

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24TH NAVAJO NATION COUNCIL -- FOURTH YEAR, 2022

AN ACTION RELATING TO HEALTH EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; APPROVING THE DILKON MEDICAL CENTER TRANSFER AGREEMENT BETWEEN THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE AND THE WINSLOW INDIAN HEALTH CARE CENTER, INC.; AND AUTHORIZING THE WINSLOW INDIAN HEALTH CARE CENTER, INC. TO ASSUME OPERATION AND MAINTENANCE OF THE DILKON MEDICAL CENTER AFTER WINSLOW INDIAN HEALTH CARE CENTER, INC., ACCEPTANCE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has authority to provide legislative oversight on matters involving health, to establish Navajo Nation policy governing health, to review and recommend resolutions relating to health. 2 N.N.C. §§ 400(A), (C)(1), 401(B)(2), 401(B)(6).
- B. The Naabik'íyáti' Committee is authorized to approve contracts with the United States Department of Interior for the implementation of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 450 et seq. (Pub. L. 93-638, as amended). 2 N.N.C. § 701(A)(12).
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council and has the power to coordinate all federal programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to the Navajo Nation, and to review and continually monitor the programs and activities of the federal departments to serve the Navajo People and the Navajo Nation through intergovernmental relationships between the Navajo Nation and such departments. 2 N.N.C. §§ 700(A), 701(A)(4)(7).

SECTION TWO. FINDINGS

- A. The Winslow Indian Health Care Center (WIHCC) is a non-profit corporation chartered under Navajo Nation law and authorized by the Navajo Nation Council by Resolution on July 21, 2010, the Navajo Nation by Resolution Nos. CJY-33-10 and NABID-97-18 as a "tribal organization," authorized to operate federally

funded health care programs, services, functions and activities in and near the eight (8) Chapters of Leupp, Bird Springs, Teesto, White Cone, Dilkon, Tolani Lake, Jeddito and Indian Wells. The Navajo Nation supported the WIHCC in the compacting for the planning, design and construction of the new Dilkon Alternative Rural Health Center. Resolution No. CJY-33-10 (with its Exhibit A) is attached hereto as **Exhibit A**, Resolution NABID-97-18 (without exhibits) is attached hereto as **Exhibit B**, and Resolution NABIO-88-16 (without exhibits) is attached hereto as **Exhibit C**.

- B. On May 15, 2019, the Resources and Development Committee by Resolution RDCM-013-19 approved a Lease (IHS Lease No. 102-19-1002) for 43.13 acres, more or less, of Navajo Nation Trust Lands between the Navajo Nation and the U.S. Department of Health and Human Services Indian Health Service (IHS) within the Dilkon Chapter, Navajo Nation. The lease is for the Dilkon Medical Center (DMC) and staff quarters. Resolution RDCMY-013-19 (without exhibits) is attached hereto as **Exhibit D**.
- C. On February 10, 2021, the Resources and Development Committee by Resolution RDCF-06-21 approved a Lease (IHS Lease No. 102-21-1002) for 32.27 acres, more or less, of Navajo Nation Trust Lands between the Navajo Nation and IHS within the Dilkon Chapter, Navajo Nation. The lease is for the DMC staff quarters. Resolution North Site Staff Quarters and structures RDCF-06-21 is attached hereto as **Exhibit E** (without exhibits).
- D. In October 2018, IHS and WIHCC entered into a Title V Construction Project Agreement, Modification No. 3, attached hereto as **Exhibit F**, regarding the DMC under which WIHCC compacted with IHS to design and construct the DMC and associated staff quarters and to address ownership and operation of the DMC upon completion of the project. Within the Agreement, Modification No. 3, IHS and WIHCC addressed ownership, operation and maintenance of the DMC as follows:

The IHS will assume ownership of the DMC upon completion of construction and acceptance (substantial completion) of the DMC by WIHCC and IHS.

At any time after the execution of the TVCPA Modification No. 3, the WIHCC may submit a Tribal Resolution from the Navajo Nation to IHS stating:

- a. The Navajo Nation will own the new DMC after WIHCC and IHS acceptance (substantial completion), or

- b. The Navajo Nation authorizes WIHCC to own the DMC after WIHCC acceptance (substantial completion), and
- c. The Navajo Nation authorizes the WIHCC to assume operation and maintenance (O&M) of the DMC after WIHCC acceptance (substantial completion).

After acceptance (substantial completion) of the [DMC], and provision of a Navajo Nation Resolution as outlined above, a transfer agreement will be executed to transfer title of the [DMC] to either the Navajo Nation or the WIHCC, as authorized in the Navajo Nation Resolution. IHS will retain all funds and responsibility for the O&M of the [DMC] until such time as those funds and responsibilities are transferred to WIHCC under the ISDEAA.

Page 5 and 6, Section K, Title V Construction Project Agreement, Modification No. 3.

- E. Upon consideration of the options for ownership, and operations and maintenance of DMC, WIHCC had decided to pursue options "b" [The Navajo Nation authorizes WIHCC to own the DMC after WIHCC acceptance (substantial completion)], and "c"

[The Navajo Nation authorizes the WIHCC to assume operation and maintenance (O&M) of the DMC after WIHCC acceptance (substantial completion)]. By Resolution No. WIHCC-2021-08, the WIHCC Board of Directors requested the Navajo Nation for a land lease, and authority to take ownership, and to operate and maintain the DMC and all associated facilities upon acceptance (substantial completion), attached hereto as Exhibit G. In a letter dated June 7, 2021, Robert Salabye, President of the WIHCC Board of Directors, submitted the Board resolution and requesting WIHCC the Navajo Nation for a land lease, ownership, and to operate and maintain the DMC and all associated facilities, attached hereto as Exhibit H.

- F. The Secretary of Health and Human Services, the Grantor acting pursuant to Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93-638, as amended, and the Winslow Indian Health Care Center, Inc., the Grantee, are preparing to enter into a Transfer Agreement transferring title to the Dilkon Medical Center, including all South Site Staff Quarters, and North Site Staff Quarters and structures, to the Winslow Indian Health Care Center, Inc. The Transfer Agreement will be entered into after the Secretary of Health and Human Services receives this Navajo Nation Council resolution.

- G. The purpose of this resolution is for the Navajo Nation to authorize a Transfer Agreement as provided by paragraph "b" in the October 2018, IHS and WIHCC Title V Construction Project Agreement, Modification No. 3, **Exhibit F**, thereby transferring ownership of the properties described in the Transfer Agreement, and to authorize the WIHCC to assume operation and maintenance (O&M) of the DMC after WIHCC acceptance (substantial completion) as provided by paragraph "c" in the October 2018 Agreement, **Exhibit F**.
- H. The transfer involves transferring ownership of the Dilkon Medical Center (DMC), South Site Staff Quarters, and the North Site Staff Quarters and structures.
- I. The Navajo Nation desires and encourages the U.S. Department of Health and Human Services Indian Health Service and the Winslow Indian Health Care Center to work together for the transfer of the ownership of the Dilkon Medical Center, the South Site Staff Quarters, and the North Site Staff Quarters and structures in a cooperative and expeditious manner for the benefit of the Navajo people.
- J. The transfers are supported by the WIHCC, local Navajo Nation Chapters and other health care entities. The supporting resolutions are attached hereto as **Exhibit I**.
- K. The leases described in **Exhibits A and B** are not affected by this resolution. The process for amending, modifying or terminating those leases are through the authority of the Resources and Development Committee pursuant to 2 N.N.C. § 501(B) (2).
- L. It is in the best interest of the local Navajo communities, surrounding Navajo Nation Chapters, and the Navajo Nation for the Navajo Nation to authorize the Transfer Agreement thereby authorizing WIHCC to own, operate and maintain the DMC, the South Site Staff Quarters, the North Site Staff Quarters and structures in Dilkon Chapter, Navajo Nation.

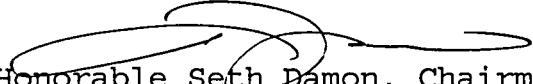
SECTION THREE. APPROVAL

In accordance with **Exhibit F**, the October 2018, IHS and WIHCC Title V Construction Project Agreement, Modification No. 3, the Navajo Nation hereby authorizes a Transfer Agreement between the Secretary of Health and Human Services, the Grantor, acting pursuant to Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93-638, as amended, and the

Winslow Indian Health Care Center, Inc., the Grantee, transferring title to the Dilkon Medical Center including all South Site Staff Quarters, North Site Staff Quarters and structures, to the Winslow Indian Health Care Center, Inc. The Navajo Nation further authorizes WIHCC to assume operation and maintenance (O&M) of the DMC after WIHCC acceptance (substantial completion).

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24th 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 17 in Favor, and 01 Opposed, on this 9th day of June 2022.


Honorable Seth Damon, Chairman
Naabik'íyáti' Committee

6.10.22

Date

Motion: Honorable Vince R. James
Second: Honorable Pernell Halona

Chairman Seth Damon not voting

A

CJT-33-10

RESOLUTION OF THE
NAVAJO NATION COUNCIL

AN ACTION

RELATING TO HEALTH AND INTERGOVERNMENTAL RELATIONS; AUTHORIZING EXISTING AND FUTURE QUALIFYING TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTORS, TO ENTER INTO TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH CAPACITY BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2020, AND ESTABLISHING A PROCEDURE FOR ADDITIONAL TITLE I CONTRACTORS TO ENTER INTO TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED)

BE IT ENACTED:

1. The Navajo Nation Council hereby authorizes the Winslow Indian Health Care Center, Inc., the Tuba City Regional Health Care Corporation and the Utah Navajo Health Systems Inc., as tribal organizations for the purpose of managing and operating under Title V, the Indian Self-Determination Act (P.L. 93-638, as amended), all programs, functions, services and activities (PFSAs) for which those tribal organizations currently contract or are eligible, including planning, design and construction projects within each tribal organizations' service area, under Title I of the Indian Self-Determination Act (P.L. 93-638, as amended), beginning October 1, 2010 and ending September 30, 2020, provided, however, that the decision whether and when to enter Title V Self-Governance shall be within the sole discretion of each tribal organization's Board of Directors and nothing in this resolution shall affect the tribal organizations' existing authority to operate under Title I, the Indian Self-Determination Act (P.L. 93-638, as amended), contracts if they choose to continue under Title I. Nothing in this Resolution shall affect or amend Resolutions CAP-35-02 and CJN-35-05.

2. The Navajo Nation Council further conditions the revocable authorizations set forth herein and the revocable authorization, and authority for approval of participation in Title V, the Indian Self-Determination Act (P.L. 93-638, as amended), Self Governance, of additional tribal organizations as set forth herein upon the complete and continuing compliance of the tribal organizations with all conditions set forth in the form of Exhibit "A".

CJY-33-10

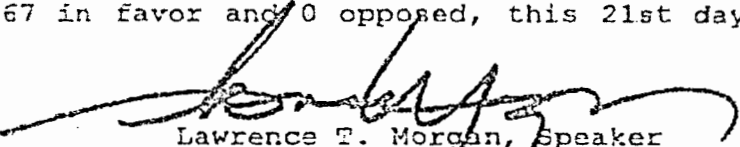
3. In authorizing Winslow Indian Health Care Center, Inc., Tuba City Regional Health Care Corporation, Inc., and Utah Navajo Health Systems, Inc. to participate in Title V Self-Governance, the Navajo Nation Council finds that each of these tribal organizations has satisfactorily completed a planning phase, which has included legal and budgetary research, internal tribal government planning and organizational preparation relating to the administration of the health care programs each tribal organizations operates.

4. The Navajo Nation Council hereby specifically delegates to the Intergovernmental Relations Committee, the authority to approve of additional tribal organizations' participation in Title V, the Indian Self-Determination Act (P.L. 93-638, as amended), upon a recommendation for approval by the Health and Social Services Committee, and each of the Navajo Nation Chapters which will be served under the Title V, Indian Self-Determination Act (P.L. 93-638, as amended), Compact and Funding Agreement; provided, that no additional tribal organizations shall be approved by the Intergovernmental Relations Committee, to operate under Title V in the absence of a recommendation for approval by the Health and Social Services Committee, and each of the Navajo Nation Chapters which will be served under the Title V agreement. The Navajo Nation Chapter Resolutions from the Chapters served by the Winslow Indian Health Care Center Inc., Tuba City Regional Health Care Corporation Inc., and Utah Navajo Health Systems Inc., are attached as Exhibit "B".

5. Nothing in this Resolution shall affect or amend Resolutions CAP-35-02 and CJN-35-05 in the form of Exhibit "C".

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 67 in favor and 0 opposed, this 21st day of July, 2010.


Lawrence T. Morgan, Speaker
Navajo Nation Council

26 July 10
Date

Motion: GloJean Todacheene
Second: Amos Johnson

[REDACTED]

EXHIBIT "A"

Navajo Nation Conditions for Health Care Self-Governance Tribal Organizations

The conditions set forth below are intended to be ongoing. Full compliance with the conditions set forth below is a pre-requisite for continuing authorization from the Navajo Nation for participation in Title V, The Indian Self-Determination Act (P.L. 93-638, as amended), Self-Governance. Notwithstanding the above, the Navajo Nation and the Health Care Self-Governance Tribal Organizations shall cooperate under the principles of Ke' to ensure that the health care needs of all Navajo citizens are fully met.

1. The Health Care Self-Governance Tribal Organization must qualify as a participant under the Indian Self-Determination Act (P.L. 93-638, as amended) by:
 - (A) completing, to the satisfaction of the Navajo Nation Council, a planning phase as described under the Act and which includes:
 - (1) legal and budgetary research; and
 - (2) internal tribal government planning and organizational preparation relating to the administration of health care programs.
 - (B) requesting participation in Title V, Self-Governance, by resolution by the governing body of the Navajo Nation; and
 - (C) demonstrating financial stability and financial management capability for the 3 fiscal years immediately preceding the application for Title V, Self-Governance.
2. The Health Care Self-Governance Tribal Organization shall maintain its eligibility for third party payments under the Centers for Medicare and Medicaid Services (CMS).
3. The Health Care Self-Governance Tribal Organization shall maintain continued accreditation by a nationally recognized accreditation program.
4. The Health Care Self-Governance Tribal Organization shall operate and administer their Self-Governance Compact programs under the oversight of the Health and Social Services Committee and pursuant to the authority of the Navajo Nation. The Health Care Self-Governance Tribal Organization shall appear before and report to the Health and Social Services Committee and the Navajo Nation Council when requested to do so.

5. The Health Care Self-Governance Tribal Organization shall maintain compliance with all monitoring and reporting requirements duly established by the Health and Social Services Committee, including:
 - (A) The Health Care Self-Governance Tribal Organization shall submit copies of all final Federal Single Audit Act audit reports, including Audited Financial Statements, and final audit-survey reports issued by its nationally recognized accreditation organization(s) and all associated corrective action plans to the Health and Social Services Committee with copies to the Navajo Nation Division of Health.
 - (B) The Health Care Self-Governance Tribal Organization shall provide copies of the Self Governance Compact and all Annual Funding Agreements to the Navajo Nation Division of Health.
 - (C) The Health Care Self-Governance Tribal Organization shall provide copies of its Annual Report to the Health and Social Services Committee with copies to the Navajo Nation Division of Health. The format, and criteria, and due date of the Annual Report shall be determined by the Health and Social Services Committee.
6. The Health Care Self-Governance Tribal Organization shall maintain continued compliance with all applicable Navajo Nation laws and regulations, including, but not limited to, the Navajo Preference in Employment Act.
7. The Health Care Self-Governance Tribal Organization shall maintain compliance with all applicable Navajo Nation health care policies and priorities duly adopted by the Health and Social Services Committee.
8. The Health Care Self-Governance Tribal Organization will consult and cooperate with the Navajo Nation Division of concerning the public health needs and programs of the Navajo Nation.
9. The Health Care Self-Governance Tribal Organizations and Navajo Nation Division of Health shall timely develop an on-going written policy for consultation on matters of public health and have such policy approved by the Health and Social Services Committee.
10. The Health Care Self-Governance Tribal Organizations and Navajo Nation Division of Health and Navajo Nation Department of Emergency Medical Service shall enter Memorandum of Understandings for the Navajo Nation's use and occupancy of Health

Care Self-Governance Tribal Organization facilities as long as such use and occupancy does not interfere with direct care services.

11. The Health Care Self-Governance Tribal Organization in its dealings with the federal and state government, be it lobbying, advocacy, litigation, or negotiating efforts, shall only take positions or make arguments consistent with official published Navajo Nation positions.
12. The Health Care Self-Governance Tribal Organization shall not directly charge any tribal member for health care services nor charge the Navajo Nation Employee Benefit Plan or Workers Compensation Plan for health care services provided to a covered tribal member unless the Indian Health Service would be able to charge the tribal member for the same service under the same circumstances unless otherwise authorized by the Navajo Nation Council.
13. The Health Care Self-Governance Tribal Organization shall provide direct patient care to all Native American eligible users unless otherwise authorized by the Navajo Nation Council.

NABID-97-18

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ACCEPTING THE RECOMMENDATION OF THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND GRANTING THE DESIGNATION OF "TRIBAL ORGANIZATION" TO THE WINSLOW INDIAN HEALTH CARE CENTER FOR A PERIOD OF FIFTEEN (15) YEARS, FOR THE PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING THE WINSLOW INDIAN HEALTH CARE CENTER TO NEGOTIATE AND ENTER INTO TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS AND TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND CONTINGENT ON CONTINUING COMPLIANCE WITH ALL TERMS AND CONDITIONS AS APPROVED BY THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. Pursuant to Navajo Nation Council Resolution CJY-33-10 and the Navajo Nation Code at 2 N.N.C. Section Five (5) "References to previous Standing Committees" which states in part "References in the Navajo Nation Code....to Government Services and Intergovernmental Relations Committees shall mean the Naabik'iyáti' Committee..." See Exhibit No. 1.
- B. The Naabik'iyáti' Committee of the Navajo Nation Council exercises the authority to authorize and approve additional tribal organizations that have received the recommendation and approval of the Health, Education and Human Services Committee of the Navajo Nation Council. See Exhibit No. 1.

SECTION TWO. FINDINGS

- A. The Winslow Indian Health Care Center has requested to be designated a "tribal organization" for a period of twenty-five (25) years, for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended). As found within Exhibit No. 2.

- B. The Winslow Indian Health Care Center serves the Navajo Nation Chapters of Dilkon, Tolani Lake, Teesto, Leupp, Tsidi To'ii, Jeddito, Indian Wells and White Cone.
- C. The Winslow Indian Health Care Center proposal for designation of "Tribal Organization" has been endorsed by separate resolutions adopted by all the named respective Chapters. See Exhibit No. 2.
- D. The Health, Education and Human Services Committee of the Navajo Nation Council through Resolution HEHSCJY-28-18, has found it to be in the best interest of the Navajo Nation to approve and recommend to the Naabik'iyáti' Committee of the Navajo Nation Council that the Winslow Indian Health Care Center be given the revocable designation of "tribal organization" for a period of fifteen (15) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended), attached as Exhibit No. 3 and subject to the Terms and Conditions as found therein.
- E. The Naabik'iyáti' Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation, upon approval and recommendation of the Health, Education and Human Services Committee (Committee), to approve giving the Winslow Indian Health Care Center the revocable designation of "tribal organization" for a period of fifteen (15) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance with the Terms and Conditions as approved and adopted by the Committee attached hereto as Exhibit No. 3 and also as found at Exhibit B within Exhibit No. 2.

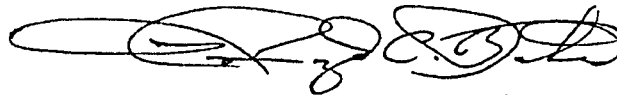
Section Three. Approval

- A. The Naabik'iyáti' Committee of the Navajo Nation Council, upon approval and recommendation of the Health, Education and Human Services Committee (Committee), hereby approves giving the Winslow Indian Health Care Center the revocable

designation of "tribal organization" for a period of fifteen (15) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance with the Terms and Conditions as approved and adopted by the Health, Education and Human Services Committee attached hereto as Exhibit No. 3 and also as found at Exhibit B within Exhibit No. 2.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd 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 09 in Favor, and 00 Opposed, on this 27th day of December 2018.

A handwritten signature in black ink, appearing to read 'LoRenzo C. Bates', with a stylized flourish at the end.

LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee

Motioned: Honorable Davis Filfred
Second : Honorable Nelson S. BeGaye

Chairman LoRenzo C. Bates not voting

Pursuant to § 700 (D), A quorum of the committee shall be satisfied by the presence of two (2) members of each Standing Committee or a majority of delegates of the Navajo Nation Council.

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL



23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI'; SUPPORTING THE WINSLOW INDIAN HEALTH CARE IN COMPACTING FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE NEW DILKON ALTERNATIVE RURAL HEALTH CENTER

WHEREAS:


1. The Health, Education and Human Services Committee (HEHSC) is a standing committee of the Navajo Nation Council. It is empowered to review and recommend resolutions regarding certain matters, including health, education and social services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012); see also CO-45-12.
2. The Naabik'íyáti' Committee of the Navajo Nation Council, among other duties and responsibilities, "coordinate[s] all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to the Navajo Nation. 2 N.N.C. §701(A)(4).
3. Funds from the Indian Health Service (IHS) will be used to construct a new health facility in Dilkon, Navajo Nation (Arizona) - the Dilkon Alternative Rural Health Center.
4. The Winslow Indian Health Care Center, Inc. (WIHCC) is seeking compacting for the planning, design and construction of the new Dilkon Alternative Rural Health Center. The WIHCC is a self-governance tribal organization within the Navajo Nation. See Exhibit "A."
5. White Cone, Leupp, Tolani Lake, Indian Wells and Tsidi To ii (Birdsprings) chapters are recommending and supporting the Winslow Indian Health Care Center, Inc. (WIHCC) is seeking compacting. See documents included with Exhibit "A."

NOW THEREFORE BE IT RESOLVED:

The Navajo Nation supports the Winslow Indian Health Care Center, Inc. (WIHCC) in compacting for planning, design and construction of the new Dilkon Alternative Rural Health Center.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd 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 12 in favor and 0 opposed, this 13th day of October 2016.



LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Amber Crotty
Second: Honorable Walter Phelps

EXHIBIT

D

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- First Year, 2019

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE DILKON LAND LEASE FOR 43.13 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE DILKON CHAPTER VICINITY, NAVAJO NATION (NAVAJO COUNTY, ARIZONA)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A).
- B. The Resources and Development Committee of the Navajo Nation Council has authority to give final approval of all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations. 2 N.N.C. § 501 (B)(2).

SECTION TWO. FINDINGS

- A. United States of America Department of Health and Human Services Indian Health Service has submitted a request for a lease to occupy 43.13 acres, more or less, on Navajo Nation Trust Lands in Dilkon, Arizona. The proposed Lease is attached hereto as **Exhibit 1**.
- B. The proposed Lease of 43.13 acres, more or less, is described in **Exhibit 2**.
- C. The land was withdrawn in 1978 through Resolution ACAP-41-78. The Resolution is attached hereto as **Exhibit 3**.

- D. Environmental and archaeological studies and clearances have been completed and are attached hereto and incorporated herein by this reference. The Environmental Assessment is attached hereto as **Exhibit 4**. The Biological Resources Survey is attached hereto as **Exhibit 5**. The Cultural Resources Survey is attached hereto as **Exhibit 6**. The Navajo Nation Environmental Protection Agency memorandum is attached hereto as **Exhibit 7**.
- E. The Lease for the United States of America Department of Health and Human Services Indian Health Service use of 43.13 acres, more or less, in the vicinity of Dilkon Chapter has completed an Executive Official Review with various Departments and Programs providing approval and supplemental comments. Executive Official Review Document No. 012027 is attached hereto as **Exhibit 8**.

SECTION THREE. APPROVAL

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves a Lease for the United States of America Department of Health and Human Services Indian Health Service, for 43.13 acres, more or less, of Navajo Nation Trust Lands in the Dilkon Chapter vicinity, Navajo Nation (Navajo County, Arizona). The location is more particularly described on the survey maps attached as **Exhibit 2**.
- B. The Navajo Nation hereby approves the Lease subject to, but not limited to the Terms and Conditions in the Lease attached hereto as **Exhibit 1**.
- C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to implement the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting at the Leupp Chapter House, Leupp, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, and 0 opposed, on this 15th day of May 2019.



Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Thomas Walker, Jr.
Second: Honorable Wilson C. Stewart, Jr.

Chairperson Rickie Nez not voting.



RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
24th Navajo Nation Council --- Third Year, 2021

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE DILKON LAND LEASE FOR 32.27 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE DILKON CHAPTER VICINITY, NAVAJO NATION (NAVAJO COUNTY, ARIZONA)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A).
- B. The Resources and Development Committee of the Navajo Nation Council has the authority to grant final approval for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations. 2 N.N.C. § 501 (B)(2).

SECTION TWO. FINDINGS

- A. United States of America Department of Health and Human Services Indian Health Service has submitted a request for a lease to occupy 32.27 acres, more or less, on Navajo Nation Trust Lands in Dilkon, Arizona. See attached **Exhibit 1**. The proposed Lease is attached hereto as **Exhibit 2**.
- B. The proposed Lease 32.27 acres, more or less, is described in **Exhibit 3**.
- C. The land was withdrawn in 1978 through Resolution ACAP-41-78. The Resolution is attached hereto as **Exhibit 4**. Chapter resolutions supporting the Dilkon IHS Health Center site development are attached as Exhibit 5 (Dilkon Chapter - DIL-02-089, Indian Wells Chapter, Jeddito Chapter, Teesto Chapter, Tsidi To'ii Chapter, Leupp Chapter - LP11-020-2014, and Tolani Lake Chapter - TL-03-10-15).

- D. Environmental and archaeological studies and clearances have been completed and are attached hereto and incorporated herein by this reference. The Environmental Assessment is attached hereto as **Exhibit 6**. The Biological Resources Survey is attached hereto as **Exhibit 7**. The Cultural Resources Survey is attached hereto as **Exhibit 8**. The review of the Navajo Nation Environmental Protection Agency is attached hereto **Exhibit 9**.
- E. The Lease for the United States of America Department of Health and Human Services Indian Health Service use of 32.37 acres, more or less, in the vicinity of Dilkon Chapter has completed an Executive Official Review with various Departments and Programs providing approval and supplemental comments. Executive Official Review Document No. 015231 is attached hereto as **Exhibit 10**.

SECTION THREE. APPROVAL

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves a Lease for the United States of America Department of Health and Human Services Indian Health Service, for 32.27, for 32.27 acres, more or less, of Navajo Nation Trust Lands in the Dilkon Chapter vicinity, Navajo Nation (Navajo County, Arizona). The location is more particularly described on the survey maps attached as **Exhibit 3**.
- B. The Navajo Nation hereby approves the Lease subject to, but not limited to the Terms and Conditions in the Lease attached hereto as **Exhibit 2**.
- C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to implement the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting held by a teleconference for which a quorum was present and that same was passed by a vote of 5 in favor, and 0 opposed, on this 10th day of February 2021.

A handwritten signature in black ink, appearing to be 'R. Nez'.

Rickie Nez, Chairperson
Resources and Development Committee
of the 24th Navajo Nation Council

Motion: Honorable Thomas Walker, Jr.
Second: Honorable Wilson C. Stewart, Jr.

Chairperson Rickie Nez not voting.



**Dilkon Health
Center Project
Dilkon, Arizona**

**Modification No. 3 to
P.L. 93-638, Title V, Subpart N
Construction Project Agreement**

Between the
Winslow Indian Health Care Center, Inc., and the
Indian Health Service

Project No. NA16WI154C7
Contract No. 102-18-V-0020
October 2018

The purpose of this Modification No. 3 is to incorporate the following into the Title V Construction Project Agreement (TVCPA) with the Winslow Indian Health Care Center, Inc., (WIHCC) for the Dilkon Health Center (DHC) project:

1. Construction phase activities, as described in Section D of this modification,
2. Staff quarters site planning activities for a new quarters site, and
3. A program space POR Amendment to add cafeteria space as IHS unsupportable space.

This TVCPA is hereby amended as follows:

1. **SECTION A. AUTHORITY**, shall be amended as follows:

Add the following to Attachment A:

Navajo Nation Notice of Intent letter dated June 25, 2018.

2. **SECTION B. INTRODUCTION**, shall add the following:

Division of Facilities Planning and Construction	=	DFPC
Program of Requirements	=	POR
Program of Requirements-Quarters	=	POR-Q

3. **SECTION C. TYPE OF TVCPA**, no changes

4. **SECTION D. WIHCC PROJECT RESPONSIBILITIES**, shall be amended as follows:

Add construction to all references in this Section to design responsibilities for completing the new DHC.

The construction scope of work includes construction of the new health center as approved by IHS in the final design documents, and provision of all commissioning, equipment, local utilities, personnel training, TERO, Navajo Nation taxes, Arizona taxes (if assessed/paid), and cultural arts.

It is understood by both parties that "local utilities" are defined as follows:

- a. Limited local sewage lagoon and/or water main upgrades as required for adequate sewage treatment capacity and potable water, fire flow and storage, to service the DHC and proposed staff quarters potable water, fire protection, and waste disposal requirements. The construction cost of these water and sewer improvements is estimated in the FBE at \$750,000.
- b. Limited high-voltage electrical transmission upgrades and improvements as required to adequately service the DHC and proposed staff quarters. The construction cost of these electrical transmission improvements is estimated in the FBE at \$3,000,000.
- c. Limited digital data communication system upgrades and improvements as required to adequately service the DHC and proposed staff quarters sites. The construction

cost of these data communication system improvements is estimated in the FBE at \$500,000.

- d. Limited natural gas line upgrades and improvements as required to adequately service the DHC and proposed staff quarters sites. The construction cost of these natural gas system improvements is estimated in the FBE at \$650,000.

It is understood by both parties that WIHCC has full flexibility to manage and re-allocate the full project budget and individual sub-budgets should the costs listed above vary from the FBE estimates.

The WIHCC will establish and lead a Project Leadership Team (PLT) for the construction phase to facilitate communication between all stake holders.

The WIHCC shall be responsible for all construction and outfitting for the new DHC, including all cultural arts, local utilities, and medical equipment planning and procurement within the not to exceed amount of \$122,313,279. WIHCC is not required to perform beyond the amount of funds provided as stipulated in 42 CFR § 137.350. The construction and outfitting of the DHC shall be compliant with all applicable statutes, codes and standards. Construction and outfitting of the DHC shall materially comply with the IHS approved design and construction documents, the approved PJD, and the approved POR (as amended), unless otherwise agreed to by modification to this TVCPA.

WIHCC approved procurement and contracting policies and procedures for construction will be used for solicitation and contracts issued by WIHCC for construction of the DHC.

Consistent with 42 CFR § 127.379 WIHCC agrees to require subcontractors and contractors to comply with the Davis-Bacon Act. The Davis-Bacon Act does not apply to laborers and construction trades workers directly employed by WIHCC or a tribally-owned and operated entity.

Paragraph No. 5 in the original TVCPA including the design to within funding limitation shall be replaced with the following paragraph:

WIHCC agrees to include in its A/E design contract a design to within funding limitation provision that provides for award of a construction contract that does not exceed a design to amount as determined by WIHCC. This amount includes all TERO, state, and local taxes. If bids or proposals are received that exceed the design to amount, the A/E shall perform redesign and other services as are necessary to permit contract award within the design to amount. These additional services shall be performed at no cost to the WIHCC. However, the A/E shall not be required to perform such additional services at no cost to the WIHCC if the unfavorable bids or proposals are the result of conditions beyond its reasonable control.

IHS acknowledges and is supportive of WIHCC's proposal to locate 89 staff quarters units on tribal trust land located across from the DHC site and across Highway 15 contingent upon approval of the Site Selection Evaluation Report Phase II. The WIHCC shall complete all planning phase requirements for the new staff quarters site to include Site Selection Evaluation Phase II and the POR-Q Amendment per IHS criteria and submit all

planning phase deliverables to the Navajo Area for review and approval. Final IHS review and approval of all planning phase deliverables shall be provided by DFPC. Any costs incurred by the WIHCC in completion of the planning phase requirements are eligible to be covered by project funding provided by this TVCPA.

The WIHCC intends to design and construct a cafeteria in conjunction with the DHC project. WIHCC acknowledges the proposed cafeteria is beyond the scope of the approved POR and agrees to provide a draft POR Amendment to IHS to describe the incorporation of the POR Dietary Department space within the proposed WIHCC cafeteria. WIHCC will construct the cafeteria appurtenant to the DHC in conjunction with the health center construction. It is understood that WIHCC is responsible for design and construction of the cafeteria space and will provide all additional funding needed to cover design and construction costs. With the exception of the POR allocated Dietary Department, WIHCC acknowledges the additional cafeteria space and services provided will not be eligible for and will not receive IHS staffing, M&I, and equipment funding and funding for these costs will be provided by WIHCC. WIHCC's proposed POR Amendment will be combined with the staff quarters POR-Q document as described above and will be submitted as one combined POR Amendment proposal to the Navajo Area for initial review and approval. Final review and approval of the combined POR Amendment proposal will be provided by DFPC and the IHS Director.

The current DHC design (at the project 95% design stage) shows reduction of total mechanical department space of approximately 8,125 SF from the amount shown on the POR. WIHCC will modify the design to utilize this excess mechanical space to enclose the roof top air handlers. The final total mechanical space will be in the amount shown in the POR and the total approved POR space of 154,096 square feet and overall project budget remains unchanged.

All other provisions of Section D not modified above remain in full force and effect.

5. SECTION E. IHS PROJECT RESPONSIBILITIES, shall be amended as follows:

At WIHCC's request, IHS will provide technical assistance to WIHCC on any aspect of the construction phase covered by this TVCPA.

6. SECTION F. STANDARDS USED FOR ACCOMPLISHING PROJECTS, shall be amended as follows:

IHS is the Authority Having Jurisdiction (AHJ) until the Navajo Nation issues a Resolution as outlined in Section K in this TVCPA Modification No. 3. The IHS AHJ authorities include interpretation and enforcement of all adopted and amended building and life safety codes for the DHC, and approval to occupy the DHC after acceptance (substantial completion).

7. SECTION G. ENVIRONMENTAL CONSIDERATIONS, no changes

8. SECTION H. SCOPE OF THE PROJECT, shall be amended as follows:

The scope of this TVCPA adds the construction phase activities, that include all construction (as described above) and related services to construct the DHC, commissioning services, local utilities, data service connection, cultural artwork, medical equipment planning and procurement, Furniture Fixtures and Equipment (FF&E), move services as necessary, professional construction/project management and oversight services, and professional architecture and engineering construction contract administration services to complete all construction and outfitting of the DHC and all ancillary work required to deliver a complete and functional health care center that is materially compliant with the IHS approved construction documents. The scope of this TVCPA adds all planning services for the new staff quarters site for 89 staff quarters and to draft the POR-Q, and to draft an amendment to the POR to provide for the inclusion of the POR Dietary Department within the proposed WIHCC cafeteria space, all as described above.

9. SECTION I. ADMINISTRATION OF FUNDS, shall be amended as follows:

I.1 Payments

The IHS will transfer \$122,313,279 to the WIHCC within 10 days after IHS approval of the final construction documents and IHS approval of the POR and POR-Q Amendment outlined in Section D.

I.2 Project Funding

The total not-to-exceed amount for this TVCPA through this Modification No. 3 is:

\$ 6,547,000 Original TVCPA award amount
\$ 294,133 Design Phase - Mod. No. 1
\$ 0 Mod. No. 2 to add helipad design work
\$122,313,279 Construction Phase - Mod. No. 3
\$129,154,412 Total TVCPA funding

10. SECTION J. DURATION OF AGREEMENT AND PROJECT SCHEDULE, shall be amended as follows:

Project construction activities are anticipated to begin in June 2019 and be completed in December 2021.

11. SECTION K. OWNERSHIP AND OPERATIONS & MAINTENANCE (O&M) INFORMATION, shall be amended as follows:

IHS will assume ownership of the DHC upon completion of construction and acceptance (substantial completion) of the DHC by WIHCC and IHS.

At any time after the execution of this TVCPA Modification No. 3, the WIHCC may submit a Tribal Resolution from the Navajo Nation to IHS stating:

- a. The Navajo Nation will own the new DHC after WIHCC and IHS acceptance (substantial completion), or

- b. The Navajo Nation authorizes the WIHCC to own the DHC after WIHCC acceptance (substantial completion), and
- c. The Navajo Nation authorizes the WIHCC to assume operation and maintenance (O&M) of the DHC after WIHCC acceptance (substantial completion).

After acceptance (substantial completion) of the DHC, and provision of a Navajo Nation Resolution as outlined above, a transfer agreement will be executed to transfer title of the DHC to either the Navajo Nation or the WIHCC, as authorized in the Navajo Nation Resolution. IHS will retain all funds and responsibility for the O&M of the DHC until such time as those funds and responsibilities are transferred to WIHCC under the ISDEAA.

12. SECTION L. WIHCC AND SECRETARY DESIGNATED OFFICIALS, shall be amended as follows:

The Secretary's designated official for this TVCPA for Administrative is:

Melissa Warmath, Contracting Officer
Acting OEHE Chief of Acquisitions
Division of Engineering Services
214-767-3517
melissa.warmath@ihs.gov

13. SECTION M. SITE VISITS, shall be a new Section added to the TVCPA as follows:

WIHCC agrees IHS may conduct monthly site visits during construction. The purpose of each site visit is for IHS to observe progress, observe completed work for general compliance with the TVCPA, and offer any technical assistance to the WIHCC for the overall benefit of the project. IHS agrees to provide WIHCC at least a 7-day prior notice of each site visit and secure WIHCC approval for all participating IHS staff.

14. SECTION N. STATE OF ARIZONA TAX, shall be a new Section added to the TVCPA as follows:

IHS shall retain the project budgeted State of Arizona taxes, including but not limited to sales, excise, fuel, vehicle, and transaction privilege taxes, in the amount of \$6,659,815 because this tax may not be assessed by the State of Arizona for construction completed by a Federally recognized Indian Tribe. IHS shall retain these project funds for the DHC project during the entire construction phase. Should State of Arizona taxes be paid or otherwise included in the project costs at any time during the construction phase, WIHCC shall notify IHS and provide documentation to support the amount of taxes being paid or otherwise assessed the project construction activities. WIHCC will then request a Modification to the TVCPA for the transfer of funds retained by IHS for DHC Arizona state taxes, and IHS shall reimburse WIHCC for all Arizona taxes paid in completing the DHC.

15. SECTION O. ACCEPTANCE, shall be a new Section added to the TVCPA as follows:

WIHCC will provide IHS the opportunity to review the final commissioning report and the final test and balance report. In addition, WIHCC will provide IHS with an opportunity to attend and participate in any formal project closeout reviews and inspections established by WIHCC for project substantial completion and final acceptance. WIHCC agrees to require a one-year warranty from their general contractor from the date of acceptance (substantial completion).

16. **APPENDICES**, Appendix E shall be amended as follows:

The Facilities Budget Estimating System (FBES) for the DHC was updated in FY 2018. The FBES update dated March 27, 2018, is added to this TVCPA. Note the following:

The 3/27/18 FBES total cost for the DHC is listed at \$170,154,780.87. This amount was adjusted to account for the \$14,400,000 contribution by the Navajo Nation for the 39-mile off-site water line. The adjusted DHC cost was rounded to \$155,700,000, which is the amount listed on the IHS Five Year Plan published on April 3, 2018. The construction phase amount of \$122,313,279 listed in Item 6, Section I above was determined as follows:

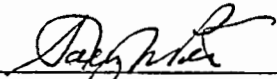
Total DHC Design and Construction Project Budget as listed on the IHS Five Year Plan dated 4/3/18	\$155,700,000 A
Project Funding Obligated/Expended and Not TVCPA Eligible	
WIHCC TVCPA for design	\$6,841,133
39 mile waterline - IHS construction portion	\$15,000,000
39 mile waterline - IHS/SFC design costs	\$350,000
State tax - These funds remain with IHS since they will be waived under 638 construction	\$6,659,815
TERO tax 0.5% adjustment from FBE 1.5% as confirmed by the NN	\$1,091,773
Subtotal	\$29,942,721 B
Work not included in 638 TVCPA	
Demolition/Abatement - escalated cost includes design	\$3,444,000
Subtotal	\$3,444,000 C
Total DHC Construction TVCPA Amount	\$122,313,279 A-(B+C)

All provisions of the Original TVCPA through Modification No. 2, and not modified by this Modification No. 3, shall remain in full force and effect.

FOR THE WINSLOW INDIAN HEALTH CARE CENTER:

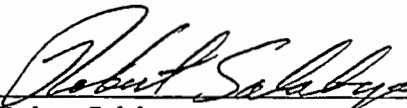
RECOMMENDED BY:

10/31/18
Date


Sally N. Pete
Executive Officer

APPROVED BY:

Oct. 31, 2018
Date


Robert Salabye
President, Board of Directors

FOR THE INDIAN HEALTH SERVICE:


RECOMMENDED BY:

11/2/18
Date

Michael R.
Weaver -S
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ou=IHS, ou=People,
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5, cn=Michael R. Weaver -S
Date: 2018.11.02 05:29:09 -07'00'
Michael R. Weaver, P.E., BCEE
Director
Division of Engineering Services


RECOMMENDED BY:

11/1/2018
Date


Roger Slape, P.E.
Acting Director
Office of Environmental Health & Engineering
Navajo Area Native Health Service

CONCURRED BY:

11/01/2018
Date


Brian K. Johnson, REHS, MPH
CAPT, USPHS
Acting Director
Navajo Area Indian Health Service

APPROVED BY:

6 Nov. 2018
Date

Melissa D.
Warmath -S
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Date: 2018.11.06 09:46:45 -08'00'
Melissa Warmath, Contracting Officer
Acting OEHE Chief of Acquisitions



WINSLOW INDIAN HEALTH CARE CENTER

WIHCC-2021-08



Resolution of the Winslow Indian Health Care Center Board of Directors

REQUESTING AND AUTHORIZING THE WIHCC TO OBTAIN A LEASE FROM THE NAVAJO NATION FOR THE LAND ON WHICH THE DILKON MEDICAL CENTER AND ALL ASSOCIATED FACILITIES ARE LOCATED; ACCEPT OWNERSHIP OF THE DILKON MEDICAL CENTER AND ALL ASSOCIATED FACILITIES; AND OPERATE AND MAINTAIN THE DILKON MEDICAL CENTER AND ALL ASSOCIATED FACILITIES, UPON ACCEPTANCE (SUBSTANTIAL COMPLETION) OF THE DILKON MEDICAL CENTER.

WHEREAS:

1. The Winslow Indian Health Care Center ("WIHCC") is a non-profit corporation chartered under Navajo Nation law and sanctioned and authorized by the Navajo Nation Council as a "Tribal Organization" in Resolution Nos. CJY-33-10 and NABID-97-18 to operate the federally funded health care programs, services, functions and activities in and near the eight chapters of Leupp, Bird Springs, Teesto, White Cone, Dilkon, Tolani Lake, Jeddito and Indian Wells; and
2. In addition to the health care programs and services provided by WIHCC, WIHCC has entered into a Title V Construction Project Agreement ("TVCPA") with the Indian Health Service ("IHS") for the design and construction of the Dilkon Medical Center ("DMC") and the accompanying staff quarters project (hereinafter collectively referred to as "DMC"); and
3. The WIHCC DMC Project Team have taken all actions necessary to ensure successful completion of the DMC on schedule in the fall of 2021 with a projected opening date of early 2022; and
4. At this time, the IHS has leases with the Navajo Nation for the land on which the DMC, and associated facilities, are being constructed.
5. Section K [Ownership and Operations & Maintenance (O & M) Information] of Modification No. 3 to the TVCPA provides that:

The IHS will assume ownership of the [DHC] upon completion of construction and acceptance (substantial completion) of the [DHC] by WIHCC and IHS.

At any time after the execution of the TVCPA Modification No. 3, the WIHCC may submit a Tribal Resolution from the Navajo Nation to IHS stating:

- a. The Navajo Nation will own the new [DHC] after WIHCC and IHS acceptance (substantial completion), or
- b. The Navajo Nation authorizes WIHCC to own the [DHC] after WIHCC acceptance (substantial completion), and
- c. The Navajo Nation authorizes the WIHCC to assume operation and maintenance (O&M) of the DHC after WIHCC acceptance (substantial completion).

After acceptance (substantial completion) of the [DHC], and provision of a Navajo Nation Resolution as outlined above, a transfer agreement will be executed to transfer title of the [DHC] to either the Navajo Nation or the WIHCC, as authorized in the Navajo Nation Resolution. IHS will retain all funds and responsibility for the O&M of the [DHC] until such time as those funds and responsibilities are transferred to WIHCC under the ISDEAA.

5. WIHCC desires to own, operate and maintain the DMC and all associated facilities, equipment, and furniture after acceptance/substantial completion, and
6. To accomplish transfer of the DMC to WIHCC, WIHCC will need a lease with the Navajo Nation; a Navajo Nation resolution authorizing WIHCC to own, operate and maintain the DMC; a transfer agreement with the IHS accomplishing the transfer; and such associated documents as may be necessary to accomplish the lease and transfer agreement.

NOW THEREFORE BE IT RESOLVED THAT:

1. The WIHCC Board of Directors requests and authorizes WIHCC to lease the land on which the DMC and all associated facilities are being constructed; to accept ownership of the DMC and all associated facilities pursuant to a Navajo Nation resolution and IHS transfer agreement as outlined above; to assume operation of the DMC and all associated facilities under its Title V Compact and Annual Funding Agreements; and to maintain the DMC and all associated facilities; and
2. The WIHCC Board of Directors authorizes the Chief Executive Officer and such staff and consultants as she deems necessary to take all actions necessary to obtain a lease with the Navajo Nation for the land on which the DMC and all associated facilities are located; obtain a Navajo Nation resolution authorizing WIHCC to own the DMC and all associated facilities, and to operate the DMC and all associated facilities under its Title V Compact and Annual Funding Agreements, and to assume operation and maintenance of the DMC and all associated facilities upon acceptance (substantial completion).

CERTIFICATION

The WIHCC Board of Directors hereby certifies that the foregoing resolution was duly considered at a duly called meeting of the Winslow Indian Health Care Center at which a quorum was present and that the same was passed by a vote of 8 in favor, 0 opposed, and 0 abstained, this 4 day of June, 2021.


Robert Salabye, Board of Directors President

Motion By: Jerry Freddie

Second By: Rodger Paul



WINSLOW INDIAN HEALTH CARE CENTER



June 07, 2021

Honorable Daniel E. Tso, Chair
Health, Education, & Human Services Committee
Navajo Nation Council
P.O. Box 3390
Window Rock, Arizona 86515

Sent via E-mail to: danieltso@navajo-nsn.gov

Re: Request for Land Lease, Ownership Acceptance, and Operate and Maintain the Dilkon Medical Center and all associated facilities

Dear Honorable Daniel E. Tso:

This letter will serve as a formal request for the Winslow Indian Health Care Center (WIHCC) to obtain a land lease, ownership, and to operate and maintain the Dilkon Medical Center and all associated facilities.

The Dilkon Health Center Project is supported by P.L. 93-638, Title V, Subpart N Construction Project Agreement between the WIHCC and IHS (Project No.: NA16 WI154C7; Contract No.: 102-18-V-0020; October 2018) Indian Health Service. A resolution of the WIHCC Board of Directors requesting the land lease, ownership, and to operate and maintain the Dilkon Medical Center and all associated facilities is attached.

WIHCC has taken all necessary actions to ensure successful completion of the Dilkon Medical Center in the fall of 2021 with a projected opening date of early 2022. We need your assistance in obtaining authority for a land lease, to assume ownership and the operation and maintenance of the Dilkon Medical Center and all associated facilities. If you have questions, please contact Mrs. Sally Pete, CEO at (928)289-6100. Thank you.

Sincerely,

Robert Salabye, President
Board of Directors

Attachments

CC: Health, Education, and Human Services Committee (5), Navajo Nation Council
Roselyn Tso, Director, Navajo Area Indian Health Services
CAPT Brian Johnson, Deputy Director, Navajo Area Indian Health Services
Marquis Yazzie, Director, Office of Indian Self-Determination, NAIHS
Navajo Nation President Jonathan Nez, NNOPVP
Elmer Begay, Council Delegate, Navajo Nation Council
Thomas Walker Jr., Council Delegate, Navajo Nation Council
Vince James, Council Delegate, Navajo Nation Council
WIHCC Board of Directors (7)
Sally N. Pete, CEO, WIHCC
Ray Bedoni, DMC Project Director



HEHSC Meeting
Monday, March 12, 2018
Dilcon School Transportation Conference Room

**RE: WIHCC supporting resolutions for compacting
construction for the Dilkon Health Center**

NUM	ORGANIZATION	RESOLUTION #	DATE APPROVED
1	DHCSC	NONE	JAN 15, 2016
2	LEUPP CHAPTER	LP-02-046-2016	FEB 20, 2016
3	JEDDITO CHAPTER	JEDD-02-21-16-004	FEB 21, 2016
4	DILKON CHAPTER	DIL-03-61-15	MAR 7, 2016
5	TOLANI LAKE CHAPTER	TL-04-1D-16	MAR 11, 2016
6	WHITE CONE CHAPTER	WCC-16-03-004	MAR 16, 2016
7	TEESTO CHAPTER	TEE-MAR-20-16	MAR 21, 2016
8	TSIDI TO'II CHAPTER	TT-04-001-16	APR 26, 2016
9	INDIAN WELLS CHAPTER	IWC-0516-113	MAY 15, 2016
10	TCRHCC	NONE	AUG 11, 2016
11	HEHSC	0266-16	AUG 13, 2016
12	NAABIK'IYATI'	NABIO-88-16	OCT 13, 2016
13	DHCSC & WIHCC BOD	WIHCC-2018-04	FEB 5, 2018
14	DILKON CHAPTER	DIL-2018-02-055	FEB 11, 2018
15	TOLANI LAKE CHAPTER	TL-02-1F-18	FEB 12, 2018
16	TEESTO CHAPTER	TEE-FEB-16-2018	FEB 19, 2018
17	LEUPP CHAPTER	LP 03-050-2018	MAR 8, 2018
18	TSIDI TO'II CHAPTER	TT-02-009-18	FEB 18, 2018

RESOLUTION OF

DILKON HEALTH CENTER

STEERING COMMITTEE

LeRoy Thomas, President
Manuel Shirley, Vice President
Sheila Manuelito, Secretary
Treasurer
Elmer Clark, Planner

Phone: (928) 606-4136
Fax: (929) 657-8017
Email: eclark@nndoh.org


Dilkon Health Center
Steering Committee

Resolution of the Dilkon Health Center Steering Committee

Supporting and Recommending the Compacting of the Design and Construction of the Dilkon Health Center by Winslow Indian Health Care Center, Inc. as Authorized by the Navajo Nation Council Resolution CJY-33-10 on July 21, 2010

WHEREAS:

1. The Dilkon Health Center Steering Committee (DHCSC) has been in existence for approximately 40 years as a grassroots and voluntary organization supported by surrounding southwest chapters to plan, lobby and advocate for the design and construction of the Dilkon Health Center; and
2. The DHCSC is comprised of representatives from District 5 chapters (Leupp, Tsidii Toli and Tolani Lake) and District 7 chapters (Dilkon, Teesto, Indian Wells, White Cone and Jeddito) who are formally elected by its respective chapters and conveyed by chapter resolutions to the DHCSC; and
3. The DHCSC and the Winslow Indian Health Care Center, Inc. (WIHCCI) and its Board of Directors (BOD) have collectively work together on various relevant issues that affect the planning and advocacy for the Dilkon Health Center that include sometimes sensitive issue and political in nature but the entities have managed to maintain a good professional working relationship; and
3. As the funding of the Dilkon Health Center (DHC) is becoming more and more imminent, there are some basic options relating to the design and construction that the Navajo Nation, DHCSC and WIHCCI need to hopefully arrive at a consensus in the design and construction of the DHC including Title V Compacting of the design and construction by WIHCCI as a P.L. 93-638 Title V entity; and
4. The DHCSC and WIHCC Board of Directors, WIHCC Administration, NAIHS staff, Navajo Nation Council Delegates, OPVP representative and other interested parties attended and participated in Title V Compacting Training and Work Session on December 10-11, 2015 at Twin Arrows Casino to gain insight, learn, educate and understand what Title V Compacting entails including the advantages and disadvantages to this option; and
5. The most basic advantages realized include the ability for WIHCCI to design and construct a health center from the communities perspectives, values, needs and priorities; the ability of direct funding; the ability to retain, maintain and apply interest collected from direct funding as the entities see fit and just the overall direct participation in the design, planning and construction of a health care facility of and by the people as a basic principle of self-governance; and
6. After much consideration by the DHCSC membership, the committee arrived at the decision to support the concept of Title V Compacting by the WIHCCI pursuant to the proposed delineation of roles

LeRoy Thomas, President
Manuel Shirley, Vice President
Sheila Manuelito, Secretary
Treasurer
Elmer Clark, Planner

Phone: (928) 606-4136
Fax: (928) 657-8017
Email: eclark@nmdot.org


Dilkon Health Center
Steering Committee

P. 2 1/15/2016 DHCSC Resolution Supporting Compacting of the DHC by the WIHCCI

and responsibilities that reflected an active participation by the DHCSC in the compacting design and construction process as presented by WIHCCI consultants; and

7. The OPVP representative informed both DHCSC and WIHCCI that a report will be provided back to the President and Vice President with the recommendation to convene a meeting between the President and the two entities that would hopefully establish a consensus as a Nation to allow the WIHCCI to compact the design and construction of the Dilkon Health Center; something never done before but the key is a unified front to foster success to realize a dream come true, one that is long overdue, for the Dine People of the Great Southwest Navajo Nation.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Dilkon Health Center Steering Committee hereby declares its support and recommendation to allow the Winslow Indian Health Care Center, Inc., as a P.L. 93-638 Title V entity, to spearhead the design and construction of the Dilkon Health Center as authorized by the Navajo Nation Council Resolution CIY-33-10 acted upon on July 21, 2010.
2. The Dilkon Health Center Steering Committee is confident both the DHCSC and WIHCC Board of Directors, many of whom are former leaders with wealth of knowledge and experience will provide the necessary leadership and oversight in making a success the design and construction of the Dilkon Health Center.
3. The WIHCC Administration and staff have proven its credibility in operating and maturing as a Title I program; and now have operated as a Title V '638 program since 2010 and have gained incredible experience with respect to the have design and construction of a multi-million dollar Medical Office Building.
4. Finally, the Dilkon Health Center Steering Committee requests and recommends to the Navajo Nation President and Vice President; the Navajo Nation Council, the Health, Education and Human Services Committee and the Speaker of the Navajo Nation Council to ultimately support, assist and allow the design and construction of the Dilkon Health Center by the Winslow Indian Health Care Center, Inc. as authorized by the Navajo Nation Council pursuant the resolution CIY-33-10; and to respond to the Indian Health Service and Navajo Area Indian Health Service of this intent to Title V Compact subsequent to letter of funding notification.

LeRoy Thomas, President
Manuel Shirley, Vice President
Shelia Manuelito, Secretary
Treasurer
Elmer Clark, Planner

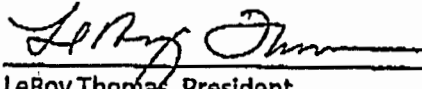
Phone: (928) 606-4136
Fax: (929) 657-8017
Email: eclark@nndoh.org

CERTIFICATION


Dilkon Health Center
Steering Committee

P. 3 1/15/2016 DHCSC Resolution Supporting Compacting of the DHC by the WIHCCI

I, hereby certify that the foregoing resolution was duly considered at a duly called meeting of the Dilkon Health Center Steering Committee at Dilcon Community School, Navajo Nation, Arizona; at which a quorum was present and same was passed with a vote of 4 in favor; none opposed and 1 abstained on this 15th Day of January, 2016.



LeRoy Thomas, President
Dilkon Health Center Steering Committee

Motioned by: Jim Store, Leupp Chapter
Seconded by: Margaret Tom, Tolani Lake Chapter



RESOLUTION OF LEUPP CHAPTER

Russell Begaye
Navajo Nation President

Jonathan Nez
Navajo Nation Vice President

Walter Phelps
Council Delegate (Birdsprings, Cameron,
Coalmine, Leupp, and Tolani Lake Chapters)



Roberta I. Gorman
Leupp Chapter President

Kevin Todachcenic
Leupp Chapter Vice-President

Calvin Johnson
Leupp Chapter Secretary/Treasurer

Allen Jones
Leupp Chapter Grazing Officer

LEUPP CHAPTER

Telephone: (928) 686-3227

CPO Box 5013, Leupp, AZ 86035

Facsimile: (928) 686-3232

RESOLUTION OF THE LEUPP CHAPTER

Western Navajo Agency, Navajo Nation

Resolution No: LP-02-046-2016

SUPPORTING AND RECOMMENDING THAT THE WINSLOW INDIAN HEALTH CARE CENTER ("WIHCC") COMPACT WITH THE INDIAN HEALTH SERVICE ("IHS") FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE DILKON ALTERNATIVE RURAL HEALTH CENTER PURSUANT TO PUB. L. 93-638, AS AMENDED, AND NAVAJO NATION COUNCIL RESOLUTION CJY-33-10.

WHEREAS:

1. Leupp Chapter is a Certified Chapter of the Navajo Nation in accordance to Navajo Tribal Council Resolution CJ-20-55, and further recognized as a local government entity with the responsibility and authority to implement community programs and projects that will benefit the Leupp community; and
2. The Leupp Chapter pursuant to Navajo Nation Code: Title 26, The Navajo Nation Local Governance Act, is a Local Governance Certified Chapter of the Navajo Nation through Resolution No.: LP08-106-2010; and
3. Leupp Chapter as a duly Government Certified Chapter is empowered and authorized to oversee various community business and development with its Chapter boundaries; and
4. The Leupp Chapter is vested with the authority to speak, advocate and act in the best interests of its community, including with respect to health care and related issues; and
5. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
6. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the HIS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct HIS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and

Russell Begaye
Navajo Nation President

Jonathan Nez
Navajo Nation Vice President

Walter Phelps
Council Delegate (Birdsprings, Cameron,
Coalmine, Leupp, and Tolani Lake Chapters)



Roberta I. Gorman
Leupp Chapter President

Kevin Todacheenie
Leupp Chapter Vice-President

Calvin Johnson
Leupp Chapter Secretary/Treasurer

Allen Jones
Leupp Chapter Grazing Officer

LEUPP CHAPTER

Telephone: (928) 686-3227

CPO Box 5013, Leupp, AZ 86035

Facsimile: (928) 686-3232

7. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area" and the DHC is with WIHCC's service area; and
8. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Diklon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
9. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and
10. The Leupp Chapter is well represented by its WIHCC Board of Director and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Diklon Health Center by the WIHCC and DHCSC.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Leupp Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Diklon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.
2. Further, the Leupp Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health.

Russell Begaye
Navajo Nation President

Jonathan Nez
Navajo Nation Vice President

Walter Phelps
Council Delegate (Birdsprings, Cameron,
Coalmine, Leupp, and Tolani Lake Chapters)



Roberta I. Gorman
Leupp Chapter President

Kevin Todacheenie
Leupp Chapter Vice-President

Calvin Johnson
Leupp Chapter Secretary/Treasurer

Allen Jones
Leupp Chapter Grazing Officer

Telephone: (928) 686-3227

LEUPP CHAPTER
CPO Box 5013, Leupp, AZ 86035

Facsimile: (928) 686-3232

3. Finally, the Leupp Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement b and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

CERTIFICATION

I/we hereby certify that the foregoing resolution was duly considered at a duly called chapter meeting at Leupp Chapter, Navajo Nation, Arizona at which a quorum was present and the same was passed with a vote of 22 in favor, 0 opposed and 4 abstained on this 20th Day of February 2016.

Motioned by: Dan Benally

Roberta I. Gorman
Roberta I. Gorman, President

Calvin Johnson
Calvin Johnson, Secretary/Treasurer

Seconded by: Nelson Cady Sr.

Kevin Todacheenie
Kevin Todacheenie, Vice President

Walter Phelps
Walter Phelps, Council Delegate

Allen Jones
Allen Jones, Grazing Official

RESOLUTION OF JEDDITO CHAPTER

THE
NAVAJO
NATION



JEDDITO CHAPTER
P.O BOX 798
KEAMS CANYON, ARIZONA 86034
TEL: (928) 738-2276 Fax: (928) 738-5455



TERRY J. YAZZIE
President

RODGER R. PAUL
Vice President

NANCITA BAHE-NEZ
Secretary-Treasurer

ALTON SHEPHERD
Council Delegate

EDDIE KAIBETONEY
Grazing Member

DONNA BOYD
Community Service Coordinator

VACANT
Accounts Maintenance Specialist

SHEILA BARTON
Community Health Representative

RESOLUTION OF THE JEDDITO CHAPTER
JEDD-02-21-16-004

Supporting and Recommending that the Winslow Indian Health Care Center ("WIHCC") Compact with the Indian Health Service ("IHS") for the Planning, Design and Construction of the Dilkon Alternative Rural Health Center Pursuant to Pub. L. 93-638, as amended, and Navajo Nation Council Resolution CJY-33-10

WHEREAS:

1. The Jeddito Chapter is not a LGA Certified Chapter of the Navajo Nation pursuant to Title 26, Section 3(A) and 1(B) of the Local Governance Act; and
2. The Jeddito Chapter is vested with the authority to speak, advocate and act in the best interests of its community, including with respect to health care and related issues; and
3. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
4. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
5. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and
6. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and

7. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and

8. The Jeddito chapter is well represented by its WIHCC Board of Director and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WIHCC and DHCSC.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Jeddito Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.

2. Further, the Jeddito Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health .

3. Finally, the Jeddito Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

CERTIFICATION

I/we hereby certify that the foregoing resolution was duly considered at a duly called chapter meeting at Jeddito Chapter, Navajo Nation , Arizona at which a quorum was present and the same was passed with a vote of 16 in favor; 0 opposed and 4 abstained on this 21st Day of February , 2016.

Motioned by: Willie Robertson

Seconded by: Troy Ricehill

Terry Yazzie for
Terry Yazzie, Chapter President

RESOLUTION OF DILKON CHAPTER



*Lee Jack, Sr., Council Delegate
Lorenzo Lee, Sr., President
Daryl Lee, Vice President
Rudolf L. John, Secretary/Treasurer
Willie Foster Sr., Grazing Committee Officer
Melanie Janas, Acting Chapter Manager*

DILKON CHAPTER
HCR 63 BOX E • WINSLOW, AZ • 86047

THE NAVAJO NATION

Russell Begaye
PRESIDENT

Jonathan Nez
VICE PRESIDENT



RESOLUTION OF DILKON CHAPTER

DIL-03-61-15

Supporting and Recommending that the Winslow Indian Health Care Center ("WIHCC") Compact with the Indian Health Service ("IHS") for the Planning, Design and Construction of the Dilkon Alternative Rural Health Center Pursuant to Pub. L. 93-638, as amended, and Navajo Nation Council Resolution CJY-33-10

WHEREAS:

1. The Dilkon Chapter is a LGA Certified of the Navajo Nation pursuant to Title 26, Section 3(A) and 1(B) of the Local Governance Act; and
2. The Dilkon Chapter is vested with the authority to speak, advocate and act in the best interests of its community, including with respect to health care and related issues; and
3. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
4. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
5. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and
6. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
7. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and

8. The Dilkon Chapter is well represented by its WIHCC Board of Director and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WIHCC and DHCSC.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Dilkon Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.

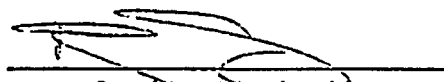
2. Further, the Dilkon Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health .

3. Finally, the Dilkon Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered at a duly called chapter meeting at Dilkon Chapter, Navajo Nation , Arizona at which a quorum was present and the same was passed with a vote of 26 in favor; 0 opposed and 03 abstained on this 7th day of March, 2016.
Motion: Betty Williams; Second: Johnny Kabinto

Presiding Chair:


Daryl Jge, Vice-President

**RESOLUTION OF
TOLANI LAKE CHAPTER**

TOLANI LAKE CHAPTER

Velma Huskey
President

HC-61 Box 3001
Winslow, AZ 86047

Walter Phelps
Council Delegate

Alfred Thomas
Vice President

Phone: (928) 686-3285
Fax: (928) 686-3287

Leslie Williams
Grazing Official

Rena Edwards
Secretary Treasurer

RESOLUTION OF TOLANI LAKE CHAPTER WESTERN NAVAJO AGENCY Resolution No.: TL-04-1D-16

TOLANI LAKE CHAPTER RECOMMENDS AND SUPPORTS THAT THE WINSLOW INDIAN HEALTH CARE CENTER (WIHCC) COMPACT WITH THE INDIAN HEALTH SERVICE (IHS) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE DILKON ALTERNATIVE RURAL HEALTH CENTER PURSUANT TO P.L. 93-638, AS AMENDED, AND NAVAJO NATION COUNCIL RESOLUTION CJY-33-10

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3(A) the Tolani Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government, as Listed in 11 N. N. C., Section 1, and is delegated the authority and responsibility to promote projects that benefit the local community; and
2. Pursuant to 2 N.N.C., Section 4041, 4042 and 4043, Tolani Lake Chapter is vested with all the authority mentioned in Paragraph A, B, C, D, E, F and G. As such the Tolani Lake Chapter is vested with the governmental authority to review all matters affecting the community and to make appropriate recommendations when necessary to the Navajo Nation, Federal, State and other agencies for appropriate actions that are most beneficial to the community; and
3. Tolani Lake Chapter is vested with the authority to speak, advocate and act in the best interests of its community, including with respect to health care and related issues; and
4. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center (DHC) that has been on the Indian Health Service National Priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
5. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title-I contract or a Title V Compact carried out by the WIHCC; and
6. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and
7. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHSC) has voted to support WIHCC compacting the DHC project; and

the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and

8. It has been the Nation's policy and trend to empower and encourage local governance local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and
9. Tolani Lake Chapter is well represented by its WIHCC Board of Director and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WIHCC and DHCSC.

NOW THEREFORE BE IT RESOLVED:

1. The Tolani Lake Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by P.L. 930638 and Navajo Nation Council Resolution CJY-33-10.
2. Further, the Tolani Lake Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health.
3. Finally, the Tolani Lake Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

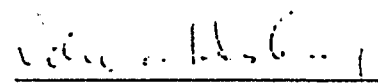
CERTIFICATION


We hereby certify that the Foregoing Resolution was considered and moved for approval by the Tolani Lake Chapter at a dully called meeting at Tolani Lake Chapter, Navajo Nation, (Arizona), at which a quorum was present and that the same was passed by a vote of 16 in favor, 0 opposed, and 1 abstained on the 11 day of March 2016.

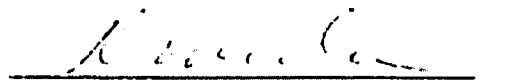
MOTIONED BY: Larry Lewis

SECONDED BY: Alice Patrick

MINUTES BY: Rena M. Edwards


Velma Huskey, President


Alfred Thomas, Vice-President


Rena M. Edwards, Secretary/Treasury


Walter Phelps, Council Delegate

RESOLUTION OF WHITE CONE CHAPTER



WHITE CONE CHAPTER
P.O.BOX 3338
INDIAN WELLS, ARIZONA 86031
TELEPHONE: (928) 654-3900
FAX: (928) 654-3901



JONATHAN LEWIS	HENRY ATTACKAI	FRANCIS K. LESTER	JUSTIN YAZZIE	LEE JACK SR.
CHAPTER PRESIDENT	CHAPTER VICE-PRESIDENT	CHAPTER SECRETARY/TREASURER	GRAZING COMMITTEE MEMBER	COUNCIL DELEGATE

Resolution of the White Cone Chapter

SUPPORTING AND RECOMMENDING THAT THE WINSLOW INDIAN HEALTH CARE CENTER ('WIHCC') COMPACT WITH THE INDIAN HEALTH SERVICE ("IHS") FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE DILKON ALTERNATIVE RURAL HEALTH CENTER PURSUANT TO PUB. 93-638, AMENDED, AND NAVAJO NATION COUNCIL RESOLUTION CJY-33-10

Resolution No. # WCC-16-03-004

WHEREAS:

1. The White Cone Chapter is a LGA Certified of the Navajo Nation pursuant to Title 26, Section 3(A) and 1(B) of the Local Governance Act; and
2. The White Cone Chapter is vested with the authority to speak, advocate and act in the best interest of its community, including with respect to health care and related issues; and
3. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service National Priority List for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
4. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
5. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area" and the DHC is within WIHCC's service area; and
6. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
7. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governance operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and

8. The White Cone Chapter is well represented by its WIHCC Board of Director and/or the DHCS who have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in the Title V compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WHCC and DHCS.

NOW THEREFORE BE IT RESOLVED THAT:

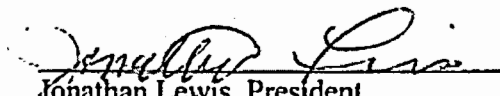
1. The White Cone Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 93-638 and Navajo Nation Council Resolution CJY-33-10.
2. Further, the White Cone Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council and the Navajo Department of Health.
3. Finally, the White Cone Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.


CERTIFICATION


We hereby certify that the foregoing resolution was duly considered at a duly called chapter meeting at White Cone Chapter, Navajo Nation, Arizona at which a quorum was present and the same was passed with a vote 28 in favor, 00 opposed, and 05 abstained this 16th day of March, 2016.


Motion: Betty Attakai

Second Motion: Robert Salabye


Jonathan Lewis, President
White Cone Chapter


Henry Attakai, Vice-President
White Cone Chapter


Francis Lester, Secretary/Treasurer
White Cone Chapter

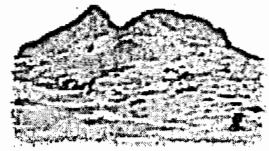

Honorable Lee Jack, Sr., Delegate
23rd Navajo Nation Council

RESOLUTION OF TEESTO CHAPTER



THE
NAVAJO
NATION

TEESTO CHAPTER
P.O. BOX 7385 – Teesto CPU
Winslow, Arizona 86047
Phone: (928) 657-8042 – Fax: (928) 657-8046



"Saddle Butte Mountain"

RESOLUTION OF THE TEESTO CHAPTER
Fort Defiance Agency, The Navajo Nation
RESOLUTION NO.: TEE-MAR-20-16

SUPPORTING AND RECOMMENDING THAT THE WINSLOW INDIAN HEALTH CARE CENTER ("WIHCC") COMPACT WITH THE INDIAN HEALTH SERVICE ("IHS") FOR THE PLANNING, DESIGN AND COSTRUCTION OF THE DILKON ALTERNATIVE RURAL HEALTH CENTER PURSUANT TO PUB. L 93-638, AS AMENDED, AND NAVAJO NATION COUNCIL RESOLUTION CJY-33-10

WHEREAS:

1. Teesto Chapter is a Certified Chapter of the Navajo Nation in accordance to Title 26, Section 103 and Section 102, and further recognized as a local government entity with the responsibility and authority to implement community projects that will benefit the Teesto community; and
2. The Teesto Chapter pursuant to Navajo Nation Code: Title 26, The Navajo Nation Local Governance Act, is a Local Governance Certified Chapter of the Navajo Nation through Resolution No.: TEE-JY-32-10 ; and
3. The Teesto Chapter as a duly Government Certified Chapter is empowered and authorized to oversee various community business and development within its Chapter boundaries; and
4. The Teesto Chapter as a duly Government Certified Chapter is also empowered and authorized to enter into agreements/contracts that address and represent the best interest of its community; and
5. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acres DHC site and infrastructure study; and
6. The Dilkon Health Center is currently budgeted at 173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
7. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and
8. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project, the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of

Elmer Clark, President - LeRoy Thomas, Vice President - Sophia Francis, Secretary/Treasurer - Alberta Yazzie, Grazing Official- Lee Jack, Sr., Council Delegate(Teesto/Dilkon/Indian Wells/Greasewood/Whitecone)



THE
NAVAJO
NATION

TEESTO CHAPTER
P.O. BOX 7385 – Teesto CPU
Winslow, Arizona 86047
Phone: (928) 657-8042 – Fax: (928) 657-8046



"Saddle Butte Mountain"

RESOLUTION NO.: TEE-MAR-20-16

WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10;
and

9. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and
10. The Teesto Chapter is well represented by its WIHCC Board of Directors and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise I Title V Compacting; and who have identified a basic plan of approach I the design and construction of the Dilkon Health Center by the WIHCC and DHCSC

NOW THEREFORE BE IT RESOLVED:

1. The Teesto Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.
2. Further, the Teesto Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health.
3. Finally, the Teesto Chapter requests the Indian Health Services, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Service for the planning, design and construction of the DHC.

CERTIFICATION

We, hereby certify that the foregoing resolution was considered in a duly called Chapter meeting at Teesto, Navajo County, Arizona, at which a quorum was present and the same was passed with a vote of 19 in favor; 0 opposed and 3 abstained on this 21st day of March, 2016.

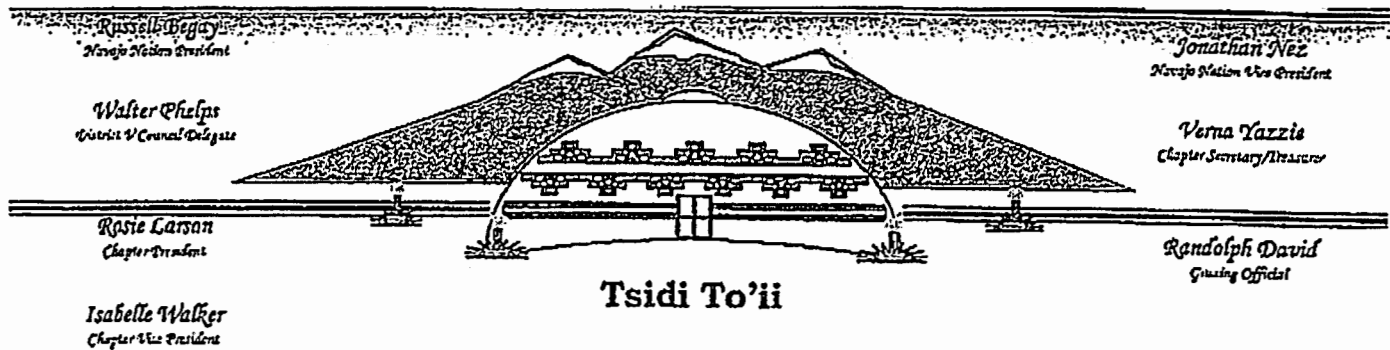
Motion: Luther Lee

Second: Raymond Clark


Elmer Clark, Chapter President

*Elmer Clark, President - LeRoy Thomas, Vice President - Sophia Francis, Secretary/Treasurer - Alberta Yazzie,
Grazing Official- Lee Jack, Sr., Council Delegate(Teesto/Dilkon/Indian Wells/Greasewood/Whitecone)*

**RESOLUTION OF
TSIDI TOII CHAPTER
(BIRDSPRINGS)**



**RESOLUTION OF TSIDI TO'II CHAPTER
WESTERN NAVAJO AGENCY**

Resolution No: TT-04-001-16

SUPPORTING AND RECOMMENDING THAT THE WINSLOW INDIAN HEALTH CARE CENTER ("WIHCC") COMPACT WITH THE INDIAN HEALTH SERVICE ("IHS") FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE DILKON ALTERNATIVE RURAL HEALTH CENTER PURSUANT TO PUB. L. 93-638, AS AMENDED, AND NAVAJO NATION COUNCIL RESOLUTION

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the Tsidi To'ii Chapter is a duly recognized chapter of the Navajo Nation Government, as listed at 11 N.N.C., Part 1, Section 10, and
2. The Tsidi To'ii Chapter is a certified chapter government of the Navajo Nation in accordance with the Navajo Nation Local Governance Act, 26 N.N.C., Section 1 (B); thereby, vested with the authority to protect and promote the general health, safety, and welfare of the Chapter membership; and
3. The Tsidi To'ii Chapter, by virtue of its Local Governance Act (LGA) Certification, is empowered and authorized to enter into cooperative agreements with outside entities that represent solutions that are in the best interest of the community; and
4. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
5. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
6. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and

7. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
8. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and
9. The Tsidi To'ii Chapter is well represented by its WIHCC Board of Director and/or the DHCSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WIHCC and DHCSC.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Tsidi To'ii Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.
2. The Tsidi To'ii Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health.
3. The Tsidi To'ii Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

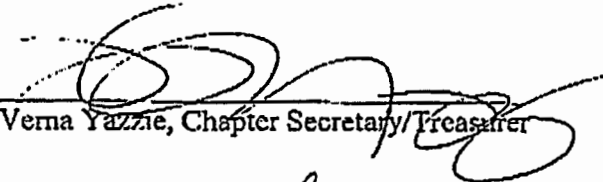
CERTIFICATION

We, hereby, certify that the foregoing resolution was considered at a duly called Chapter meeting at Tsidi To'li Chapter, Navajo Nation, where a quorum was present and that same was passed by a vote of 17 in favor, 0 opposed, and 1 abstained, this 26th day of April, 2016.

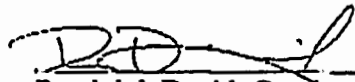
Motion By: Ray Curtis

Second By: John Slowtalker


Rosie Larson, Chapter President


Verna Yazzie, Chapter Secretary/Treasurer

Isabelle Walker, Chapter Vice-President


Randolph David, Grazing Officer


Walter Phelps, Council Delegate

RESOLUTION OF INDIAN WELLS CHAPTER

RUSSELL BEGAYE
NAVAJO NATION PRESIDENT

JONATHAN NEZ
NAVAJO NATION VICE-PRESIDENT

LORENZO BATES
NAVAJO NATION COUNCIL SPEAKER

LEE JACK, SR.
CHAPTER COUNCIL DELEGATE

THE INDIAN WELLS CHAPTER OF THE NAVAJO NATION

ALFRED CLARK
PRESIDENT

HANK HASKIE
VICE-PRESIDENT

ALBERTO L. PESHAKAI
CHAPTER SECRETARY/TREASURER

DOTTIE WILSON
CHAPTER GRAZING OFFICIAL

Resolution of Indian Wells Chapter

Reso. No.: WC-0516-113

Supporting and Recommending that the Winslow Indian Health Care Center ("WIHCC") Compact with the Indian Health Service ("IHS") for the Planning, Design and Construction of the Dilkon Alternative Rural Health Center Pursuant to Pub. L. 93-638, as amended, and Navajo Nation Council Resolution CJY-33-10

WHEREAS:

1. The Indian Wells Chapter is a LGA Certified of the Navajo Nation pursuant to Title 26, Section 3(A) and 1(B) of the Local Governance Act; and
2. The Indian Wells Chapter is vested with the authority to speak, advocate and act in the best interests of its community, including with respect to health care and related issues; and
3. The Dilkon Chapter is host to the proposed Dilkon Alternative Rural Health Center ("DHC") that has been on the Indian Health Service national priority list for health care facilities construction since October, 2006. All IHS DHC planning documents are complete including the 100 acre DHC site and infrastructure study; and
4. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; and
5. The Navajo Nation Council, through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; and
6. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
7. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions; and

8. The chapter is represented by its WIHCC Board of Director and/or the DHSC whom have conducted educational and training sessions to learn about Title V Compacting facilitated by professional consultants who have the credentials and expertise in Title V Compacting; and who have identified a basic plan of approach in the design and construction of the Dilkon Health Center by the WIHCC and DHSC.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Indian Wells Chapter hereby supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by Pub. L. 930638 and Navajo Nation Council Resolution CJY-33-10.
2. Further, the Indian Wells Chapter requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health .
3. Finally, the Indian Wells Chapter requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC.

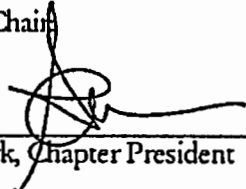
CERTIFICATION

I/we hereby certify that the foregoing resolution was duly considered at a duly called chapter meeting at Indian Wells Chapter, Navajo Nation , Arizona at which a quorum was present and the same was passed with a vote of 14 in favor; 06 opposed and 04 abstained on this 15th day of May, 2016.

Motion: Mary Ann Begay

Second: Melvin Nelson

Presiding Chair



Alfred Clark, Chapter President

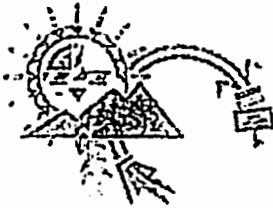
RESOLUTION OF

TUBA CITY REGIONAL

HEALTH CARE

CORPORATION

BOARD OF DIRECTORS



TUBA CITY REGIONAL HEALTH CARE CORPORATION

167 North Main Street, PO Box 600
Tuba City, AZ 86045-0600

**RESOLUTION OF THE
TUBA CITY REGIONAL HEALTH CARE CORPORATION
BOARD OF DIRECTORS**

**SUPPORTING AND RECOMMENDING THAT THE WINSLOW INDIAN HEALTH CARE
CENTER (WIHCC) COMPACT WITH THE INDIAN HEALTH SERVICE (I.H.S.) FOR THE
PLANNING, DESIGN AND CONSTRUCTION OF DILKON ALTERNATIVE RURAL
HEALTH CENTER PURSUANT TO PUBLIC LAW 93-638, AS AMENDED, AND
NAVAJO NATION COUNCIL (NNC) RESOLUTION CJY 33-10**

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution, CJN-35-05; the Tuba City Regional Health Care Corporation is authorized as a tribal organization for the purpose of managing and operating contracts with the Indian Health Service Under Public Law 93-638; *and*
2. Tuba City Regional Health Care Corporation (TCRHCC), a non-profit tribal organization as defined in the Indian Self-Determination Act, Public Law 93-638, maintains operation of the former Navajo Area Indian Health Service (NAIHS) Tuba City Indian Medical Center; *and*
3. The TCRHCC service area within the Western Navajo Agency and Coconino County communities including: Cameron, Bodaway/Gap, Coalmine Canyon, K'ai'bil'To, LeChee, Coppermine, Tonalea, and To'Naneez'Dizi Chapters, and including the Hopi Village of Moenkopi and the San Juan Southern Paiutes of Tuba City, *and*
4. The TCRHCC Regional Health System with a primary patient service population of nearly 32,000 also serves as a Medical Referral Center for over 100,000 patients across the Navajo Nation, including Hopi and San Juan Southern Paiutes. TCRHCC is also the largest referral center serving the Navajo Nation; *and*
5. The TCRHCC has a need to identify, strengthen and develop future health and supportive services and strategies which will benefit elders, family and child services, and other specialty areas including health facilities; *and*
6. The Dilkon Health Center is currently budgeted at \$173 million and it is anticipated that the IHS will notify the Navajo Nation and the WIHCC of the availability of funding for the DHC, and will request the Navajo Nation and the WIHCC to respond within 30 days as to whether they wish to proceed with the design and construction of the DHC by direct IHS design and construction, or by a Title I contract or a Title V Compact carried out by the WIHCC; *and*
7. The Navajo Nation Council through Resolution No. CJY-33-10 authorized WIHCC and other Title V tribal organizations to "design and construct projects within each tribal organizations' service area", and the DHC is within WIHCC's service area; *and*

8. The WIHCC Board of Directors and Management Team have authorized and are recommending to undertake the design and construction responsibility as a Title V Compact project; the Dilkon Health Center Steering Committee (DHCSC) has voted to support WIHCC compacting the DHC project; and the WIHCC BOD and DHCSC have met with both the President and Vice President of the Navajo Nation to request their recognition and support of WIHCC's authority to compact the DHC project pursuant to NNC Resolution No. CJY-33-10; and
9. It has been the Nation's policy and trend to empower and encourage local governance at various levels of governmental operations including schools, health care institutions, chapters and others who are delegated increased oversight and autonomy over local programs and institutions.

THEREFORE, BE IT RESOLVED, THAT:

The Tuba City Health Care Corporation Board of Directors:

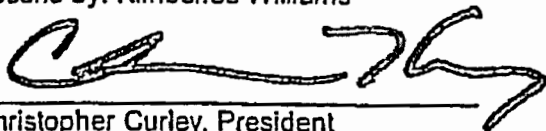
1. Supports and recommends that the Winslow Indian Health Care Center compact with the Indian Health Service for the planning, design and construction of the Dilkon Alternative Rural Health Center as authorized by P.L. 93-638 and Navajo Nation Council Resolution CJY-33-10.
2. Requests and recommends that WIHCC be fully supported in this huge and critically important historic endeavor by the Navajo Nation President and Vice President, the Speaker of the Navajo Nation Council, the Health, Education and Human Services Committee of the Navajo Nation Council, the Navajo Nation Council and the Navajo Department of Health.
3. Requests the Indian Health Service, Navajo Area Indian Health Service and the Navajo Department of Health to provide its support and guidance in and during the negotiations of funding and other necessary agreements in the securing of a Compact Project Funding Agreement by and between WIHCC and the Indian Health Service for the planning, design and construction of the DHC

CERTIFICATION

We, hereby, verify that the foregoing resolution was duly considered at a duly called meeting of the Tuba City Regional Health Care Corporation's Board of Director's meeting at Tuba City, Arizona at which a quorum was present and that the same was passed by a vote of 8 in favor, 0 opposed, 0 abstained, this 11th day of August 2016. (Chair not voting)

Motion by: Tincer Nez, Sr.

Second by: Kimberlee Williams



Christopher Curley, President
TCRHCC Board of Directors

NAVAJO NATION

1279

Naa'bik'iyati' Committee Regular Meeting

6/9/2022

06:26:53 PM

Amd# to Amd#

CONSENT AGENDA: Item A.

PASSED

MOT James, V

-Legislations: 0062-22,0097-22,

SEC Halona, P

0040-22, 0074-22, 0083-22,

0088-22, & 0090-22

Yeas : 17

Nays : 1

Excused : 3

Not Voting : 2

Yea : 17

Begay, K

Daniels

James, V

Tso, O

Begay, P

Freeland, M

Slater, C

Walker, T

Brown

Halona, P

Tso, D

Wauneka, E

Charles-Newton

Henio, J

Tso, E

Yellowhair

Crotty

Nay : 1

Smith

Excused : 3

Stewart, W

Tso, C

Nez, R

Not Voting : 2

Yazzie

Begay, E

Presiding Speaker: Damon