

# Council of Mexican Water Chapter Government

Notice is hereby given to the general public that the Council of Mexican Water Chapter Government will convene a planning meeting open to the public on February 09, 2014 at Mexican Water Chapter Multipurpose Building Complex 1 located at Highway 191 N Milepost#2, Mexican Water, Utah beginning at 10:00 o'clock am.

Information regarding the following agenda items may be reviewed in the office of the Council Manager at Highway 191 N Milepost#2, Mexican Water, Utah

The Council may vote to convene in Executive Session, which will not be open to the public for discussion or consultation for legal advice with the attorney or attorneys of the Council for any agenda item below

Members of the Council will attend either in person or by telephone, video or internet conferencing.

If any disabled person needs any type of accommodation in order to attend this meeting, please notify Brian Smith at (928) 429-0986 at least seventy-two (72) hours prior to the time scheduled for the meeting.

## I. REGULAR CHAPTER MEETING

- A. Call to Order by Jerry Tsosie at 10:55 a.m.
- B. Invocation by Ruby William
- C. Roll Call by Mary Ann Woody
- D. Approval of previous meeting Journal of Proceedings/minutes of January 12, 2014  
Motion by Trudy Cedarrain, second by Ruby William with a vote of 19-0-3
- E. Approval of Agenda  
Motion by Darlene Yazzie/Lena Begay with a vote 20-0-3, motion carried

## II. OLD BUSINESS

- A. **MWCFEB09-059 -Supporting & approving to request Utah Governor Gary R. Herbert and 2014 Utah Legislature to resume fiduciary responsibility and management of the Utah Navajo Trust Fund as Trustee and Administrator.**

Motion to recall this resolution by Trudy L. Cedarrain, second by Ruby William with a vote of 20 in favor, 0 opposed, 4 abstained, motion carried.

Motion to support/approve by Trudy L. Cedarrain, second by Pauline Black for discussion with a vote of

Mary R. Benally requested from the motion party for Item A to be deferred to next meeting and we write the resolution ourselves, not NUC with a vote of 27 in favor, 0 opposed, 4 abstained, motion carried

**Mary Benally** question item A to be deleted, all-ready approved a resolution with Dine Corporation to be the trustee. Let this approved resolution be in place and move it forward.

**Jerry Tsosie** – Utah Navajo Commission went to Salt Lake to discuss but did not happen. End of 2013 was going to be the end for the Governor to be the trustee. Indian Caucus Day is taking place on February 13, 2014, we can plead with him to keep him as trustee and draft a letter to him also extend Sunset base on unfinished projects.

**Lena Begay** – She thought Utah Dine Corporation has taken over as a trustee?

**Mary Benally** – stated that those people up at Governor's office all jump off before letting us know what was going on with the Trustee, we want the approved resolution to continue to be effective.

**David John** – Money in Trustee, we don't have a trustee, anybody can take it out. We have list of projects in line. The bill that's going is still in Washington, the group that comes in will probably continue to discuss it again. Indian Caucus Days would be the day to ask/request for the Governor to be the trustee until all the unfinished projects are done.

\_\_\_Is there any other ways that can be done? Instead of just saying to plead with the new Governor, maybe go with the bank, etc. **David** responded with, we did ask the same question before; state of Utah is still liable even though they don't want it, and they still are the trustee. Even if it goes to a bank, it's a public trust fund, Dine bi beeso.

**Francis Haskan** – How much is in the pot? About \$60M. (1M per chapter) and some was paid to attorney. We don't have a representative from Mexican Water.

**Edward Tapaha** – Navajo Revitalization is different from Trust Fund. \$60M in state treasurer accounts (low interest income)

\$60M is cash (\$40M) (building, land) (\$20M) Drew all this on the board and explained it to the community.

**Kenneth Maryboy** – Trust/NRF is community money, two weeks ago they met with Shelly and Governor. Because it being Sunset the projects have stop and not moving. The Governor step-down before his term because he mismanaged the trust fund. The new Governor is willing to meet with us and Senator Shaver? 1) Give back to Navajo. 2) Develop a corporation. We took #2, to go into corporation instead of Trust Fund.

**Marlinda Blackhorse** – NRF is being used for housing, etc. Think about the Trust Fund and we want to use it, our elders proposed for this money with prayers, etc. Let's be a unit and decide to get this money back.

**Kenneth Maryboy** – what would the wording be on the resolution? Due to the paper being there for many years, someone might lie again. Resolution should be drafted by us Navajo. If NUC draft the resolution then it will be under NN and will be Title 26 position. We as a chapter are part of NN too. We as M/W should draft the resolution stated by David John.

**Ruby William** – let it be frozen, let the money stay in Utah and do the resolution correctly, etc. This was a lengthy discussion on what should be done and to reword the resolution and present it to the Governor.

### III. NEW BUSINESS/ACTION ITEMS

**A. MWC FEB09-060** –Supporting and approving the Shiprock Agency Council of the Navajo Nation's participation in the assessment of Native American, Alaska Native and Native Hawaiian Housing needs.

Motion to support/approve by Trudy L. Cedarrain, second by Bennie Begay Sr. with a vote of 30 in favor, 0 opposed, 4 abstained, motion carried. David John stated to reaffirm only.

**B. MWC FEB09-061** –Approving to request the Navajo Nation NABIK'IYATI' Committee, Resources and Development committee, Division of Community Development, and Community Housing & Infrastructure Development/Capital Improvement Office and to allocate FY 2015 funding for the construction of the Utah Broadband Project.

Motion to approve/request by Cassandra Beletso, second by Ruby William with item C included, with a vote of 27 in favor, 0 opposed, 5 abstained, motion carried.

**C. MWC FEB09-062** –Approving to request the Navajo Nation NABIK'IYATI' Committee, Resources and Development Committee, Divisions of Community Development, and Community Housing & Infrastructure Development/Capital Improvement Office to allocate FY 2015 funding for the construction of a new three-phase power line extension to the 50 acre development site.

**D. MWC FEB09-063** –Supporting and approving to acknowledge the U.S. Department of the Interior Bureau of Reclamation's technical assistance being provided to the chapter with Landscape Architectural Engineering Services for the 50 acres land tract to develop a master plan.

Motion to support/approve by Mary R. Benally, second by Darlene Yazzie with a vote of 27 in favor, 0 opposed, 5 abstained, motion carried.

**E. MWC FEB09-064** –Supporting and approving to adopt the infrastructure capital improvement plan (ICIP) project priority listing for Fiscal Year 2015.

Motion to support/approve by Bennie Begay Sr., second by Trudy Cedarrain with a vote of 30 in favor, 0 opposed, 4 abstained, motion carried.

What is the list? phase 3 power, road 15, broadband, DBB, computer building, Head-start, veterans memorial, etc.

**F. MWC FEB09-065** –Approve to request NRF Board to authorize expenditure of \$5,000.00 to purchase handicapped materials for client residing in San Juan County, Utah within Mexican Water Chapter.

Motion to approve/request item F-I by Cassandra Beletso, second by Trudy L. Cedarrain with a vote of 28 in favor, 0 opposed, 5 abstained, motion carried.

**G. MWC FEB09-066** –Approve to request NRF Board to authorize expenditure of \$5,000.00 for fencing materials purchased for the 50 acre land tract development project and to reimburse the chapter for using its own funds.

- H. **MWCFEB09-067** –Approve to request NRF Board to authorize expenditure of \$10,000.00 towards the cabin construction within the 50 acre land tract development project for tourism.
- I. **MWCFEB09-068** –Approve to request NRF Board to authorize expenditure of \$6,000.00 to as matching funds to be used towards advertisement for professional services for auditing of chapter finances using own chapter funds and to reimburse the chapter.
- J. **MWCFEB09-069** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards Veterans Memorial Project  
Motion by Kenneth Maryboy for item J, **Reports/announcements to Financial Reports 1-7**, second by Trudy L. Cedarrain with a vote of 29 in favor, 0 opposed, 6 abstained, motion carried.
- K. **MWCFEB09-070** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the technology Project within the 50 acre land tract development
- L. **MWCFEB09-071** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the Utah Phase III Scattered house wiring project
- M. **MWCFEB09-072** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the Veterans Housing match funding from the Navajo Nation Veterans Trust Fund
- N. **MWCFEB09-073** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards Solid Waste Project within the 50 acre land tract development project.
- O. **MWCFEB09-074** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the architectural/Design phase for the MPB Complex 3 – Library/Media/Recreation within the 50 acre land tract development project.
- P. **MWCFEB09-075** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the Legal Boundary Survey/Archaeological for Utah residence needing these services.
- Q. **MWCFEB09-076** –Approve to request NRF Board to authorize expenditure of \$3,777.00 towards the Road Improvement Project as matching for SJC Road 415.
- R. **MWCFEB09-077** –Supporting and approving to request the Red Mesa Unified School District #27 (RMUSD) Governing Board to meet with the Navajo Nation Office of the President/Vice-President; Health & Social Services Committee of the Navajo Nation Council; and the Attorney General to justify the need for Federal Impact Aid for students residing in Arizona portion of the Navajo Reservation that is currently being served under RMUSD school boundary.
- S. **MWCFEB09-078** –Supporting and approving to request the Utah Navajo Health System, Inc. (UNHS) Board of Directors to accept Mexican Water Chapter’s request to utilize the previous NRF Non-Chapter Funds allocation made to UNHS, Inc. to be used towards the development of a Wellness Center in Mexican Water 50 acre land tract for its intended purpose and to request NRF Board to acknowledge this action.
- T. **MWCFEB09-079** –Supporting & approving to authorize expenditures of \$8,000.00 from the LGA Trust Fund incentive grant fund to be used towards the advertisement for professional services for auditing of chapter finances.
- U. **Request for Veterans Expenditures: Veronica Sagg** for Veterans, back in November during Veterans Day the committee decided to get some awards presented to the veterans, ordered jackets in the amount of \$35.99 plus \$15.84 for each jacket. There was a Grant of \$1,036.60 to be used for the awards. \$100.00 a month for five months for catering set aside for which a reimbursement was to be made for whoever goes to town to purchase foods and to bring receipts.

#### IV. **REPORTS/ANNOUNCEMENTS**

- A. **Financial Reports** (attached)
  1. Ratification of January 2014 Payroll Expenses of **\$11,725.49**
  2. Ratification of January 2014 Chapter Official Stipend Expenses of **\$3,000.00**
  3. Ratification of January 2014 Chapter Grazing Official Stipend Expenses of **\$538.26**
  4. Ratification of January 2014 Chapter Veterans Organization Expenses of **\$242.22**
  5. Ratification of January 2014 Scholarship Expenses of **\$4,050.00**
  6. Ratification of January 2014 Vouchers Expenses of **\$14,189.75**
  7. Budget Transfer/Modifications to cover expenses incurred January 2014

**B. QUARTERLY REPORTS (Written/Oral)**

**1. Rock Mountain Homecare and Hospice Director of operation – Jake Joslin**

Lena Begay – Jake is our boss, inform that there is not enough knowledge of what is being done by this program. If you have family members who need help with medication, how to take or how often, taking shower, unsafe in the home, etc. Ask if Home Care is the best for your neighbor, one thing we don't do is Daily Care (24 hours). Please advertise for us and let us know or call us, etc. Anything we can do, please call us or let us know. Service is for Utah residents only. Lena Begay interprets for him and elaborated on –you have to get seen by the doctor first before we figure out what kind of services is needed. Personal Care is very important, clean their house and make meal for them according to their needs. The Office is in Blanding. Sometimes Jake goes out to the home.

Who pays for the Service? They work under Medicare/Medicaid who pays for the service and if you have those, also Arizona access is going to be acceptable they're working on it.

**2. SJ County Election Office - Edward Tapaha:** Even though we lost to Sea Hawks we appreciate everybody. Public notice is out and will be posted. November 4, 2014 is General Election in San Juan County, Utah. The candidate filing period for these offices is from Friday, March 14, 2014 to Thursday, March 20, 2014 at 5:00 p.m. New changes in voting is staggered

**3. UNHS Health Representative – Cassandra,** requesting for a resolution to continue to operate independently under PL93-638. The resolution that was draft is against it. It's going to ruin the purchasing of items and such; also it's going to affect Medicaid and Medicare. Please add to Agenda and approve it for me. A lot of people are using the Mossi Clinic.

Motion to accept by Trudy L. Cedarrain, second by Bennie Begay Sr. with a vote of 32 in favor, 0, opposed, 6 abstained, motion carried.

**Kenneth Maryboy –** Aneth did not support it. Due to what happened in Fort Defiance, it cause a lot of negative issues. I support 638 but a lot of Angelo people are going back in forth in operating it. Sweet Water supports it and Red Mesa. This is going to come forward to his committee, by-pass the committee and come before nabikiyati'. The medicine is good but the Angelo people are the ones who are controlling the clinic.

**Edward Tapaha –** thanked the people for voting for the resolution, if you want to bring an expensive doctors out here, they ask question such as, are there stores, gas station, homes, etc. Their cost is sky high and out there they make a lot of money, so out here it's low.

**Cassandra's Report –** it was in independent and Navajo Time and the comment was very positive. Donna Singer is the one that started the clinic, everything went positive. Ms. Singer is very knowledgeable in writing and what she does, we had dinner for her recently, and acting CEO is Mr. Jenson and is learning what Ms. Singer was doing.

**Harry W. Tsosie –** Does the clinic accept Blue Shield/Blue Cross, etc. Yes they do.

**4. Council Delegate – Honorable Kenneth Maryboy**

- 1) The Legislation to remove the Navajo Nation Council Speaker, the Speaker maintained his Speakership, "Innocent until proven guilty".
- 2) The Legislation #0290-13 concerning the elimination of the tax on fresh fruits, fresh vegetables, water nuts, seeds, and nut butter
- 3) The Legislation #0118-13 Recommending and approving the Navajo Nation Chapters Infrastructure Improvement Priority Projects for FY 2013 through FY 2018
- 4) The continuation of the Utah Land Bill is progressing through the Utah legislation process, will be traveling to Washington D. C. for lobbying efforts. Public Land – anybody in US can be a part of public land, Senator initiated public land.
- 5) The road repair request on New Mexico State Route 64 from Arizona state line to Shiprock, New Mexico is heading to Resources and Development Committee of the Navajo Nation Council and will forward to the New Mexico State Legislature for funding.
- 6) Water Right – is moving forward
- 7) Utah chapters should consider making a combine effort to propose for a Utah State Lobbyist in the best interest of all Utah Navajo Residence. UNC to be evaluated, now is

the time.

-**Darlene Yazzie** – received her gift from the officials, well received with a small speech, thank the officials and community.

5. Shiprock Service Unit Health Board – no show
6. Authorized Local Emergency Response Team (ALERT) – no show
7. Community Land Use Planning & Zoning (CLUP&Z) – no show
8. **Economic Development Committee (EDC)** Mary R. Benally, we meet every Friday and do some activities, etc. Feb. 21, 2014 “CHIP” Community Health Improvement Process” meeting here at the chapter House, main goal is to involve the youth.
9. Alternative Form of Governance Committee (AFOG)
10. Senior Council
11. Veterans Organization
12. Peace Making Representative

Motion to accept all reports and add on by Lena Begay, second by Trudy L. Cedarrain with a vote of 28 in favor, 0 opposed, 1 abstained, motion carried.

V. **MEETING ADJOURNMENT** BY Jerry Tsoie at 2:40 p.m.

Motion for adjournment by Mary R. Benally, second by Lena Begay with a vote of 30 in favor, 0 opposed, 1 abstained, motion carried.

Posted by: Mary Ann Woody

Date Posted: 2/09/2014

Time Posted: 2:41 p.m.