

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 regular chapter meeting open to the public on March 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 a.m.

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 Braniel 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 12:33 p.m.
- B. Invocation by Tsosie Tsiniginie
- C. Roll Call by Mary Ann Woody for the record
- D. Approval of previous meeting Journal of Proceedings/minutes of February 09, 2014

Marlon Saggboy motion for approval, second by Annie Gillwood with a vote of 17 in favor, 2 opposed, 0 abstained, motion carried. With Marlon's motion he would like to correct all the errors and mistakes on the agenda, addition that were done, blank under item I, (point of order) D & E not in order.

Comment 1. stated that this was the proper procedure that was made to work on the Agenda like this, LGA Certification to do it this way, so the Agenda is in order

Comment 2. - made correction under item I blank line is \$900,000 and item C is \$3.9M not \$3.6M. There were some items added onto the Agenda during the planning meeting: 1) Letter N Woody Lee supporting/approval to request to Shiprock Agency BIA road department, to NDOT and ADOT. 2) handicap accessibility at Mexican Water Restaurant which needs to be address. 3) Gerald Maryboy, about the White Rock Housing, first have the EPA to access the risk area as far as health and safety reasons, based on this we can start on it, also the housing somehow be recognize under the chapter since their houses are paid off, used to be NHA before. Also the numbering is kind of off, what is on the Agenda starts with 080. Hers starts with 082 and for Cassandra's resolution from last month is #081. She also included MOA with DBB for the two cabins which will fall in as resolution #098 according to the number she has and don't know how to treat Gerald Maryboy and his request for two items and maybe leave a space for the second request, if so the MOA agreement between the Chapter and DBB for the cabins would be #098, also #099 is approving application for National Parks Service Historic Preservation Grant in the amount of \$20,000.00 which she's working on. Resolution #100 approving the grant application to USDA for foods/grant, the fifth one is which she got in the mail until Friday, San Juan County wants to give the funding directly to the Chapter so we probably have to accept that county fund, now we don't have to give the paper to them but they will directly give to the chapter which will be part of our financial report. She ask the motion party for all these add-on.

- E. APPROVAL OF AGENDA read into record by Mary Ann Woody

Motion by Marlon Saggboy, second by Annie Gillwood with mistakes/errors, add-ons, Grazing representative to be on the agenda too, Council Delegate/assistant, etc. with a vote of 20 in favor, 0 opposed, and 3 abstained, motion carried.

Comment 3. - Aneth Senior Center is closing and telling their employees that all the equipment that was being used is going to Mexican Water Chapter base on hearing this, so how can Mexican Water pursue that quickly move with it? Maybe a support resolution is needed to speed up the process, how can we pursue that?

Comment 4. - believes Senior Council has discussed it already, as far as Aneth they did mention the funding but not the equipment, it might be all worn out. We have to look at it.

Comment 5. - Senior Council are the ones who need to discuss it and told them have meeting to discuss all this. They had their meeting Thursday but did not attend their meeting. Senior Center in operation has different

Council of Mexican Water Chapter Government

funding available to them and the ones they were talking about was Title 6 from the State of Utah which is expiring at the end of March. All the months that the money was being used during the whole month out of 9 months, none were used because they did not fix their deficiencies that were sited and never fix that and now the funding is expiring. Mexican Water were requesting for Senior Center, they might be ready was what they said so they're switching back to us because the funding is expiring. It would be appropriate for the Senior Council to make a decision and we're trying or they are trying due to lack of people at these meetings and to plan with us so this is the only one meeting we have in March, if we don't approve this for them, we lose an opportunity for this.

Comment 6. – Senior Citizen over in Aneth, they did their planning and were very concern about the Centers and is on the chapter agenda this coming chapter meeting. Corrective action was in placed and the paper work and all will be given to Council.

Comment 7. – It seems like Aneth Chapter is not willing to let go of their equipment or funding and is on their Agenda for this coming meeting, and whatever decision they make there, we can discuss that again later.

Comment 8. – we don't have any documentations saying it's this way or that way, it's hard for our chapter to jump the gun, it's verbally being discuss, just need to wait and see what's going to happen.

Comment 9. – just did not want the chapter to lose an opportunity, the equipment are very expensive; it would have been nice to just bring them over, where we didn't have to spend a lot of money on what they have. Did not want Mexican Water to lose out on it.

Comment 10 – due to lack of people attending Senior Council meeting, maybe we can just approve for them due to expiration? Requesting to be on the Agenda to make his report.

Comment 11. – due to Council Delegate having to appear at two other meetings in Sweetwater and San Juan he needs to go on first and leave for other meetings. Marlon stated that since he is on there; leave it up to President's discretion.

Before going on Marlon Saggboy motion to amend the Agenda to add Herman Farley, second by Cassandra Beletso with a vote of 20 in favor, 0 opposed, 3 abstained, motion carried.

Comment 12. - requested to speak when Mary Ann Begay is making her report. Jerry Tsosie state to her that only what's on the Agenda will be discuss, nothing else.

Comment 13. thanked the people from Red Mesa and Council Delegate walked in and was given an opportunity to make his report first according to Woody Lee's request.

Council Delegate's report: on a monthly base we make reports and there are a lot of things to report on.

1. February 26, 2014 went to Washington. Senator Orin Hatch, the reason I'm telling you this is because it's written here again supporting resolution for Trust Fund. It is good in a way, but it has a problem, he likes to talk about this first and from there it will be up to the community. Council is dressed with **Title 2** which makes the laws, opportunity to lobby outside the reservation, allocate funding and **Title 17** for grazing, farming, water, than Chapter Officials is **Title 26**. Title 26 monitors all the needs of the people such as the roads, etc. We put out a lot of papers as time went and the reason he's reporting is on February 26 he visited with John Tanner at Washington D.C. there Senator Orin Hatch stated that he **will not** give the money to Navajo Nation, it will not go to Navajo Nation and it stays with Utah Navajos, he stands with that. But Kenneth told him that he has resolutions from the Chapters and Navajo Utah Commission bi Chapters. He told him to know that there is an MOU between the state of Utah and Navajo Nation, MOU is government to government relations eii yeenaalnish. That's the way it's there, it does not say Utah Navajo or Mexican Water people, and it just says Navajo Nation. Base on this it is being discussed, also people have issues with it, ever since it became Sunset, money has not been forwarded and Washington when OBAMA became President "Native American Integrity" came forth, all Native American will be taken care of, which confines Navajo Nation as **One Nation**. It does not say Chinle or any other area, all to be over seen.

Council of Mexican Water Chapter Government

There is a lady by the name of Sally Jewel with head of Department of Interior, she stands that Navajo Nation shall receive the whole money because Dineh Entity due to an agreement with them. But Orin Hatch says NO and stated that this is a different Act of 1933 and this is Utah Navajo money. So these two people are against each other and due to this reason, we have all these paper out there under subsection Title 26, paper being forwarded under Utah Navajo Commission. They don't see or try to move the problem, Navajo Nation is asking for money. Overall no matter how we do the resolution it confines that it goes under the Executive Branch of the Navajo Nation, this is a problem for them. Base on this how can we do this, Senator Healing and Mike Nuwell got together and said to let Senator Hatch's paper be, lets kind of merge together with what the people want so we can continue to serve the people in San Juan County of the short fall. Sad field 227 (Bill) will be out and working on it now so it's kind of late so that Sad Field 226 (Bill) will come forward which will take two to three more years they will take care of the people's money, don't want to be a part of the law sue anymore is what was said by the Governor, which is good to hear. It's good that we have resolutions saying that we should continue to use the trust fund but we can come together and talk about how we can work this out, it might work. Council all over are lobbying right now and all of them are for Navajo Nation getting the money back.

Ben Shelly – being question, why is there money there already? He says that he has a resolution in placed that states that he can take over the trust fund, as long as the Title 26 is amending that he feels he is obligated to continue to fight on behalf of Navajo Nation. You all know about it. Government state, county in placed and little naataanii chiin in place they're one side is a state, all that is like that, we as San Juan County if we put something in, it is still is under the state. Navajo Nation under the federal charter the subsection is all different because of three branch government, this is the reason we are having a difficult time and we are against one another, we don't intend to do that but the way the description comes up that's the way it is and we are getting together soon again.

2. **Water Issue**, right now from New Mexico they found out again that the chapters, we were told that this was settled, but now there are some other new information daani'. He told them that when he went around to visit all chapters about two years ago he told them that, your Delegates are saying that it is settled, nothing else to do with it and went along with them. There is an opportunity was what he told them, right now it's here again. What are you going to do? They were saying that the lower Colorado River is still part of us so they voted on it. There is a meeting in San Juan Chapter with their officials and the person overseeing their paper, this Lower Colorado River was budged from State of Utah and there was a water settlement for the Utah area, what about us was the question they ask. There is one thing that **Fred White** went out there with he was told that the office of Interior we put all this together for the Utah. But Navajo Nation, AZ, NM is left out and was not put in. Arizona is being picked up by Utah, so Utah/water agreement; it was generous of them to share that water. So any kind of putting a committee together is un-call for, don't do it. We already have a negotiation team. Right now Navajo Nation was supposed to develop a team to negotiate between the State of Utah and Navajo Nation so that preliminary engineer can be put together, this is the problem/waiting for it. This was the topic of our meeting

3. **Land**, It is moving forward now, San Juan County put in a Land Team, on top of Shush Jaa', Bears Ears, Cedar Mesa and beyond Green River, that's all public land so according to Bilagaana it's their mine grazing, my oil well, my uranium mine is what they're saying and standing with it. When we had public meeting Congressman Shavfes and Bishop both were there, these Bilagaana got up and stated "These dam Indians don't need no more reservation, they don't take care of their land, when the wind blows it blows towards us". They said all they wanted to say against us Navajo.

According to both Congress, if we have 3 commissioners working together, that's the only way it will work if we have Commissioner Kenneth, Adam, and Lyman if they can work together under this new land team they developed. Then we can introduced the Bill was what was stated and statements were made and gone as far as internet face book, u-tube, "Commissioner Maryboy is racist and ignorant Navajo were stated". Right now at this point Congress is saying that they can barely see that the county and community are not consistent in supporting

Council of Mexican Water Chapter Government

and working with the Navajos. Due to this reason only two is okay too. But then Commissioner Miner put together another group roughly team with San Juan County bilagaana, working against the other team and since he is a commissioner and a part of that group, they are working against one another.

Two commissioners are in support to go on with Dineh Bikeyah, Land Board, and Land Team. So this roughy team is making things difficult again. So we went in to visit Department of Interior, told us to go ahead and continue to work with it and keep it going, if this happens, Chapter officials will be for Utah side under Dineh Bikeyah co-management agreement 1) Hunting Area, 2) Camping Ground, 3) Parks, 4) Grazing/Ranchers, 5) Under this Multiple Use Agreement Ranching/oil well, and other minerals abstractions you will be making agreement. The biggest issue is Roads, too many roads and they going to try to make one road and small roads under Title 17 that's out in the open and will inform all the Council and will speak on behalf.

Resolution – 5 years statue will be made, all projects will move forward, the only thing is for this year, will replenish those that went in late. The first legislation that went through is only a wish list. The second one for this summer, hoping that each chapter will have a resolution, project ready and scope of work all together because this one that's coming forth has money in it, millions! The Coordinator will handle this because she is good at it. Requesting for a resolution regarding White Rock Point Housing. We were waiting for 2012 and due to re-election it went again, now we are hearing many more years for approval. Those houses are way beyond renovation, we want those houses rebuilt. This particular resolution is under NHA under Red Mesa Chapter. Going to Sweetwater Chapter Meeting.

Red Mesa Chapter President to report next. Introduced himself and thank the people for allowing him to make a report. The main reason is to make a school board report, Teec Nos Pos Community School, there are five board members, Sweetwater David Tsosie, from Aneth Lucille Slim Cody, Teec Nos Pos Community School Ilene Howard and Janic Filbert, Shiprock Agency is Thomas Toacheenie, Chair person is Ilene Howard, Vice Chair is Lucille Cody and Secretary is Janic Jim.

Currently we have 159 students enrolled at school. There is Residential program, there were 70 in residential, some of the students were having problems and due to this they drop out of school, there are 26 SPEC students, there is special funding for these kids. Common Core Curriculum Nation Wide and public schools and BIA schools are using this. In Arizona we are using AZ standard at Teec Nos Pos. Their learning is high in that school, teachers are all certified, and even teacher aides are certified to equivalent to where they could be a teacher. Most of the teachers are Navajo and few Bilagaana. The policy is written that way, all teachers are Navajo. George Winus ½ Navajo, some people were concern about him. We are board members said to let him do his work at least a year or two. These kids who graduate from Teec go to Red Mesa, Shiprock, and Navajo Prep due to their high achievement, many of them go there. We are thankful for these children and within their own home they are being taught. We need parent involvement there at this school.

Grant from Washington for 2013-2014 and within Navajo Nation there are 66 BIE Schools and 32 are Grant School. \$121,864,400.00 ISEP, each child \$5,240.00 is allocated each year. Transportation gets \$13,279,100.00 for bus in operation. Facility/operation, school building/electric is \$5,680,117.00. Facility Maintenance is \$5,205,121.00. Some of them are Charter school.

Indian Education from Washington – OBAMA – for 2015 and 2016 Money are being budgeted right now. Due to 1868 Treaty health education and Welfare Act being care with money it was honored with budgeting the schools and added 6% to it.

The Master Plan is very good with Mexican Water and the coordinator is very good at it. Transportation plan (bus) with BIE, Public School, etc. needing a certain amount of money for the roads; Transportation funds States and Federal has transportation money also county too but they are very limited. General blading with gravel, working with Navajo Department of Transportation. Community Comprehensive Plan identifies or increase of funding, that's yet to be determined. Will come again for this information. Red Mesa, Mexican Water, Aneth, Sweetwater, and Teec Nos Pos our region, come together and plan. Projected amount of \$25M BIE, it's going to

Council of Mexican Water Chapter Government

be down at your community which roads we can match fund. Help the county and transportation, etc. Dineh Bi'olta' School Board Association is the name now. Was Navajo Area School Board Association was the name before. Federal Budget for FY 2013-2014 went, 2015-2016 is being proposed again.

Comment 14. – conflict between Red Mesa/Utah students state line, are we included in this road project? Yes, that's included as long as the bus is on that route.

Chapter Coordinator – BIE and Grant School Boundary Issue, has that been amended? Long ago there was no public school, it was only BIA school back then school boundary is written up and from there public school became into existence. Those boundaries were never re-designated, has that been taken care of from BIE? That will probably help Larry Tuni's question about transportation issues. Like Rock Point is 638 school and Teec Nos Pos is a Grant School. In between there is Red Mesa Public School, when you look at Navajo Nation Code, Red Mesa Public School how many chapters do they serve as public school. If you look at 638 and Grant schools that were once BIA school, they have boundaries, if you go into another community that's not included in your boundary each school is telling one another. For example if you decide to enroll your child at Rock Point, your boundary is with Teec Nos Pos, you have to go before Teec Nos Pos School Board to request to release the child because they were within the Teec Nos Pos school boundary. The same way if you transfer your child to Teec Nos Pos you have to request to accept an out of boundary student. Money is the issue here that counts the students. That's why she poses the question and wants to know if that boundary has been re-designated or not. If you inproach on another school's boundary, becomes an issue too, that can be settled through court. That's what happened with Red Mesa School, the bus runs into Lukachukai, we had students coming from Lukachukai and we are inproaching on Chinle School District School boundary, the bus runs through BIA schools in between to pick up students. Don't know if that has been resolved or is it being work on? If you serve on the school board like that, know the law/policy need to know this, we just put our students into a school, no parent involvement, and it is our business to talk about. Rock Point School runs into State of Utah, but school boundary is at Arizona. Their transportation money flows into Utah. That's why the schools are against each other.

Red Mesa Chapter President – responded with regarding boundary issue, guess there was always a boundary, it was kind of over looked too. Students from Sheep Springs, all area kids went to school from all area. Teec Nos Pos Community School was being over flowed and over 1000 students went to school, public school was not in existence. From there public school took most of these students. Right now we don't have that many students, boundary not being enforced, it's just like an open field. If a child is transferring have to have school board approval. Right now it's not like that anymore and that's why we have one representative from Agency at large. We have students from Shiprock and Sanostee. Then we have issue like a problem child and not wanted at other schools, we should not label our students like that, if they have problems, we need to identify what the problems is, maybe it's from family dysfunction, etc. Lots of the students are like this, we try to help and work with them to provide a quality education for them.

Motion to accept the two reports by Marlon Saggboy, second by Larry Tuni with a vote of 24 in favor, 0 opposed, 2 abstained, motion carried.

II. OLD BUSINESS - none

III. NEW BUSINESS/ACTION ITEMS

- A. **MWCMAR09-081** 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 because the Trust Fund has been frozen and Utah Beneficiaries are unable to receive funding for housing needs, general welfare and scholarship needs

Motion to support/approve by Cassandra Beletso, second by Betty Slim with a vote of 24 in favor, 0 opposed, 2 abstained, motion carried.

Council of Mexican Water Chapter Government

Red Mesa Chapter President – responded, we recognized our financial needs down here at the local level, not enough money, people requesting for housing, roads, etc. Martha and Official know it, Council keeps ignoring it CIP fund, and just now it was mention it to him again. How many times do we need to approve it, due to this we are so far behind. Utah Navajo Trust Fund \$33M is there and the fund that was there before and you're looking at about \$80M. Utah Dineh Corporation is not what we're talking about and let that takes its course. And In the meantime temporarily, we want to use the money for a while longer. Even though State of Utah mismanagement the funds, even though all that happened. Since Utah Dineh Committee took over from there, accountability and transparency was there. So State of Utah said to leave it and have the money I'm out! Even though he said that we ask to let's come back together to move forward and to serve direct need of the people. It's the people's money in Utah we have every right to speak on behalf of this.

Briefly stated that Utah Navajo Commission put in a resolution/approve it and gave this to Navajo Nation and Navajo Nation/Council took that action, so Navajo Nation President took that position. Him and Kenneth they requested to rescind the resolution and to change our position and we met on it for the best interest of Utah people. Reverse the deal made. So to this day that was never changed, recently we took another position, met with Lt. Governor, we heard the Governor very positive and says it was okay with him, by law 1938 we still have that full trust responsibility. We help one another was stated by him. Not there for recognition, it is for the people, etc. we cannot prolong this issue and thank the people and a lot of people voted for it.

B. MWCMAR09-082 Opposing the legalization of marijuana in the State of Arizona

Marlon Saggboy motion to accept from item B to U, item G shutting well down, INH abandon mine land has money maybe they can budget in some money to address those five families either identify new well or treat the well - contamination, second by Cassandra Beletso with a vote of 22 in favor, 0 opposed, 1 abstained, motion carried

Comment 15. – question regarding item C, according to newspaper Friday was the deadline. Division of Economic should be responsible for the well at Tes Nez lah.

Chapter Coordinator – the lease when Giant/Thriftway Corporation business leased was given and was being monitor by BIA, due to recent change over Navajo Nation is now approving the lease from Department of Interior. At the beginning the lease was with BIA and the lease is still with BIA. Navajo Nation Division of Economic Development, they're charge with that authority to oversee businesses, that's why they step in, they are in process of terminating that lease. When we met we said that settlement was to be made and the chapter requested to move the well to 200 feet south, so the people within would still use the water was planned, later on we can transfer it to NTUA for treatment and people can use it, we figured that it might take a while longer to terminate the lease. But they had already been given 90 days to demolish the building. In the settlement we wanted the well to keep running, but they found out that the water was contaminated, it is going to be difficult. Once the lease terminate the land is relinquish back to the chapter since our chapter is LGA certified, we can take upon that lease to take to another company there is a way, but our EDC is not working well with each other and not ready. This settlement is not finalize so the chapter can still have an option to request the company to see if they can treat the water or find some money or put up some money to help. If the company, it will cost a lot of money so we can go to abandoned mine land and say if the company agrees to put up some money toward that we can use that as matching money towards the AML money. Write proposal and justify our reasons, if things go our way, that's how we planned. We didn't know the family tab off that water until later.

Comment 16 – B, legalization of marijuana for state of Arizona right now is a proposal through state legislature, what most state did is instead of the legislature and government approve it, have a vote on it like referendum, they put it on the ballot and voters vote on it. Most states did that, just like Grazing Act, the council were afraid of it, now they're saying that to let the people vote on it and decide. Mostly likely the state of Arizona will do that. It depends on how the language will be written on what we vote on. A couple of states are legal Colorado and Washington.

Comment 17 – broadband that is being in process, is there an emergency response on it?

Chapter Coordinator – responded with Navajo Nation requested that NTUA being recognized as a limited liability for wireless communication and obtained a licensed so right now NTUA has that responsibility. If we receive that we are not a part of that, NTUA are taking care of that. For us if we should start something like that we have to go to Washington before the FCC to give us a license, then it will be our responsibility but in this case we are just starting but full responsibility lies within NTUA.

Council of Mexican Water Chapter Government

- C. **MWCMAR09-083** Supporting and Approving to request the Navajo Nation Council, Budget & Finance Committee, NÁBIK' IYÁTI' Committee, Resources and Development Committee, Division of Community Development, and Community Housing & Infrastructure Development/Capital Improvement Office and to allocate FY 2015 funding from the Chapter Infrastructure Funding for the construction of Multipurpose Building Complex 2 Senior Center with a three phase power line infrastructure Project estimated at \$3.9M
- D. **MWCMAR09-084** Approving to request Navajo Tribal Utility Authority (NTUA) Telecommunications Utility Division (TUD) to consider building a fiber line from the existing substation to the Chapter House located in Apache County to be included in NTUA's 2015 capital budget for rights-of-way and construction cost (requesting resolution)
- E. **MWCMAR09-085** Approving to request NTUA Business Development Group (BDG) to enter into Service Agreement to connect the Broadband mono-pole located north of the new Multipurpose Building Complex 1 located in San Juan County, Utah for 10 mbps
- F. **MWCMAR09-086** Approving to request NTUA Telecommunications Utility Division TUD) and the Business Development Group (BDG) to conduct a feasibility study for microwave link from the new Multipurpose Building Complex 1 located in San Juan County, Utah to Chapter House located in Apache County and to provide a cost that is reasonable.
- G. **MWCMAR09-087** Approving to request and authorize the Division of Economic Development (DED) to include in the settlement with Thriftway/Giant Corporations to cap the well located on the Business Site Lease in Tes Nez lah, but however to seek funding construction cost for water line extension because the capping of the well will be displacing five (5) homes located there that were using the existing well and for the health and safety of the well-beings residing within the affected area.
- H. **MWCMAR09-088** Supporting and approving to request the Navajo Nation Abandoned Mine Lands (AML) to conduct a feasibility study of contaminated water that was supposedly caused by uranium mines located within the proximity near VCA, Cane Valley area that affected downstream of Chinle Wash to the San Juan River, in San Juan County Utah.
- I. **MWCMAR09-089** Supporting and approving to request the Navajo Nation Council, NÁBIK' IYÁTI' Committee and the Office of the President/Vice-President to allocated Fiscal Year 2014 Supplemental Funds of \$900,000 from the undesignated Unreserved to fund the ten (10) Northern Agency Local Governance Act (LGA) governance certified chapters to be used for 3% General Wage Adjustment (GWA) and to replenish the fixed cost in Personnel & Fringe Benefits that were cut from the FY 2014 budget
- J. **MWCMAR09-090** Supporting and approving to request the FY 2015 funding of \$100,000.00 from the Administration for Native Americans, Social and Economic Development Strategies (SEDS) to fund community development projects that are sustainable and successful and that meet the community's long range strategy goals that will have a positive impact on the community
- K. **MWCMAR09-091** Supporting and approving to request Shiprock Service Unit Indian Health Services/Office of Environmental Health & Engineering to include the five homes located near Tes Nez lah to the Mexican Water South Proposed Water Line Extension Project.
- L. **MWCMAR09-092** Supporting and approving to advertise for Professional Services Contract for consultant, to recommend and select to assist with planning, project management, grant writing apropos to projects and capacity-building consistent with organizational needs of the chapter using the Capital Projects funds for this project
- M. **MWCMAR09-093** Supporting and approving to develop a Broadband/Fiber Internet Hot Spot pilot project as a revenue collecting purposes.
- N. **MWCMAR09-094** Supporting and approving to request the Shiprock Agency Bureau of Indian Affairs Road Department, Navajo Nation Division of Transportation and the Arizona Department of Transportation to repair the existing erosion on the embankment that is leading into the pavement of N12/Highway 191 N
- O. **MWCMAR09-095** Supporting/approval to request to request the Navajo Nation Division of Health/Office of Environmental Health, United States Office of Environmental Health/Shiprock Service Unit to conduct a comprehensive survey on the Mexican Water Restaurant/Café for handicapped accessibility to bring the business into compliance with the National Health & Safety codes and the Disability accessibility law

Council of Mexican Water Chapter Government

- P. **MWCMAR09-096** Supporting/approving to request the Navajo Nation Risk Management, Navajo Nation Environmental Protection Agency (EPA) to conduct an assessment of the existing Navajo Housing Authority subdivision housing located within White Rock Community, Utah/Mexican Water Chapter
- Q. **MWCMAR09-097** Recognizing accept housing unit under Mexican Water chapter
- R. **MWCMAR09-098** Supporting/approving application for National Parks Service, Historic Preservation Grant in the amount of \$20,000
- S. **WCMAR09-099** Supporting/approving the grant application to USDA community foods grant.
- T. **MWCMAR09-100** Supporting/approving MOA between Mexican Water Chapter and Design Build/Bluff (DBB) for two cabins to be built within the 50 acre lot
- U. **MWCMAR09-101** Supporting/approving San Juan County funding to go directly to the Chapter and to accept the county fund, which will be part of our financial report
- V. **MWCMAR09-102** Approve to request NTUA to establish District Office at Mexican Water

IV. REPORTS/ANNOUNCEMENTS

A. Financial Reports (Attached)

1. Ratification of February 2014 Payroll Expenses of **\$11,396.55**
2. Ratification of February 2014 Chapter Official Stipend Expenses of **\$3,000.00**
3. Ratification of February 2014 Chapter Grazing Official Stipend Expenses of **\$0.00**
4. Ratification of February 2014 Chapter Veteran Organization Expenses of **\$242.22**
5. Ratification of February 2014 Scholarship Expenses of **\$0.00**
6. Ratification of February 2014 Vouchers Expenses of **\$9,709.21**
7. Budget Transfer /Modifications to cover expenses incurred February 2014
Marlon Saggboy motion to accept financial reports from 1 to 7, second by Cassandra Beletso with a vote of 22 in favor, 0 opposed 1 abstained, motion carried.
8. Approval of Veterans FY 2008 Supplemental Navajo Nation General Funds to be expended for:
 - Financial Assistance Medical Appointment for Bennie Begay in the amount of \$150.00
 - Financial Assistance Energy Assistance for
 - Jack Etcitty - \$300.00
 - Walter Shorty - \$300.00
 - Tsosie Tsiniginie - \$300.00
 - Financial Assistance Hardship/Personal Assistance for
 - Andy Nahkai - \$300.00
 - Catering Services - \$50.00/Martha NahkaiCassandra Beletso motion to approve, second by Marlon Saggboy with (financial assistance, it's their own money we shouldn't approve it or are you talking about the money that's already budgeted, it should be written specific, where the money is coming from) with a vote of 21 in favor, 0 opposed, 2 abstained, motion carried.
Chapter Coordinator – FY 2008 Veterans Supplemental fund base on chapter was distributed. We base on voter registration/population (\$61,000). At the time when the money was allocated the council said that Veterans Organization to be established, separate organization. Those chapters that don't create or establish a Veterans organization, this money will be used through the chapter. So the money need to be used through the chapter meeting and chapter membership has to approve it so that way they will use it. Since then they budgeted it in and is audit. When they get audit has the Chapter membership approve it? If it's not in the meeting minutes and use the money or whoever gets that money or whoever approves that money, you pay back.

B. Quarterly Reports (Written/Oral)

1. Echohawk and students' presentation for the community – no show
2. UNHS Health Department **Lucy Begay** –RESEP Program for Community Information – no show
3. UNHS Health Representative –Cassandra Beletso
Motion to accept by Marlon Saggboy, second by Betty Slim with a vote of 23 in favor, 0 opposed, 1 abstained, motion carried?

Council of Mexican Water Chapter Government

Reporting on behalf of UNHS, just announcement, opening for CEO is needed and is in Navajo Time. Right now we have an acting (Bilagaana) but we need a Navajo and is from within the area. We have the land that we bought at Mossi Café is ours now for parking the ambulance. NTUA a building clerk there and been told that it would take 10 years to become a District, right now they are sub office under Shiprock, taking on Rocky Mountain Power has been approved. Base on that we have a new District Manager and we will become a District as Red Mesa in April or May, right now we are looking at boundary, we know that people oppose going under NTUA that we don't respond to power outage as quick as Rocky Mountain Power does. But they want to send a message they will try their best. They are looking at 21 positions that will be open at Red Mesa NTUA. They are getting a new building, not new but is a building being moved to work out of, looking at 2 more building clerk, 2 more customer care agent, field supervisor, office supervisor, gas foremen, water foreman, electric foreman and fully staff with gas department. Also looking at engineer tech, these will be advertised and keep an eye on internet, (ntua.comandgoldtooth) everything is done on line so if you want to apply for that, there is no paper trail. They are excited to become a District. They are looking at boundary, probably go as far as Teec Nos Pos, and pick up most of Mexican Water, Chinle Wash and out this way, part of Rock Point, East of Rock Point, all the way into Sweet Water, Teec Nos Pos and everybody in Utah side. Our new District manager is coming from Tuba City, his name is Dale Luna, and he is a District manager there in Tuba City right now. It was a lot to take on because it's a lot of work for us now between now and the transition but they are excited. In 2016 we are getting a new building, it's going to look like Crownpoint's Building, a lot of people have probably never seeing it, but it's nice, to save money they are using the same drawings. There is a lot of money that's coming with Rocky Mountain Power being transition over here to NTUA, due to this they quickly move on it. We will be looking for Custodian, probably with the shop people too, mechanic, and vehicle shop department. Just look out for that and tell one another. We do have enough customers to be a District, Crownpoint only has small but they are a District, they have less than 2000 meters in their community. Thanked the people and Happy St. Patrick's Day, congratulation on the 15 quorum. It's been a while that this was being requested and Martha has been working on that and the officials. A lot of people talk about Mexican Water and always being the first to do something out here and glad to be a part of Mexican Water, doing a lot of accomplishments and people see and hear about it. I thanked the people for singing a birthday song for her mom, she needs that.

Comment 18 – This transition from Rocky Mountain Power to NTUA, is there any cost pass on to customers? If you get behind on payment they shut it off and put color thing on top of the meter, are they going to be doing that to these new customers? **Cassandra** - with response, **yes**, whatever applies to the other customers applies to everybody else. Right now they have water; the billing process is the same way. Now with the new Smart Meter/AMI, those remote less ones, we have not receive any of those yet in Utah, they're still working on it in on the New Mexico side. But they are in Sweet Water right now. These meter are call Smart Meter/AMI, they're READ REMOTELY, we don't have meters readers going out to those area now, just a push of button it requestis for those readings than we get those readings. They will be getting those now to read the meter. Sometimes the meter reader will come out just to check if everything is going okay. It's read remotely, because there was a customers that was moving out and signing the account over to his sister, right then and there they got the reading, when they move her out, they did the reading and final bill her and put her name on that account. Kayenta has already installed some of those new meters in our area, that's how she knows that. They will make routine checks, if something is not right they will send the people out there, electrician to check those meters. Is there a rate increase? Yes, because it would not be fair for those customers on this side, they have to comply with theirs, at that time they will come out to make a full report on what the rate will be like. With our new District Manager that is his responsibility to share that information.

Comment 19 – Since you're with NTUA now, try to (niha'adistil dooleel) that new building coming in, with the yard and everything. He has a house in Arizona, needs someone to pay the electric/water. Something about the Old Chapter being used to centralize.

Cassandra – she did consider that and we do have a land available. The new District manager said that Red Mesa will centralize it, that's why he is looking at the boundary; he's going to consider that. She wanted that area so that she can be close to that too. At that time we were not sure about the land, Red Mesa Chapter was putting us aside because the land does not belong to us. So they chase out NECA had a yard there,

Council of Mexican Water Chapter Government

then afterward we found our MOA and land withdrawal, sure enough it belong to NTUA. Base on that that's why we're pursuing the new building and the yard, to be there. Where NTUA and where NECA used to be, that land is theirs now. So we're going to take advantage of that and build their yard.

Chapter Coordinator - strongly support Larry's request, due to our recent two meetings with ____ and NTUA we found out that right in that area because Red Mesa Chapter from AML money was allocated in the amount of \$300,000.00 to build a new administration building for the chapter. We found out that the main waterline runs right in the middle of that piece of land, can't do it. South end there used to be a building, there's some old abandoned septic tank there, they were going to take them out and push the building in there, if septic tank, it has to be cleaned out and if there was money for cleaning. Their \$300,000 that was given to them from AML is expiring right now and had already expired before and was extended, the amount of time for extension is not even going to be enough time for them to spend the money and not feasible. Even NTUA from headquarters the engineer department said it not going to work. You almost have to withdraw and get a piece of land to do this was what he was told. Right now Herman said the people there said no.

We have to fight for it and that's the reason they have to come up with a drawing of map, they have not got that done yet. Mexican Water does have a drawing, they wanted to have a capacity load for electric and water. Even with Internet broadband, Navajo Nation DIT was helping them and power with Cellular One, the chapter was supposed to pay for it but they're not doing it, so it's like who has the capacity then? With that in mine Mexican Water does have the capacity. The one you just approved we're entering NTUA to connect the broadband and sell that to the public, it will go like 40 miles radius. The public wants internet, every time they log in they will be charge \$35.00 a month, however the chapter set the rate and that going to be their revenue and that's how it's going to run.

Comment 20 – that Luna guy is a relative, he can come over and he made a suggestion to go ahead amend the agenda with Mr. Tuni's request and send a resolution to NTUA. Because everything is feasible here with broadband and fiber optic coming this way, so we need to keep that going, we already have access and everything here at Mexican Water. If it's here we can cover the whole area anyway. Amend the Agenda to pass the resolution to be send to NTUA.

Motion to accept all quarterly reports by Larry Tuni, second by Marlon Saggboy with a vote of 23 in favor, 0 opposed, 1 abstained, motion carried.

Motion to amend the agenda by Marlon Saggboy, to add a resolution to look into establishing a District Office at Mexican Water, second by Larry Tuni with a vote of 23 in favor, 0 opposed, 1 abstained, motion carried.

4. Shiprock Service Unit Health Board – David L. John

Don't forget to sign up with IHS, end of the month is the dead line March 31, on health care, just for IRS. Our next meeting with Susie John, she will discuss Affordable Care Act throughout the chapter and will come out to the chapter, all she needs is an email from us to invite her. He just got re-elected to President of Northern Medical Center and Area Health Board at St. Michaels.

5. Grazing Representative's Report

Attending meetings and overseeing, and being an ear for you, how many has permit? Grazing, right now BIA is over seeing a lot with Fish/Wild Life, Forestry, Arch Clearance, water development, EPA, and irrigation. All this went under 638. What BIA had is now becoming Range Land, no farming, etc. (all they're talking about is making money). If all this goes to Navajo Nation, it's just going to die down. Don't know what's going to happen when Range Land is approved.

The grazing representative did not do the Range Land Plan, Council and NN Resource Department are the ones that put the paper together. We are being blame.

Request for money for farming, plan for water, Grants from NRCS, USDA and NN supposed to do a matching fund, but asking for fees which no one really know.

Maybe due to certification, we can and become an organization which will be our strength.

Tomorrow (Monday) there is a meeting in Window Rock in the Chamber Office with RDC resource committee meeting on it and decide how it will be done, are the people going to vote on it or what? He was going to set one here at the chapter but a lot of chapters are having this same meeting with them in certain areas.

Range Management meeting at Red Mesa, Friday March 21, 2014..

Council of Mexican Water Chapter Government

Lorenzo Bates having a meeting at Upper Fruitland Chapter on Tuesday, March 11, 2014 regarding Grazing Act.

Mexican Water on June 2nd and November 3rd so there will be two. Branding and tally count is coming right now and is open. **May**, after cutting of wool is vaccination we can put on a workshop for that. It is only a draft, if you don't like it you need to address your concern, it seems like it's just to make money the way he hears it. (his report is attached)

Comment 21 – is everybody going to vote on it or just the permit holders?

Comment 22 - If it is referendum then everybody votes on it. We will know for sure until tomorrow. Tabbing of water due to uranium contamination and EPA under Navajo Nation is supposed to be taking care of that. Navajo Nation is supposed to be covering all ark clearance; instead the people are paying for it, etc.

Chapter President – stressed that we should get it and read it line by line and was mention at the Agency Meeting. They don't even give those out to the permit holders and just keep them up in Window Rock. When it comes to voting, people will know what it's about.

Vice President – this referendum is not going to happen right away, in order for referendum to happen the chapter has to get educated on it. It's going to fail anyway and we are not familiar with it because we're not familiar with it. It's not being stressed correctly to the people, don't see it. It's mainly the administration who is talking.

Motion to accept all reports by Larry Tuni, second by Betty Slim with a vote of 23 in favor, 0 opposed, 1 abstained, motion carried.

Chapter President – stating this to Betty Slim, he is aware of that Court Order, just leave it because does not want to put all the community into it, understand that, cannot allow for you to say anything in this chapter

6. Authorized Local Emergency Response Team (ALERT) – Gerald J. Frank/Steven K. John – no show
7. Community Land Use Planning & Zoning (CLUP&Z) – Gerald J. Frank – no show
8. Economic Development Committee (EDC) – Harold Skow – no show
9. Alternative Form of Governance Committee (AFOG) – Jerry Tsosie
10. Senior Council – Martha Nahkai – no show
11. Veterans Organization – Bennie Begay Sr. – no show
12. Peace Making Representative – Mary Ann Woody - no report made due to no meeting

V. MEETING ADJOURNMENT by Jerry Tsosie at 3:30 p.m.

Cassandra Beletso motion to adjourn the meeting, second by Larry Tuni with a vote of 22 in favor, 0 opposed, 0 abstained, motion carried.

Posted by: Mary Ann Woody Date Posted: 3/9/2014

Time Posted: 3:30 p.m.