

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Approval of Authority to Apply for the FY 2006 HUD Indian Community Development Block Grant and Other Grants and Loans to construct the Shiwoye Bigowa Nursing Facility Near the Indian Health Whiteriver Hospital)

- WHEREAS,** a substantial number of members of the Tribe receive long-term health care at facilities located at great distances from the Fort Apache Reservation; and
- WHEREAS,** the White Mountain Apache Tribe does not have a skilled, long-term health care facility; and
- WHEREAS,** the Tribal Council has found that it is in the best interests of member patients and their families to have a Shiwoye Bigowa “Our Elder’s Home” Nursing Facility (“SBNF”), which would provide an essential community need by housing elderly Apache in need of skilled, long-term health care; and
- WHEREAS,** in order to establish an SBNF and ensure compliance with all applicable Federal, State and Tribal regulations and standards, the Tribe will work with the United States Department of Health and Human Services and the Arizona Health Care Cost Containment System (AHCCS); and
- WHEREAS,** the Tribal Council understands that sufficient funds are available through the Indian Community Development Block Grant (ICDBG) of the United States Department of Housing and Urban Development (HUD) to fund the construction of a SBNF, but the ICDBG program requires the Tribe to supplement the application with its own funds; and
- WHEREAS,** the Tribe, with a qualified architect, has developed a preliminary project design and cost-analysis to support an application for necessary ICDBG funds; and
- WHEREAS,** the Tribe has included an effective Maintenance and Operation plan in the attached application; and
- WHEREAS,** the Tribe has sufficient policies and procedures for procurement, financial management and internal controls according to applicable guidelines and regulations set forth under Code of Federal Regulation (“CF”) 24 part 85 and part 1003; and
- WHEREAS,** the ICDBG does require compliance with 25 CFR part 135, Economic Opportunities for Low and Very Low Income Persons, and the Indian

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Preference requirements listed in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 4503(b)); and

WHEREAS, a budget has been developed, as attached and incorporated by this reference, by the Department of Grants and Projects, which projects a total cost of \$3,847,235 of which \$2,750,000 will be provided by the HUD ICDBG and at least \$1,097,235 will be provided in-kind by the Tribe, including at least \$385,000 in donated land and waived fees of \$233,830 and

WHEREAS, the Tribe understands that it must provide up to \$1,150,000 a year to maintain and operate the proposed SBNF Facility and provide all necessary services for its residences until such time as it is licensed by the State of Arizona or is Medicaid Certified and receives reimbursement for services it provides to its residences; and

WHEREAS, the Tribe will provide up to \$180,000 to purchase the necessary furniture, fixtures and equipment necessary to operate the SBNF; and

WHEREAS, the Budget and Finance Committee has reviewed and approved the budget referenced herein; and

WHEREAS, the Tribe will provide the necessary resources to operate the proposed SBNF facility and provide all necessary services for its residences until such time as it is licensed by the State of Arizona and or is Medicaid certified and is being reimbursed for the services it provides its residences; and

WHEREAS, the Tribe has identified an approximately 3.5 acre parcel near the Indian Health Service Whiteriver Hospital which is suitable for the proposed SBNF; and

WHEREAS, the Tribe selects to submit demographic data that are unpublished and not generally available in order to meet the requirements of the application process; and

WHEREAS, the Tribe through published procedures will ensure that the proposed buildings shall be used to provide essential health, public safety, education and community services to help meet the needs of the community; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe certifies that there has been numerous public meetings concerning the proposed SBNF and both the Tribal Council and each Tribal Community strongly support the development of the SBNF as contained in this grant application.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. The Tribe's Community Development Department is hereby authorized to apply for funds available through the Indian Community Development Block Grant Program of the United States Department of Housing and Urban Development to fund the Construction of the Shiwoye Bigowa "Our Elder's Home" Nursing Facility ("SBNF").
2. The proposed budget, as attached and incorporated by this reference, is hereby approved for \$3,847,235 for the purposes of the grant application described herein, of which \$2,750,000 will be provided by the HUD ICDBG and at least \$1,097,235 will be provided in-kind by the Tribe, including at least \$385,000 in donated land and waived fees of \$233,830 and in Tribal fees and cash.
3. The Tribe will provide up to \$1,150,000 to maintain and to operate the proposed SBNF facility and provide all necessary services for its residences until such time as it is licensed by the State of Arizona and is Medicaid certified and receives reimbursement therefrom for the services it may provide to its residents; and
4. The Tribe will provide up to \$180,000 to purchase the necessary furniture, fixtures and equipment necessary to operate the SBNF.
5. The SBNF is authorized to expend any grant funds received from HUD ICDBG, according to the budget as approved, and subject to the terms and conditions of the grant.
6. The Realty Office is hereby directed to establish a legal description for the approximately 3.5-acre parcel near the Indian Health Service Whiteriver Hospital, which is hereby set aside for the proposed SBNF, subject to approval of the ICDBG assistance and favorable outcome of an Environmental Review required under the Code of Federal Regulations 24, Part 58.
7. The Tribe will comply with 25 CFR part 135, Economic Opportunities for Low and Very Low Income Persons, and the Indian Preference requirements listed in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 4503(b)), as well as applicable guidelines and regulations under 24 CFR part 85 and 1003; and
8. The Tribe's Budget Committee will exercise oversight over the SBNF budget and program development.

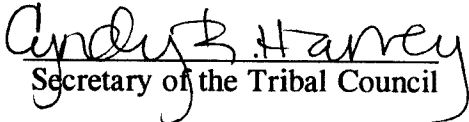
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9. The Building Maintenance and Operations Plan and Procurement Policy requirements under the ICDBG application are hereby approved.
10. The Tribe elects to submit demographic data that are unpublished and not generally available in order to meet the requirements of the ICDBG application process.
11. As part of the proposed SBNF project, the Tribal Council hereby certifies that:
 - A. the Tribe will work with the United States Department of Health and Human Services and the State of Arizona Health Care Cost Containment System to ensure that the SBNF will comply with all applicable Federal, State and Tribal regulations and standards; and
 - B. the Tribe has sufficient policies and procedures for the procurement, financial management and internal controls according to the applicable guidelines and regulations set forth under Code of Federal Regulation 24, part 85 and part 1003; and
 - C. there have been numerous public meetings concerning the proposed SBNF and both the Tribal Council and each Tribal Community strongly support the development of the SBNF as contained in this grant application.

The forgoing resolution was on April 19, 2006 duly adopted by a vote of FIVE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (i), (j), (k), (l), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).



Chairman of the Tribal Council



Secretary of the Tribal Council

BUDGET AND COST ESTIMATES

The following budgets include both the Indian Community Block Grant Construction Budget and the Tribal In-Kind Budgets for the buildings and parking lots included in this proposal.

**BUDGET NARRATIVE
BUDGET AND COST ESTIMATES**

**TWO BUILDINGS
TO BE CONSTRUCTED IN 2007**

The following budgets include both the Indian Community Block Grant Construction Budget and the Tribal In-Kind Budgets for the buildings and parking lots included in this proposal.

BUDGET NARRATIVE

Project construction and contingencies ICDBG:

Construction costs:

1.	Shiwoye Bigowa "Our Elder's Home" Nursing Facility Two buildings at \$1,114,350 each	\$2,223,700.00
2.	Site Work	200,000.00
3.	Public Works, equipment and materials	100,000.00
4.	TERO fees @ 1.5%	36,300.00
5.	Building Permits @ \$2,000.00 each	4,000.00
6.	Soil Survey	6,000.00
7.	Administration Costs	40,000.00
8.	Architectural Services	<u>240,000.00</u>
	Total Estimated Project Cost	\$2,850,000.00

- A. The White Mountain Apache Tribe will provide or wave the following services and expenses in order to construct, renovate or move the four buildings included in this proposal.

TRIBAL IN-KIND CONTRIBUTIONS Non-ICDBG Share

Administration

1.	Planning Grants and Contracts Manager at \$62,000 a year, 1 year @100%, year 2 @ 40%, years 10.0%	\$93,000.00
2.	Office Manager/Administration Assistant @\$39,000 a Year, 1 year @100%, year 2 @ 50%	58,500.00
3.	Grant Writer and Procurement Officer @ \$40,000 a Year, 1 year @100%, year 2 @ 50%	60,000.00
4.	Building Inspector/Project Manager @ \$40,000.00 for 1 year	40,000.00
5.	Office Staff ½ FTE @ 20,000 year, 1 year @100%, year 2 @ 50%	30,000.00
6.	Planning Director, Facility Manager and Environmental Engineer/Planner Oversight and staff @ 10% of their time	
7.	@ \$12,000 a month for 3 years, 1 year @100%, year 2 @ 50%	18,000.00
8.	Shiwoye Bigowa Staff Oversight @ \$30,000 year, 1 year @100%, year 2 @ 50%	<u>45,000.00</u>
Subtotal		344,500.00
9.	Benefits for Tribal Employees @29%	<u>99,905.00</u>
10.	Total Cost of Labor	444,405.00
Other Administrative Expenses		
11.	Audit fees	20,000.00
12.	Office and Supplies @ \$1,000.00 a month for 3 years, 1 year @100%, year 2 @ 50%	18,000.00
13.	Mileage and Travel Expenses @ \$2,000.00 a month for 3 years, 1 year @100%, year 2 @ 50% 3 years (Three employees will require mileage reimbursement) @50.0%	<u>36,000.00</u>
Total Administrative In-Kind Contribution		\$518,405.00

Non-Administrative In-Kind Contribution

1.	Environmental Review	\$20,000.00
2.	Architectural Schematic Design	30,000.00
3.	Tribal building permits 2 @ \$2,000.00 ea.	4,000.00
4.	Tribal TERO Fee (waived) 3.5% of \$2,423,700	84,830.00
5.	Tribe Wiring buildings for voice and data lines and install computer systems	25,000.00
6.	Public Works: Equipment and materials for roads and construction	100,000.00
7.	Land and building Values (See Appendix 26)	
	Land for Buildings and Parking Lots (minimum)	<u>385,000.00</u>
	Total value of sites, materials and services	<u>\$648,830.00</u>

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Sub-total	\$1,167,235.00
Less Grant Administration Expense	<u>40,000.00</u>
Total	\$1,127,235.00
Tribal In-Kind Contribution	\$1,127,235.00
ICDBG	<u>\$2,750,000.00</u>
Value of the Project	\$3,877,235.00

\$1,127,235 Non-ICDBG contribution to the construction of the two building in this Grant Proposal is 29.1 of the total project cost of \$3,877,235.00

See APPENDIX 4A Tribal Council Resolution approving the Tribe's contribution of Land and resources as in-kind contribution.

See Appendix 26 Land Appraisal of the site for the proposed Shiwoye Bigowa (Our Elders Home) Skilled Nursing Facility.

The Tribal Council has committed by resolution to provide sufficient funds to maintain, operate the proposed facilities and to care for all residences who are accepted in the facilities and nearly 3.5 acres of land and buildings that will be used for the propose of this grant. To demonstrate the Tribe's commitment to this project the Tribal Council approved by resolution to be subject to the approval of the ICDBG assistance and favorable outcome of any environmental review required under 24 CFR part 58 for this project.