

NRF REVITALIZATION BOARD MEETING

Tuesday, June 11, 2024 - 3:30 PM

Virtual Meeting via Zoom: <https://utah-gov.zoom.us/j/85985413878>

Anchor Location: 140 E 300 S, Salt Lake City, UT 84111

APPROVED MEETING MINUTES

Board Members Present

Evan Curtis, Chairman

Silvia Stubbs, San Juan County
Commissioner

Jamie Harvey, San Juan County
Commissioner

Curtis Yanito, Navajo Utah Commission
Chair

Martha Saggboy, Mexican Water Chapter
President, Representing Navajo Chapter
Presidents (*Joined 3:51, left 3:55*)

Staff and Guests Present

Tony Dayish, Utah Navajo Trust Fund
Administrator

Maury Bergman, Utah Navajo Trust Fund
Financial Manager

Stephanie Holly, Navajo Utah Commission

Clarence Rockwell, Executive Director,
Navajo Utah Commission

Chris Pieper, Assistant Attorney General

John Nakai, Utah Navajo Trust Fund
Construction Manager

Nikisha Black – Utah Navajo Trust Fund

Rose Dandy, Utah Navajo Trust Fund

Dustin Jansen, Utah Division of Indian
Affairs

Hamilton Clark – Aneth Chapter

Shannon Lowe -

Colleen Slim – Red Mesa Chapter

Ronalda Joe – Red Mesa Chapter Staff

Gordon Folgheraiter – Vice-President,
Navajo Mountain Chapter

Janell Quiroz, HCD Administrative Assistant

Jennifer Domenici, HCD Assistant Director

Carver Black, DWS Financial Manager

Trevin Morgan, DWS Contracting

Michael Mowes, DWS Program Specialist

Paul Moberly, DWS Program Manager

Welcome & Introductions

Chairman Evan Curtis officially called the Navajo Revitalization Fund (NRF) In-Person Board meeting to order at 3:48pm, on Tuesday, June 11, 2024, virtual meeting with an anchor location at the DWS Offices, Anchor Location: 140 E 300 S, Salt Lake City, UT 84111.

Chairman Curtis asked for those in attendance on zoom to introduce themselves, with board members going first. There was a quorum present with Chairman Evan Curtis, Commissioner Silvia Stubbs, Commissioner Jamie Harvey, and Curtis Yanito in attendance at the beginning of the meeting. Martha Saggboy joined at 3:51, but dropped off due to lack of cell signal at 3:55. She intermittently was in the meeting as her cell phone signal allowed.

2. Approval of Minutes [5:55]

The draft minutes from the March 27, 2024 Navajo Revitalization Fund Board meeting were presented. The chair called the question:

Commissioner Silvia Stubbs made and Mr. Curtis Yanito seconded the motion to approve the minutes for the board meeting held on March 27, 2024. The motion carried as approved with affirmative votes by Commissioner Silvia Stubbs, Martha Saggboy, Commissioner Jamie Harvey and Chairman Evan Curtis.

3. Fund Report [5:56]

Carver Black, DWS Finance Manager reviewed the chapter's unallocated chapter account balances as of 6/3/2024:

CHAPTER	AVAILABLE
Aneth	226,637
Dennehotso	67,035
Mexican Water	246,392
Navajo Mountain	346,285
Oljato	950,721
Red Mesa	81,582
Teecnospos	169,100
Non-Chapter	-
Interest	397,339
TOTAL	2,485,091

Curtis Yanito asked a question about admin allocation and board member per diem. Carver Black stated that state code provides a set amount for board members, and that administrative funds are 3%. Paul Moberly incorrectly stated that it was 2% (post meeting Carver verified it is up to 4%). Curtis Yanito asked that the information be sent to him.

Board Business

4.a Expiring Grants - Renewals Requested [9:40]

Mr. Moberly presented the list of expired grants contained in the board packet, with the grants expiring on 6/31/2024. The list contained suggested board actions for each, including renewal for two years. Mr. Moberly reviewed interactions with Navajo Utah Commission and Red Mesa Chapter about their respective projects. Commissioner Harvey asked about the number of Red Mesa projects. Chairman Curtis asked if all the projects were active. Mr. Moberly confirmed that all projects, except for one proposed to allow to expire, were active.

The chair called the question:

Commissioner Jamie Harvey made, and Commissioner Silvia Stubbs seconded, the motion to approve processing the renewals as presented in the packet, renewing the expired grants as presented for two years and allowing those suggested to expire to lapse. The motion carried as approved with affirmative votes by Commissioner Silvia Stubbs, Commissioner Jamie Harvey, Curtis Yanito and Chairman Evan Curtis, with Martha Saggboy absent.

4.b Policy change - \$85,000 max per housing project [13:30]

Chairman Curtis reviewed that the board had discussed this item in previous meetings and invited Mr. Moberly to present the policy change proposal. Mr. Moberly presented that currently the policy is "*Funding for each home is limited to \$85,000 in NRF funds.*" He reviewed that the board previously talked about adopting UNTF's cost per sqft calculation. He clarified that it is a policy and not a rule, which has different adoption requirements. Curtis Yanito asked a question about if the board can approve projects when there is a dispute in some way on the project. Chairman Curtis asked Mr. Moberly to respond. Mr. Moberly stated there isn't a policy in place specifically about disputes, and said practice has been to wait and clarify information for the board. Commissioner Harvey stated that all funding requests to NRF come through the chapters and the chapters review and approve projects. Curtis Yanito clarified that he wanted to know if it is in policy. Mr. Moberly stated he would review policy and provide any references to disputed items to Mr. Yanito after the meeting. Chairman Curtis asked how UNTF handles situations in dispute. Tony Dayish responded that according to their policy they stop temporarily, examine the situation, contact the chapter and land department, once they get clearance from chapter or land department they proceed. Chairman Curtis asked if there was a specific cost per square foot amount. Mr. Moberly responded that he recommends it mirrors UNTF's policy. Commissioner Harvey commented

on his concern that projects begin with a specific cost and receive funding at that level, then due to increasing prices, once bids are received, the costs are higher. He supports a policy change to help with this. Mr. Moberly asked how often the UNTF changes the costs. Tony Dayish stated the amounts change annually and it will be \$110 per square foot for FY2025.

The chair called the question.

Commissioner Jamie Harvey made, and Commissioner Siliva Stubbs seconded, the motion to approve changing the policy to change the policy language to follow the UNTF cost per square foot funding limitation. The motion failed with affirmative votes by Commissioner Silvia Stubbs, Commissioner Jamie Harvey, and Chairman Evan Curtis, with Curtis Yanito abstaining and Martha Saggboy absent.

Chris Pieper reviewed statute on the motion, confirming that approving a motion requires all four members present to affirm a motion. Chairman Curtis asked Mr. Moberly to draft language of a policy change and provide to the board ahead of the next board meeting.

5. Project Applications [28:32]

5.a Navajo Mountain - New Home - Teddy Bitsinni & Pearlinda Folgheraiter [28:45]

Chairman Curtis asked Mr. Moberly to present the project. Mr. Moberly presented that the project is a \$40,000 request for the construction of a 1230 sqft (44' - 28', 3 Bedroom, 2 Bath) home for Teddy Bitsinni & Pearlinda Folgheraiter. He stated that UNTF is matching \$90,000.

The chair called the question:

Commissioner Jamie Harvey made, and Commissioner Silvia Stubbs seconded, the motion to approve the project as presented. The motion carried as approved with affirmative votes by Commissioner Silvia Stubbs, Commissioner Jamie Harvey, Curtis Yanito and Chairman Evan Curtis, with Martha Saggboy absent.

5.b Red Mesa - Home Addition - Kenneth & Colleen Slim [30:10]

Chairman Curtis asked Mr. Moberly to present the project. Mr. Moberly presented that the project is a \$22,639.74 request for a 12' x 12' addition for Kenneth & Colleen Slim, including a kitchen and bathroom renovation, foundation, subflooring, framing walls, doors & windows, siding & insulation, kitchen cabinets, electrical and plumbing, and kitchen and bathroom appliances. He stated that UNTF is matching \$18,592.17.

The chair called the question:

Mr. Curtis Yanito made, and Commissioner Jamie Harvey seconded, the motion to approve the project as presented. The motion carried as approved with affirmative votes by

Commissioner Silvia Stubbs, Commissioner Jamie Harvey, Curtis Yanito and Chairman Evan Curtis, with Martha Saggboy absent.

5.c Navajo Utah Commission - Utah Chapter Housing Project - Additional Funding [32:00]

Chairman Curtis asked Mr. Moberly to present the project. Mr. Moberly presented that the project is a \$120,000 of interest funding requested to supplement the Utah Chapter Housing Project, matching funding from Olene Walker Housing Loan Fund and previously approved \$300,000 non-chapter funds. Chairman Curtis confirmed that it was additional funding. Commissioner Harvey asked if the funding was for the current or next fiscal year. Carver Black responded that this was current fiscal year interest and the new allocation of funding comes in the Fall. Chairman Curtis asked if this was expanding the scope. Mr. Moberly stated they were accumulating funding to build all seven homes. Chairman Curtis asked if the Olene Walker Housing Funds were approved for this project. Mr. Moberly and Mr. Black responded that it was previously approved.

The chair called the question:

Commissioner Jamie Harvey made, and Commissioner Silvia Stubbs seconded, the motion to approve the project as presented. The motion carried as approved with affirmative votes by Commissioner Silvia Stubbs, Commissioner Jamie Harvey, Curtis Yanito and Chairman Evan Curtis, with Martha Saggboy absent.

5.d Red Mesa - Power Connection for Linda & Alice Nelson [35:24]

Chairman Curtis asked Mr. Moberly to present the project. Mr. Moberly presented that the project is a \$5,127.25 requested to construct an overhead powerline to the home of Linda & Alice Nelson. No UNTF funds are matching on this project and that he was informed immediately prior to the meeting that the homesite lease was in probate. Chairman Curtis confirmed that it was for a powerline only. Commissioner Harvey asked if the homesite lease probate was completed or not and amended. Chairman Curtis asked Tony Dayish to review the situation of the homesite lease. Mr. Dayish stated that the probate has not been completed. The homesite is still owned by the parents and is in process of being transferred to one of their children. Chairman Curtis asked how long probate could take. He stated anywhere from 6 months to 6 years. Ronald Joe from Red Mesa said she has been in contact with the applicants and that the probate never happened and Alice Nelson is still on the homesite lease. Commissioner Harvey stated that he thinks this is the type of situation Mr. Yanito asked about earlier in the meeting. Commissioner Harvey asked if the board would violate any rules if this was approved. Mr. Moberly stated that NRF does not have rules, but policies require a finalized legal homesite lease. Chris Pieper stated that the statute does not speak to this issue, and

that the board may impose conditions on the motion if they have concerns. Mr. Moberly clarified the language on the policy. Commissioner Stubbs commented that family members are living in the home and can benefit from electricity. Curtis Yanito commented that people transferring homesite leases can apply to a judge and receive a written statement making it legal. Tony Dayish asked Ronalda for more information. Ronalda Joe responded they have been renovating their home for many years and needed help to connect their electricity, and the homesite lease is still in Alice's name. Chairman Curtis confirmed that the homesite lease is still in Alice's name who lives in the home.

The chair called the question:

Commissioner Jamie Harvey made, and Mr. Curtis Yanito seconded, the motion to approve the project as presented. The motion carried as approved with affirmative votes by Commissioner Silvia Stubbs, Commissioner Jamie Harvey, Curtis Yanito and Chairman Evan Curtis, with Martha Saggboy absent.

6. Board Member Issues

6.a Proposed Meeting Schedule [45:50]

Chairman Curtis presented the proposed upcoming meeting dates, Friday, September 27, 2024 @ 11:00 (in person - joint with UNTF board in Blanding) Friday, stating that he couldn't make the September 27th date, and that the intent is to coordinate and have the meeting on the same day as the UNTF board. He proposed either September 20th or October 4th for the next meeting, asking those board members present who were open to any of those times. Staff is to work with UNTF staff to schedule the next meeting.

7. Adjournment

Chairman Curtis entertained a motion to adjourn.

Curtis Yanito made and Commissioner Jamie Harvey seconded, a motion to adjourn. The motion carried unanimously as approved and the meeting adjourned at 4:38pm.

Submitted by Paul Moberly