Tentative work schedule, including estimates of project phases and timelines.
- Home site lease, legal, completed, signed, and in the name of the applicant.
- Home diagram / floor plan, showing the size and general layout of the home.

See Appendix E for an application checklist.

E. BOARD MEETINGS

Meetings are generally scheduled quarterly, either electronically or in person. The chair may approve additional meetings as necessary or as requested by a member of the board. Unless for a bona fide emergency or similar urgent circumstance, NRF will generally schedule meetings one month in advance when requested to give time for applicants to organize projects and compile the necessary application materials. Due to non-scheduled meetings, other previously scheduled meetings may be shifted accordingly.

Formal applications for NRF grants are submitted by each chapter or eligible entity to

Utah's Housing and Community Development Division. Applications must be submitted by an eligible applicant prior to public notification of a meeting of the board. Division staff prepare the meeting agendas and publically post the meeting agenda. The Navajo Revitalization Fund Board reviews all completed applications from eligible entities; all funding decisions are made by the board and affirmative votes from each board member present.

F. FUND REIMBURSEMENTS

NRF is reimbursement-only and is operated through the grant management system Webgrants. On jointly funded projects, please contact UNTF staff for claim submission requirements.

If it is not a jointly funded project (UNTF funds are not involved in a project), recipients must be registered within the Webgrants system to submit reimbursement claims. Grantees are required to submit sufficient documentation including applicable reimbursement forms, copy of invoice, copy of payment and may include reports as requested. Other documentation may be required to adequately support the request for payment and ensure that grant expenditures and activities are in line with the contract scope of work and according to applicable statutes, rules, policies and procedures.

For home construction, requests for payment must include a materials receipt verification document signed by the homeowner.

G. PROJECT REALLOCATIONS

Project funds may be reallocated upon application to the board and board action.

H. PROJECT DURATIONS

Based on historical administrative practice, projects will be assigned a duration according to the complexity of the project. Generally, project durations will follow these guidelines:

Project Type	Years
House (new, remodel, addition).....	3
Small project (ramp, stoves, survey).....	1
Powerline	3
Other Building	3

I. RENEWAL PROCEDURES

Expired projects which are incomplete can be renewed. Renewals will generally be for two (2) years. Generally, for ease of operations, projects will be set to expire at either the end of the fiscal or calendar year (6/30 or 12/31). Extensions happen as a board action in a meeting and must be on the meeting agenda.

The chapter entity or funding partner (e.g., NTF, NUC, etc.) may request an extension or renewal of the grant. Requests to extend the deadline of a project should be in writing, electronically or otherwise, from someone authorized by that entity. Chapter resolutions are encouraged, but not required.

Unless an extension or renewal is requested at the next board meeting after a grant has expired, an expired grant will generally be closed and any remaining balance reverted to that chapter's unallocated fund balance. NRF staff may send notice of expiring grants to each chapter liaison prior to the meeting to provide an opportunity for extension. NRF staff may also inform the board of any grants that were closed and had a balance reverted at the board meeting after they were closed.

J. CLOSING PROJECTS

Projects that are expended prior to expiration can be closed without notice or board approval. Projects which are expired and not requested to be renewed may be closed at the conclusion of the meeting following the expiration date (e.g., a grant which expired in December will be closed after the meeting in January). Upon expiration or completion of a project, any remaining chapter funds will be reverted to the same chapter's unallocated balance and remaining non-chapter funds will be reverted to the non-chapter unallocated fund balance.

K. REPORTING REQUIREMENTS

On jointly funded projects, UNTF maintains all applicable information relative to reporting requirements. Recipients should contact UNTF staff for reporting. For projects where UNTF funds are **not** involved, recipients must submit a progress report. These reports must be submitted annually, due one month prior to the end of each 12-month

period following execution of the contract (e.g., if a contract is approved April 1st, the report would be due March 1st each subsequent year until expiration). A final report must be submitted upon completion.

Recipients must provide reports in the manner specified by NRF staff, including before and after pictures, with sufficient documentation and photos to demonstrate project progress equal to what has been submitted for reimbursement that year, in accordance to the scope of work.

See Appendix F for a copy of the reporting form.

CHAPTER 3. MONITORING

A. GENERAL PROJECT MONITORING

All grants are monitored on an annual basis. The Navajo Trust Fund serves as a third-party monitor for all jointly funded projects. For NRF-only funded projects, NRF administrative staff will provide invoice review monitoring of claim submissions and desk review of submitted reports, as well as any needed training or technical assistance.

MONITORING BY THIRD PARTIES

For all jointly funded projects, as well as other projects as agreed upon, UNTF will monitor according to UNTF policy. Although a long-standing practice, UNTF monitoring was formalized in a memorandum of agreement between NTF and UNTF (signed 4/1/2022).

UNTF as 3rd Party Monitor

UNTF is a credible 3rd party monitoring entity for most NRF projects. NRF and UNTF have a long-standing administrative partnership. As both are state entities, UNTF provides upfront funding needed using UNTF funds and is in turn reimbursed by NRF through an internal transfer agreement. UNTF and NRF often provide match funding on the same project; as such, UNTF conducts monitoring according to their policy.

UNTF is a credible monitoring entity for the following reasons:

- As a state agency, UNTF provides monitoring to projects funded by UNTF. The majority of NRF projects are co-funded with UNTF, and are thus monitored by UNTF.
- UNTF staff are located in Blanding, much closer to the Navajo Reservation to view and work directly with Utah Navajo Chapters.
- UNTF staff, many of whom are members of the Navajo Nation, are knowledgeable about the processes of the Utah Navajo Chapters such as planning meetings, Chapter resolutions, the amount of time it takes to get documents from the Chapters, and how to coordinate with Navajo agencies. They are also knowledgeable about home site leases, land status, offices and people with whom to coordinate.
- UNTF staff are heavily involved in all UNTF and NRF-funded projects. UNTF staff review funding proposals, check for requirements, coordinate with the Utah Navajo Chapters to get projects initiated, enforce the state purchasing rules when buying building materials, process documents for payments to vendors, monitor progress of projects, participate in RFQ's, RFP's, architectural and construction contracts, construction meetings, and close-out projects. UNTF construction teams frequently assist in home building projects.

As provided in the memorandum of agreement between NRF and UNTF (signed 4/1/2022), UNTF will review joint funding request applications to UNTF and NRF and construct or monitor eligible construction projects. UNTF will also provide on-site and desk review monitoring for all projects funded to Utah Navajo Chapters. NRF may review monitoring reports provided by UNTF and annually review the UNTF monitoring controls, policies and procedures.

INVOICE REVIEW

An invoice review consists of a review of invoices by NRF staff or its agents to determine if the rates and services are allowable per the contract. This may include a review of supporting documents to adequately support the request for payment.

NRF staff review all claims submitted in Webgrants and reimbursement requests through interdepartmental transfer agreement (ITA) from UNTF.

Grantees are required to submit sufficient documentation, as reasonably requested by NRF staff or its agents, to adequately support the request for payment and ensure the funds are used only for the activities allowed in the scope of work and according to applicable statutes, rules, policies and procedures.

For jointly funded projects, please contact UNTF staff for documentation requirements. For non-UNTF funded projects, documentation must include applicable reimbursement forms in Webgrants, copy of invoice, copy of payment, and may include reports as requested. The fiscal grant manager may assist in monitoring.

DESK REVIEW

For jointly funded projects, NRF staff will conduct desk reviews of reports submitted by grantees or UNTF staff. NRF staff review actual performance against the contract requirements, scope of work, and actual expenditures to the approved budget. Full scope site, limited scope site, virtual site, or monitoring visits by a third party may be used as needed to collect, observe, or verify information.

TRAINING & TECHNICAL ASSISTANCE

As necessary, staff provides technical assistance to help applicants understand the requirements and procedures for grant application and utilization, including reporting and reimbursement requirements.

B. MONITORING REQUIREMENTS

As NRF's third-party monitor, the Housing and Community Development Division may annually review the UNTF's monitoring controls, policies and procedures.

MONITORING FREQUENCY

All contracts and grants may be monitored annually and after closure.

MONITORING COMPONENTS

A monitoring form may be used to document annual and final monitoring activities.

Scope of Work

Expenditures and activities will be evaluated with the Scope of Work defined within the

grant.

GENERAL MONITORING CONSIDERATIONS

Cultural and language sensitivity will be employed throughout the process.

For annual and final monitoring, opening and closing letters may be utilized, along with electronic or face-to-face conferencing as appropriate.

If site visits are necessary, NRF staff will coordinate with NTF staff. Various conditions on the Navajo Reservation may preclude in-person monitoring including weather (roads become impassable and dangerous under certain conditions), political unrest, epidemics (e.g., COVID), aggressive dogs and other rural projection practices, access to private residences, unfamiliarity with roads or locations, or excessive distance. As appropriate, these should be documented.

APPENDIX A: NRF HOUSING POLICY – APPROVED 9/25/2011

1. The Navajo Revitalization Fund Board (NRFB) will consider housing assistance requests for those families that have the most need for housing; especially those that have not received housing assistance from any other program. The requesting Chapter or organization will ensure that the client proposed to be assisted has not already been assisted with funding from another housing agency within the past 15 years.

2. The NRFB seeks the assistance of local authorities to help target those with the greatest need. All requesting individuals must use the NRFB Housing Client Application and must work directly with their respective Chapter in preparing their assistance requests. All requests, budget preparation, updates and progress reports will be processed through the Chapter.

3. All requests must follow the applicable chapter project policies and guidelines. The Navajo Nation housing policies may be adopted if the Chapter does not have an established policy. Each chapter must have written policies and procedures that are fair and equitable, that address conflict of interest and ensure equal opportunity for all chapter residents. Before any proposals will be considered, Chapters will be required to submit a copy of their housing policies and procedures to the NRFB.

4. A finalized Home Site Lease shall be required in order to process all new purchases. Housing may not be located off the Utah Navajo Reservation; the client will document the land is secured prior to construction of the home's foundation. NRFB will not fund or finance any portion of a land-only purchase.

5. A tentative schedule of work phases should be prepared and included with the proposal package which shows the proposed dates of: - Material purchases - Construction start-up - Construction end - Utility hookups and - Close-out

6. Match-funding is recommended; the matching agencies shall be identified and commitment letters from each agency shall be included in the proposal package.

7. All new construction must be based on a floor plan showing all components of the

dwelling to be constructed. The blueprint must include a specific cost sheet covering all materials to be used, and an estimate of total man-hours for construction of the unit. Depending on distances to utility sources and/or a decision by the Chapter and the applicant, homes planned to be constructed in remote areas do not necessarily need to include electrical wiring, nor complete plumbing.

8. Other documents required shall be an approved resolution from the Chapter along with the housing priority listing that supports the proposed request. It is recommended that similar housing improvements be packaged into projects and proposed as a batch so that labor and any match-funded sources can be better coordinated to maximize building materials price advantages through bulk purchases.

9. Requests for payment must include a materials receipt verification document signed by the homeowner. This document verifies that the homeowner agrees that building materials for their home were in fact delivered and accounted for, and will safeguard it from theft or damage from the natural elements.

10. The Board's desire is to leverage housing assistance funds with other public and private sources to achieve a 50/50 cost split. However, if other sources are not available each home shall receive no more than \$85,000 in total NRFB assistance.

11. Chapter officials are not eligible for assistance without verification of a conflict of interest policy and documentation of compliance with said policy.

APPENDIX B: NEW ALLOCATIONS BY YEAR

FISCAL YEAR	NEW ALLOCATION
FY 03	\$1,122,466.00
FY 04	\$920,613.00
FY 05	\$1,191,725.00
FY 06	\$1,422,398.00
FY 07	\$1,948,314.00
FY 08	\$1,960,000.00
FY 09	\$2,394,643.00
FY 10	\$2,853,627.00
FY 11	\$1,346,498.00
FY 12	\$1,815,312.00
FY 13	\$2,466,467.00
FY 14	\$2,409,215.00
FY 15	\$2,715,952.00
FY 16	\$2,595,250.00
FY 17	\$1,212,212.16
FY 18	\$1,203,239.04
FY 19	\$453,442.56
FY 20	\$877,590.72
FY 21	\$606,656.64
FY 22	\$406,138.56
FY 23	\$840,438.72
FY 24	\$1,192,533.12

APPENDIX C: APPROVED FUNDING BY NUMBER AND CATEGORY

AMOUNT & NUMBER	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023
Building Improvements	353,053 4	33,497 3	367,809 3	572,643 5	370,720 3	336,250 3	\$160,000 1
Housing Assistance	351,335 13	401,444 11	502,919 30	414,105 16	469,772 14	445,607 14	\$564,481 17
Planning	--	15,000 1	14,608 1	--	--	5,600 1	--
Utility Improvements	1,269,550 9	340,205 5	223,448 8	285,845 3	22,858 3	17,094 1	\$630,641 4
Transportation	--	48,757 1	--	300,000 1	--	--	--
Equipment	--	--	--	12,000 1	--	--	--
Public Safety	5,000 1	--	--	--	--	--	--
Other	15,000 1	1,919,436 7	--	--	--	--	--
TOTAL	1,993,938 28	2,758,339 28	1,108,785 42	1,584,593 26	863,350 20	804,551 19	\$840,439 22

APPENDIX D: UNTF POLICIES

[Link to UNTF Rules](#)

APPENDIX E: APPLICATION CHECKLIST

NAVAJO REVITALIZATION FUND APPLICATION CHECKLIST

FOR ALL PROJECTS

SUBMITTED**APPLICATION PROPOSAL SHEET (JOINT WITH UNTF)**

Completed application, including NRF being specifically named, with clients named, and estimated project dates.

LINK TO APPLICATION

SCOPE OF WORK

Detailed scope of work, naming all clients and including relevant project dates.

CHAPTER RESOLUTION

Relatively recent resolution, dated, naming clients, signed by chapter officials, and includes NRF request being specifically named.

BIDS (optional but recommended)

FOR NEW HOME CONSTRUCTION

TENTATIVE WORK SCHEDULE

Estimate of project phases and timeline

HOME SITE LEASE

Complete, signed, and legal homesite lease, naming the applicant.

HOME DIAGRAM / FLOORPLAN

Drawing showing the size and general layout of the home.

*Note: This checklist is for reference purposes and does **not** need to be submitted with the project application materials.*

All projects are encouraged to request matching funding through the Navajo Trust Fund. Requests for new home construction must comply with NRF housing policies and applicable chapter policies and guidelines.

APPENDIX F: REPORTING FORM

NAVAJO REVITALIZATION FUND (NRF) PROJECT REPORT FORM

ENTITY / CHAPTER	CONTRACT NUMBER	PERSON FILLING OUT FORM	REPORT DATE
PROJECT EVALUATED		ESTIMATED % COMPLETE	

SCOPE OF WORK

DESCRIPTION OF WORK COMPLETED TO THIS POINT

ATTACH IMAGES (INCLUDE BEFORE PHOTOS, AND OTHER PHOTOS TO DOCUMENT THE SCOPE OF WORK)

APPENDIX H: RESOLUTION ON ELECTRONIC MEETINGS

The following provisions govern any meeting at which one or more Board members appear electronically, pursuant to Section 52-4-207:

- (1) The Administrator or their designee may establish an electronic meeting.
- (2) Any Board member may request an electronic meeting for a Board meeting.
- (3) Any such request shall be made not less than three business days prior to a meeting. The Administrator or designee may shorten this time frame upon a determination of a reasonable need.
- (4) A request for an electronic meeting may be denied if the equipment necessary to accommodate the request, including arrangements for each Board member to view all relevant documents, is not available at the time and date of the meeting.
- (5) If one or more members of the Board intend to participate electronically, public notices of the meeting shall so indicate. The meeting notice shall specify the anchor location where the Board members not participating electronically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (6) Notice of the meeting and the agenda shall be posted at the anchor location and shall comply with Section 52-4-202.
- (7) Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting. The notice shall describe how a Board member may participate in the meeting electronically.
- (8) A Board member attending electronically shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the Board.
- (9) The Board chair shall identify for the record all those who are appearing electronically. The Chair shall confirm votes by members of the Board who are not at the physical location of the meeting.