

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - Second Year, 2016

AN ACTION
RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES; RESOURCES AND
DEVELOPMENT; AND BUDGET AND FINANCE COMMITTEES; APPROVING THE HEALTHY
DINÉ COMMUNITY WELLNESS DEVELOPMENT PROJECT GUIDELINE AND
DISTRIBUTION POLICY

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a standing committee of the Navajo Nation Council, with the authority to review and recommend resolutions regarding matters concerning health. See 2 N.N.C. §§ 164 (A) (9), 400 (A), 401 (B) (6) (a) (2015); See also CO-45-12.
- B. The Navajo Nation established the Resources and Development Committee (RDC) as a standing committee of the Navajo Nation Council and RDC serves as oversight of Division of Community Development (DCD). See 2 N.N.C. §§ 500 (A), 501 (C) (1) (2012); See also CJA-03-13.
- C. The RDC and the Navajo Nation Council shall provide legislative oversight over the Community Wellness Development Project Fund Management Plan (FMP) for use within the DCD. See Exhibit A, BFAP-13-15.
- D. The Navajo Nation established the Budget and Finance Committee (B&F) as a standing committee of the Navajo Nation Council and B&F approves fund management plans with the recommendation of appropriate oversight committee, RDC, and affected division or

branch, Division of Community Development. See 2 N.N.C. §§ 300 (A), 301 (B) (14) (2012); See also CJA-03-13.

SECTION TWO. FINDINGS

- A. The Healthy Diné Nation Act of 2014 (Act) was enacted on November 14, 2014 by the Navajo Nation Council and signed into law by the Navajo Nation President on November 21, 2014.
- B. On April 13, 2015, the B&F approved the Community Wellness Development Projects Fund - Fund Management Plan pursuant to 24 N.N.C. § 1020 (2014). See Exhibit A, BFAP-13-15 (Fund Management Plan).
- C. The Fund Management Plan states that the DCD may use any recommendations from Chapters of the Navajo Nation to access the Community Wellness Development Projects Fund. See Exhibit A, BFAP-13-15 (Fund Management Plan).
- D. The Chapters shall specify the eligible projects and eligible matching funds projects to be funded. See Exhibit A, BFAP-13-15 (Fund Management Plan).
- E. The Navajo Nation DCD accordingly put forth a Healthy Dine Nation Community Wellness Development Project Guideline and Distribution Policy in order to begin distribution. See Exhibit B.
- F. The purpose of the Navajo Nation Chapter Project Guideline and Distribution Policy (Guideline) is to allow the DCD to implement the fund allocation of the Healthy Diné Nation Act of 2014, 24 N.N.C. § 1001 and the Fund Management Plan. See Exhibit A, BFAP-13-15 (Fund Management Plan).

G. The funding allocation process states that in order to obtain the fund, the Chapter has to conduct the following:

1. Prepare the necessary budget forms as required by the Navajo Nation Budget Instruction Manuel (BIM), which includes, but not limited to the Project Summary Form, Underwriters Exposure Summary and Budget Form No. 2;
2. Submit a valid Chapter resolution that outlines the CWP and whether the projects will be used to initiate, match and/or improve a CWP. See Exhibit B.

H. The Guideline and Distribution Policy specifies, "[a]fter the General Accounting of the Office of the Controller [the] staff calculates the amount for set-aside, the remaining balance of the Fund shall be deposited into the Wellness Fund for distribution to the Chapters on an annual basis provided the Chapter submits all the required and correct information as noted in Section III." See Exhibit B (Guideline).

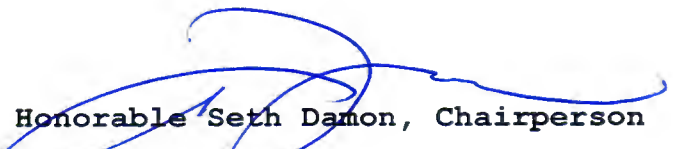
I. It is in the best interest of the Navajo Nation to approve the Community Wellness Development Project Fund Project Guideline and Distribution Policy.

SECTION THREE. PROJECT GUIDELINE AND DISTRIBUTION POLICY APPROVAL

A. The Navajo Nation hereby approves the Community Wellness Development Fund Project Guideline and Distribution Policy as set forth in Exhibit B. The Community Wellness Development Project Guideline and Distribution Policy shall be effective upon approval by the Budget and Finance Committee.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 3 in favor, 1 opposed, this 21st day of June, 2016.



Honorable Seth Damon, Chairperson
Budget and Finance Committee

Motion: Honorable Tom T. Chee

Second: Honorable Tuchoney Slim, Jr.

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL



23RD NAVAJO NATION COUNCIL - First Year, 2015

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT AND BUDGET AND FINANCE,
APPROVING THE COMMUNITY WELLNESS
DEVELOPMENT PROJECTS FUND

BE IT ENACTED:

Section One. Findings

- A. The Navajo Nation Council established the Resources and Development Committee (RDC) as a Navajo Nation standing committee and RDC serve as oversight of Division of Community Development. 2 N.N.C. §§ 500 (A) and 501 (C) (1) (2012) *see also* CJA-03-13.
- B. The Navajo Nation Council established the Budget and Finance Committee (B&F) as a Navajo Nation standing committee and B&F approves fund management plans with the recommendation of appropriate oversight committee, RDC, and affected division or branch, Division of Community Development. 2 N.N.C. §§ 300 (A) and 301 (B) (14) (2012) *see also* CJA-03-13.
- C. Navajo Nation approved the use of the Community Wellness Development Projects Fund to deposit funds from revenue collected from the Healthy Diné Act; once the plan was approved by the Budget and Finance Committee. CN-54-14.
- D. Approving the Community Wellness Development Projects Fund is in the Navajo Nation's best interest.

ORIGINAL

**HEALTHY DINÉ NATION COMMUNITY WELLNESS DEVELOPMENT PROJECTS
FUND MANAGEMENT PLAN**

Table of Contents:

1001. Establishment

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1001. Establishment.

There is hereby established the Healthy Diné Nation Community Wellness Development Projects Fund Management Plan (hereafter "Fund") for use within the Division of Community Development and the Resources and Development Committee of the Navajo Nation Council shall provide legislative oversight.

1002. Purpose.

The purpose of this Fund is to establish a special revenue account, and its necessary sub-accounts, to provide funds to chapters as seed money for leverage to initiate, match, and/or improve "Community Wellness Projects." Community Wellness Projects are Navajo Nation Chapter community-owned wellness projects to address improvements to the physical and social environment of the community to improve health, support health and wellness, and to prevent and/or reduce the incidence of obesity, diabetes, and other health conditions.

1003. Administration.

A. Funding Source

The funding source of this Fund shall be revenue generated from the Unhealthy Foods ("Junk Food Tax") Two-Percent (2%) Tax in accordance with the Healthy Diné Nation Act of 2014.

B. Legislative Oversight

The Resources and Development Committee of the Navajo Nation Council shall be the legislative oversight for funds appropriated under this Fund.

C. Program Management

The Division of Community Development shall have the authority and responsibility to allocate and disburse funds for eligible "Community Wellness Projects" in conformance with Section 1004 and with concurrence by the Resources and Development Committee of the Navajo Nation Council and the Budget and Finance Committee of the Navajo Nation Council.

1004. Fund Management.

A. Fund Accounting

1. The records and books of account for the Fund shall be kept separate, with its own Balance Sheet, Revenue, and Expenditure Statement. This day-to-day Fund accounting shall be performed by the Navajo Nation Office of Controller, in accordance with generally accepted accounting principles.

2. The Division of Community Development, shall monitor the administration of the Fund. The Division of Community Development shall compile accounting reports from the funded chapters. Accounting reports from the funded chapters shall be included as part of the quarterly program reports submitted to the Resources and Development Committee.

B. Funding Eligible Projects

The funds shall be used for “Community Wellness Projects” within the Navajo Nation to improve health; create an environment that supports health and wellness; impact physical and social environment where communities are empowered to take positive action; improve local capacity for wellness and improved health; make healthy food available and easily accessible; provide communities with clean water and recycling centers; reduce rates of chronic diseases such as obesity, diabetes, heart diseases, cancer, etc.; preserve Diné tradition, culture, and language; preserve Diné traditional food; maintain a healthy weight; improve academic achievement of healthy children and youth; generate active and healthy communities; foster well-informed, educated communities about health and wellness to make positive, healthy choices, healthy individuals and families; build a healthy, thriving, and productive workforce; promote healthy businesses; reduce health care costs; to save lives and money; and to allow the people to take ownership of healthy initiatives; to protect and preserve our population for future healthy generations.

1. Allowable projects: Any community-based wellness projects that are planned, implemented, directed, and reported by members of the Navajo Nation communities, which may include:
 - a. Instruction:
 - i. Fitness classes (i.e. Zumba, aerobic, core training, indoor cycling);
 - ii. Traditional, intergenerational, and contemporary wellness workshops (i.e. Navajo philosophical and education teachings, Tai-Chi, Yoga);
 - iii. Health coaching (i.e. healthy eating education, goal-setting, self-care management);
 - iv. Navajo traditional craft classes (i.e. jewelry making, beading, weaving);
 - v. Traditional and non-traditional healthy food preparation workshops (i.e. making chilchin, making blue corn mush, cleaning and prepping corn, pinion preparation, prepping Navajo tea);
 - vi. Healthy food processing workshops (i.e. canning, food safety);
 - b. Equipment:
 - i. Wellness and exercise equipment;
 - ii. Supplies;
 - iii. Storage facilities,
 - iv. Maintenance, conservation, or improvement of any of these projects;
 - c. Built Recreational Environment:
 - i. Walking trails, running trails, biking trails;
 - ii. Skate parks, community parks;

- iii. Picnic grounds;
- iv. Playgrounds;
- v. Basketball and volleyball courts;
- vi. Baseball and softball fields;
- vii. Swimming pools;
- viii. Maintenance, conservation, or improvement of any of these projects;
- d. Social Setting:
 - i. Recreational, health, youth clubs (i.e. Senior Citizen events, walking club);
 - ii. Equine therapy (i.e. activities and interaction with horses, trail rides, introduction to horses, saddling, training,);
 - iii. Maintenance, conservation, or improvement of any of these projects;
- e. Education:
 - i. Health education materials;
 - ii. Presentations;
 - iii. Library;
- f. Community Food and Water Initiatives:
 - i. Healthy food initiatives;
 - ii. Community food cooperatives;
 - iii. Farming and vegetable gardens;
 - iv. Greenhouses;
 - v. Farmers' markets;
 - vi. Clean water initiatives;
 - vii. Clean communities initiatives (i.e., community trash pick-up day);
 - viii. Recycling initiatives;
 - ix. Healthy store improvements (i.e. posting signs for taxable unhealthy foods and tax-exempt healthy foods);
 - x. Agricultural projects (i.e. 4-H activities)
 - xi. Maintenance, conservation, or improvement of any of these projects;
- g. Health Emergency Preparedness:
 - i. First-Aid, CPR, AED certification, etc.
- h. Any matching funds projects funded by federal, state, or county, or public entities, that have not been addressed by the Navajo Nation or other tribal budget programming.

C. Funding Allocation Process

1. Allocation to chapters will be based on 12 N.N.C. §820(O) (i.e. 50/50 formula).
2. Expenditures from this Fund shall not be used for the following Navajo Nation account line items:

Administrative expenses including meetings, conference fees, expenses, stipends, or travel.

3. The distribution to the chapters will be made after the closure of the fiscal year.

4. The Healthy Diné Nation Community Wellness Development Projects Fund Management Plan shall not be deemed to waive or amend any requirements of law.

D. Evaluation and Outcome (reserved).

1006. Effective Date

The effective date of the Fund shall be the date of approval of the Resources and Development Committee of the Navajo Nation Council and the Budget and Finance Committee of the Navajo Nation Council and shall remain in effect until the Navajo Nation Council terminates this Fund by resolution.

1007. Audit Requirement

Independent auditors shall annually audit the Fund as part of the overall audit of the Navajo Nation Government.

1008. Amendments

The Healthy Diné Nation Community Wellness Projects Fund Management Plan may be amended from time to time upon recommendation from the Division of Community Development and the Resources and Development Committee of the Navajo Nation Council and approval from the Budget and Finance Committee of the Navajo Nation Council.

**HEALTHY DINÉ NATION
COMMUNITY WELLNESS DEVELOPMENT
PROJECT GUIDELINE AND DISTRIBUTION POLICY**



DIVISION OF COMMUNITY DEVELOPMENT

**HEALTHY DINE' NATION ACT 2014
NAVAJO NATION CHAPTER PROJECT
GUIDELINE AND DISTRIBUTION POLICY**

I. Purpose: The purpose of the Navajo Nation Chapter Project Guideline and Distribution Policy¹ (Guideline) is to allow the Division of Community Development (DCD) to implement the funding allocation (Fund) of the Healthy Dine' Nation Act 2014 (Act), 24 N.N.C. § 1001 *et. seq.*, and the Community Wellness Development Project Fund Management Plan (Wellness Fund)².

II. Definitions

- A. "Community Wellness Projects" (CWP) shall mean Navajo Nation Chapter community based, community owned wellness projects to address improvement to the physical and social environment of the community because of the need to prevent and/or reduce the incidence of obesity and Type 2 diabetes Mellitus. Projects may include: farming and vegetable gardens; greenhouses; farmers' markets; healthy convenience stores; clean water; clean communities; wellness/exercise equipment and supplies; skate parks; health classes; parks; traditional, intergenerational, and contemporary wellness; traditional and non-traditional healthy food preparation classes; food processing and storage facilities; health food initiatives; community food cooperatives; playgrounds; basketball courts; walking, running, biking trails; picnic grounds, swimming pools; emergency preparedness, agricultural, recreational, health, youth clubs; library; Navajo traditional craft classes, equine therapy, health coaching; and any other community-based wellness projects to address improvement to the physical and social environment of the community that are planned, implemented, directed, and reported by members of the Navajo Nation communities.
- B. "Funding Eligible project" shall mean the projects outlined in Section 1004 (B) of the Wellness Fund (Exhibit A);

III. Funding Allocation Process

- A. In order to obtain the Fund, the Chapter shall conduct the following:
1. Prepare all necessary budget forms as required by the Navajo Nation Budget Instruction Manual (BIM), which includes, but not limited to the Project Summary Form, Underwriters Exposure Summary and Budget Form No. 2;
 2. Submit a valid Chapter resolution that outlines the CWP and whether the projects will be used to initiate, match and/or improve a CWP.
- B. Upon receipt of the required information as provided in Section III(A), the Administrative Service Center (ASC) accountant shall review the budget in the FMIS. If the budget has all the correct information as required by the BIM and the request is in

¹ Navajo Nation Council Resolution No. CN-54-14

² Budget and Finance Committee Resolution No. BFAP-13-15

compliance with the Act and Wellness Fund, the ASC shall submit the budget to Office of Management and Budget and Office of the Controller (OOC) for processing.

C. Upon approval of the budget, the ASC shall inform the Chapter, in writing, and the Chapter shall prepare the following for distribution of the Fund:

1. Disbursement Memo to DCD; and
2. Request for Direct Payment (RDP);

IV. Administration of Fund: Upon receipt of the Fund, the Chapter shall conduct the following:

- A. Use the Fund for Funding Eligible Projects and cannot be used for meetings;
- B. Implement the Funding Eligible Projects;
- C. Expend the Fund within a FY.
- D. Provide annual report to the Navajo Nation Division of Health and DCD. The annual report shall include CWP, expenditures, number of participants, achievement of project objectives/timelines, and outcome of participation. The annual report shall be submitted 30 days after the reporting Fiscal Year.

V. Distribution Policy

- A. After General Accounting of OOC staff calculates the amount for set-aside, the remaining balance of the Fund shall be deposited into the Wellness Fund for distribution to the Chapters on an annual basis provided the Chapter submits all the required and correct information as noted in Section III.
- B. The DCD is delegated administrative responsibility for the distributions and shall use the 50/50 distribution formula as provided in 12 N.N.C. § 820(O).

VI. Misappropriated or Misused Fund: If it is determined that the Chapter staff or officials misappropriated or misused Fund, the matter shall be referred to the Office of Ethics and Rules. The Navajo Nation shall also stop the misuse or misappropriation and retrieve any money or value in accordance with applicable Navajo Nation laws and policies.

VII. Severability: The provisions of this Guideline are severable and if any provision of this Guideline, or its application to any person or circumstance is held invalid by a final judgment of the Navajo Nation Court, such decision shall not affect the validity of the remaining portions of the Guideline.

VIII. Amendments: This Guideline may be amended upon recommendation by DCD and concurred by the Resource and Development Committee and the Budget and Finance Committee.