

(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 May 14, 2014 at Mexican Water Chapter Multipurpose Building Complex 1 locate at Highway 191 N Milepost#2, Mexican Water, Utah beginning at 4:00 o'clock p.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 4:05 p.m.
- B. Invocation by Curtis Yanito; grazing representative
- C. Roll Call by Mary Ann Woody for the record
- D. Approval of previous meeting Journal of Proceedings/minutes of April 06, 2014
Read by Mary Ann Woody for the record
Motion for approval by Mary Benally, second by Irene Yanito with a vote of 24 in favor, 0 opposed, 3 abstained, motion carried
- E. Approval of Agenda
Motion for approval by Susan Blackhorse, second by Pauline Black with a vote 25 in favor, 1 opposed, 4 abstained, motion carried
Curtis Yanito requesting for two resolutions under J, one is opposing the range land Improvement Act for 2014 and wants to make his report there too.

II. OLD BUSINESS

- A. **MWCMAY14-114** Requesting the support & approval of the Navajo Nation for the construction of a telecommunications tower in the Chapter of Mexican Water, recommending and approving the withdrawal of a 50'x50' acres tract of land and a utility corridor for same adjacent to the existing Bluff Tower
Recall the resolution motion made by Susan Blackhorse, second by Sarah Yanito with a vote of 17 in favor, 1 opposed, 4 abstained, motion carried for recall.
Motion made by Mary Benally to put the item back on the floor, second by Irene Yanito with a vote of, they withdrew their motion based on the comments made below. Motion died and no action taken.
Comment 1-CY – 50'x50' acres is misunderstood to be acres instead of feet.
Deswood Begay with Cellular One over the Navajo Nation, Set towers up here near Mexican Water Chapter, Red Mesa, Aneth and Montezuma Creek. People are calling to set one up here and there because most of the cell phones do not work in certain areas. It was planned to set another one up on top the Comet on top of Bluff area but the Structure Analysis (weight) did not work so they decided to start one on their own. He brought the resolution with him.
Comment 2-RY – there is one at the edge of the cliff across Bluff but does not work towards north of the existing pole. How far will it detect? So the new one being plan is actually going to work all areas where he lives? Response was all 4 directions.
Vice-President – What about the people who are living towards North of the Chapter, what about the one pole existing northeast of Mexican Water chapter? What's the difference, both will be about in the same area? People are complaining that there is no reception towards AZ. These towers should have variety of different companies attached together such as sprint, etc. How far does the new one cover?
Response – was analog in (1970-2000) but change to digital system from Washington. Tower covers from 6-8 miles radius. The main reason we are doing this is to help the people on Navajo Nation and is based on assistance from different program. FCC – Tribal Mobility Fun from Washington allocated 5.2M was allocated and there are about 15 towers that will be coming forth base on the allocation, this is in the plan. Our children

will have access to internet. Maybe the phones people have are not set right because they need to be re-set. If you keep turning or start messing around with it, it will go off channel just like radio.

Vice-President- Descheny Development area in AZ need a tower which might work in the Canyon. This is already in the Land Use Plan

Comment 3-CY – Need to place the tower at one of the Mesa which will cover all the way down to Little Water and within the area.

Comment 4-FH- 6 miles radius, blind area, do you check these areas? The signal cuts off when there are too many truckers on the road and when the wind is blowing...why?

Response – County Road, BIA Roads and State Roads is what is used to check signals by Engineers.

Grazing Rep.- requested to re-evaluate the signal areas again because the people are saying that the signal does not work. Maybe the Engineer can come out and talk over the concerns and re-study the area again.

III. NEW BUSINESS/ACTION ITEMS

- A. **MWCMAY14-115** Approving to withdraw \$100,000.00 from the Mexican Water's Savings Account-Capital Outlay Funding and to deposit with Utah Navajo Royalties Holding Fund Administration Office to use towards the construction of the MPB Complex 2-Senior Center facility
Motion to approve/support by Mary Benally, second by Sarah Yanito with a vote of 28 in favor, 2 opposed, 4 abstained, motion carried for item A, B, C, & D.
- B. **MWCMAY14-116** Approving to withdraw \$100,000.00 from the Mexican Water's Savings Account-Capital Outlay Funding and to deposit with Utah Navajo Royalties Holding Fund Administration Office to used towards the Architect & Engineering Services of the MPB Complex 3-Library/Media/Wellness Center
- C. **MWCMAY14-117** Supporting and approving to designate the Utah Navajo Royalties Holding Fund Administration Office as the Lead Agency for the construction of the MPB Complex 2-Senior Center facility
- D. **MWCMAY14-118** Supporting and approving to designate and authorize the Utah Navajo Royalties Holding Fund Administration Office coordinate the Request for Qualifications (RFQ), Request for Proposal (RFP) for the Architect & Engineering Services of the MPB Complex 3-Library/media/Wellness Center
- E. **MWCMAY14-119** Supporting and approving to request the Shiprock Service Unit Indian Health Services/Office of Environmental Health & Engineering to conduct a comprehensive survey on the Mexican Water Chapter House located within Apache County, AZ
Motion to approve/support by Darlene Yazzie, second by Irene Yanito with a vote of 26 in favor, 0 opposed, 6 abstained, motion carried
- F. **MWCMAY14-120** Opposing Navajo Gaming Commission Revenue Distribution policy
Motion to oppose and go for equal distribution by Francis Haskan, second by Tsosie Tsinaajinnie with a vote of 32 in favor, 0 opposed, 3 abstained, motion carried (50-50 formula)
- G. **MWCMAY14-121** Approve to request NRF Board to authorize FY 2013 Chapter Allocations Funds of \$5,000 as matching to be used for Professional Services consultant to assist the chapter with grant writing for Economic development projects funding
Motion to approve by Harry W. Tsosie, second by Susan Blackhorse with a vote of 30 in favor, 0 opposed, 4 abstained, motion carried including item H below
- H. **MWCMAY14-122** Approve to request NRF Board to authorize FY 2013 Chapter Allocations Funds of \$5,000 to be used for Professional Services consultant to assist the chapter with grant writing for project development funding using chapter strategic planning
- I. **MWCMAY14-123** Approve to accept Navajo Revitalization Fund Reimbursement of \$46,829.00 and to replenish those account
Motion to approve/accept by Darlene Yazzie, second by Wilomina John with a vote of 28 in favor, 0 opposed, 4 abstained, motion carried
- J. **MWCMAY14-124** Approve the FY 2014 Grazing Permit Holders Organization Plan of Operation and its membership
Motion to approve including (2014 Opposing Range Land Grazing Act) by Susan Blackhorse, second by Sarah Yanito with a vote of 31 in favor, 0 opposed, 5 abstained, motion carried, including item K below
- K. **MWCMAY14-125** Opposing the Range Land Improvement Act for 2014

- Curtis Yanito-grazing representative made his report, (attached)
- L. **MWCMAY14-126** Approve to recommend the selection of three (3) Navajo Nation Election Poll Workers for up-coming Navajo Nation Primary and General Election
Motion to approve by Pauline Black, second by Bennie Yanito with a vote of 31 in favor, 0 opposed, 5 abstained, motion carried
- M. **MWCMAY14-127** Support and approve to request the Shiprock Service Unit Indian Health Services/Office of Environmental Health & Engineering to include the Whiterock Point Community housing sub-division in their planning to develop a water/wastewater lagoon
Motion to support/approve by Sarah Yanito, second by Darlene Yazzie with a vote of 31 in favor, 0 opposed, 5 abstained, motion carried
Vice-President – Waste water running into the housing, etc. Meeting with NHA with Shiprock Cecelia Bidtah, Housing Director submitted a letter indicating that Project UT15-501, all 23 houses are paid off and have no obligation to Navajo Housing Authority. All maintenance and premises is the responsibility of the homebuyers and the local chapter. The Deed (title) is not ready yet and still working on it. Still need to ask more questions by Vice-President. UPA allocates money and we are going to do a proposal for this money to help and assist with the problem.
Comment 5-DY – need those papers that she send out and base on that we need to do the resolution. She visited about 5 homes and there were no one home. There were only 4 papers that turn in, Jerald Maryboy took the papers in and was going to pick them up himself.
Vice President – Craig Ute had some money left over about \$25,000.00 and will be working on the pipe that is broken, etc. The houses were built under Red Mesa Chapter and did the resolution so we need to fix all this. Chapter President stated that the money will go towards the survey for the lagoon and work with Grazing Representative
Comment 6-JM – so NHA has nothing to do with the housing at Whiterock Point? Yes
Comment 7-ER – They inspected the housing but never the sewer. It's been discussed that Lagoon was going to be made for several years now. People have been saying that it was going to be fixed but no progress
Council Delegate – Red Mesa Chapter approved it and George Atcitty, Mr. Johnson and Martha were all there to approve it. Mexican Water can support with a resolution and put it back on the table, etc.
- N. **MWCMAY14-128** Opposing San Juan County decision and plan to conduct the 2014 Primary and General Elections by a vote by mail process
Motion to oppose by Pauline Black, second by Irene Yanito with a vote of 9 in favor, 5 opposed, 7 abstained. Nobody wanted to vote due to misunderstanding of the resolution? Don't know!
Mary Benally motion to table the item second by Cassandra Beletso with a vote of 19 in favor, 0 opposed, 8 abstained, motion carried due to comments below and people hesitating to vote either way.
Comment 8-MB – why was this decision made? A lot of uneducated people are not voting right or don't understand it. The youth need to care for their elderly and interpret for them, etc.
Edward Tapaha responded– is employee but his answer was, (it was a decision), due to a lot of registered voters are unaffiliated and why do they declare unaffiliated? Why?
Grazing Representative – 7 to 7 voting. Think of mail which usually comes with a rebate
Comment 9- – working with elderly, don't understand those papers that come in the mail and youth don't help with reading of the paper and goes into fire
Council Delegate -if I'm running, he would be in favor, 3 days you get to play with the papers. A lot of these people don't make it to the poll, due to bad weather, bad road, etc. This is the people's resolution; you decide what you want to do with it.
- O. **MWCMAY14-129** Support and approve to request the Utah Navajo Royalties Holding Fund Administration to invoice the Navajo Nation Abandon Mine Lands Program the FY 2013 Public Facility Projects funding of \$400,000.00 for expenditure of the construction of the MPB Complex 2-Senior Center
Motion to support/approve by Cassandra Beletso, second by Darlene Yazzie, with a vote of 30 in favor, 0 opposed, 5 abstained, motion carried

IV. REPORTS/ANNOUNCEMENTS

A. Financial Reports (Attached)

1. Ratification of April 2014 Payroll Expenses of **\$18,146.14**
2. Ratification of April 2014 Chapter Official Stipend Expenses of **\$3,000.00**
3. Ratification of April 2014 Chapter Grazing Official Stipend Expenses of **\$.00**
4. Ratification of April 2014 Chapter Veteran Organization Expenses of **\$1,961.48**
5. Ratification of April 2014 Scholarship Expenses of **\$.00**
6. Ratification of April 2014 Vouchers Expenses of **\$11,258.35**
7. Budget Transfer/Modifications to cover expenses incurred April 2014
8. Approve to purchase full sheet cake for mother's day celebration on May 14, 2014 using LGA Fund - \$37.98
9. Approval of Veterans FY 2008 Supplemental Navajo Nation General Funds to be expended for:
 - Financial Assistance Medical Appointment for one (1) Veteran
 - Financial Assistance Energy Assistance for one (1) Veteran
 - Housing Assistance for one (1) Veteran
 - Financial Assistance Hardship Assistance for one (1) VeteranAll documents are in Shiprock for Kenneth White for complete housing
Motion made by Kenneth Maryboy for items, Financial Report from 1 to 8 and approval of Veterans #9, second by Darlene Yazzie with a vote of 30 in favor, 0 opposed, 0 abstained, motion carried including Kenneth White's paper work that he was to submit. Kenneth stated that all his documents are in Shiprock where he submitted; all he needs is a resolution from MW which Shiprock wants.

B. Quarterly Reports (Written/Oral)

1. **Kenneth Maryboy** – Council Delegate, thanks the other candidate present, is young and working together is good, both are running for Navajo Nation President and are in good standing.
 - a. Spring Session, topic was Veterans Money and today we met again and discussed homes for them, need to start moving with the homes for them and made an agreement with Home Depot
 - b. Land withdrawal - Shush Jaa, meeting in two weeks, Congress from here Jason Shaferis from Washington wants to learn more about herbs gathering and have questions on it. Shush Jaa' and Cedar Mesa 1.8M acres of land will go back to the Navajo. Aboriginal Land has taken us thus far and Grazing Permit is a part of. (Dineh bi'beehaz'aanii)
 - c. Water Settlement – preliminary engineer, some are moving the water line, etc.
 - d. Speaker – removal of speaker and people are questioning and argue on it, the policy came in front of the Council. Half way through the process the Speaker was removed with payment (administrative leave) only 2/3 voted on it which is only 10, which is not 2/3. So many of the Council did not vote on it, it is done all wrong. Nothing was forwarded. Peace-making was suggested by attorney to correct what happened, Navajo Nation Government is based on Navajo Fundamental Law, people stated that this is going to be used
 - e. Land Dispute – no respect from white people, they are walking all over burial grounds and the land and taking sacred items. Use of ATV and made their own roads, etc. They mined the rock down the canyon. If the Navajo people made a place to sale along the Blanding road, what would they say? Integrity Act by President Obama is being ignored, which was the strength for us
 - f. Navajo Oil/Gas – is a private corporation, (ours) does not belong to government. The council Delegates are the shareholders, we put down our hat as Delegates and sit in as shareholders when we have meetings. Sometimes ago people did not have the right to this so some board members have been removed, been filing against one another and will go to Federal Court in Phoenix. Navajo Oil/Gas's attorney will speak on behalf of us Navajo, not Navajo Nation Government or DOJ. DOJ are trying to get in there, under Washington under section 17

Corporation states that it belongs to the Navajo, this is a private company to each individual on Navajo Nation, and Delegate were trying to get in there too so maybe do some resolutions, Most Impacted area is Utah 62½% and outside is 100% these money are used to run the operation, some people don't understand this so talk about it and discuss it.

2. ~~Honorable Trial Judge Black—Aneth District Court (Re-schedule to June Meeting)~~
3. Rebecca M. Benally, Candidate for San Juan County, Commissioner Position
Thanks the people and introduced herself in Navajo. Just wants to introduced herself and make it known that she is running for Utah County Commissioner. Even though it is just District 3, it is all Utah area *when you discuss Utah issues. Let's work together to progress forward. Analogy she used was "Don't go to home to home with just hanging arm", was what was taught to her.*
4. Rock Point Community School – no show
5. Myron McLaughlin, Candidate for Navajo Nation President
Thanks the people all in Navajo and introduced himself, his wife is a Mexican and two kids and raise by his grandmother. He was raised with his wife, gone to school, college. Gone to Rodeo (bull rider) when he was young, his wife was a barrel racer. "Let's Show Some Class".
Within Navajo Nation Utah people are being forgotten and New Mexico is taking in a lot of money. He will eliminate the boarders and do away with it. A lot of veterans are forgotten and our elderly's. Our youth are being overlooked too; just win the election by them. He is a facility director with Bee'agid baa'ahoozni'. Agricultural education by his wife brought him back to the reservation. She told me that *my people need me which brought us back to the reservation. He is also a Vice-President with Chinle Chapter.*
6. Cassandra Beletso – UNHS, Happy belated birthday to Kenneth on May 13th was his birthday
 - a. Have not had their meeting yet. Have not hire a new CEO but applications are in and being process
 - b. Saturday, people were exam for cataracts, everybody were invited to go over there
 - c. Interest in looking into clinic or hospital and working on it
7. Melvin Capitain Jr.-running for San Juan County School District, school board. Worked as Geologist and Hydrologist. When I came back, there were a lot of issues/problems with schools, computer, buses, and children. He is running as a write-in because he forgot the registration.
8. Edward Tapaha – Primary Election on June 24th and will mail them to each one and has the registration forms. District 3 primary election (Dzil Dilto) San Juan County. Unaffiliated will not receive mail

Motion to approve/accept all reports by Adna Singer, second by Martha Nahkai with a vote of 32 in favor, 0 opposed, 2 abstained, motion carried

Drawing of the Door Prizes for Mother's Day- 5 winners

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|---------------------------|---------------------------|--------------------------|
| 1. Janice Yanito (696240) | 3. Pauline Black (696225) | 5. Doris Haskan (696228) |
| 2. Eva John (696236) | 4. Adna Singer (696237) | |

V. MEETING ADJOURNMENT by Jerry Tsosie at 7:20 p.m.

Motion to adjourn the meeting by Adna Singer, second by Martha Nahkai with a vote of 32 in favor, 0 opposed, 2 abstained, motion carried

Next meeting is June 4, 2014 at 3:00 p.m. Regular Chapter meeting is June 8, 2014 at 4:00 p.m.

Posted by: Mary Ann Woody

Date Posted: May 14, 2014

Time Posted: 7:22 p.m.

Kenneth asked about resolution for endorsement for NN Pres and County Commissioner as a write-in. Kenneth White for complete housing, s/r wants it (K & Irene -480-352-7120)