

Council of Mexican Water Chapter Government

Chapter Meeting
Sunday, March 10, 2013 @ 10:00 a.m.

AGENDA



I. PLANNING MEETING

- A. CALL TO ORDER** BY Jerry Tsosie at 11:50 a.m.
- B. INVOCATION** by Harry Descheny

-Jerry Tsosie - Chapter President gave the floor to Mr. Theo Shorty-consultant for AFOG to continue reading from where he left off with his **Tax Ordinance under NEW BUSINESS/ACTION ITEMS A, B & C.** (handout available for community)

Questions posed by community as the Tax Ordinance is read:

Darlene Yazzie (CHR)- She went over the Alert Team meeting today at 9:00 a.m. and briefly discussed to set the farm board and wants to know how to go about on how to do this. She is hope and looking to the future that someday our children will do these things for themselves. Also an area or so allocated for farming within the Chapter 50 acre, wants to see planting of peaches, applies, vegetables, etc.

David John- Chapter Vice-President: Farm Board, already written into the AFOG, this is a long process that we will be using someday we will get a farm board and it's already there. Darlene Yazzie asked for ½ an acre here within the chapter for our children, those who have farm board they're lucky. I want that to be here too around the chapter. David John, we met with USDA last month and we put this into the plan and we requested to have a farm board. For vegetation, put in more of these into the plan and so that we would have all this in placed.

Marlon Saggboy: Suggested that Mr. Shorty-consultant that it would be better for him to read it, hit the high lights of it; it has been read many times. People are going to leave because they ate. We won't criticize each other so just allow him to continue reading the Tax Ordinance.

David John – We read this a few times before already, we were at a certain page and there was only 9 pages left. Just start from where you left off. Go back to the 9 pages and take it from there. (*Mr. Shorty started reading from Chapter 4*).

Jerry Tsosie-Chapter President gave David John – vice-president to take over from here.

Harold Skaw – Commented on Economic Development, appreciate the AFOG and certification of the Chapter. Business Development Office & development, wants to comment on Economic Development and Farm Board, Water being engineered and how the water will be utilized, they know, etc. Just talking about it and If you look at Anglo Society, they have car wash, stores, and office. There is not enough people working, lacking of store owner but not enough workers, etc., I went into the world

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of Anglo, I went to school at University and school of business with the help of the chapter with funds, and did their job in the world of business. If you look at the White Society, he himself went and learned about business and technology. You have to know about technology, has his own business in two sites. We work with business/Technology; we would like some of the business out here at the Reservation. There could be more computers and the people would be working. Those cell phones you have, they are made in China, we want these at Mexican Water and Bluff. All these will bring jobs, etc. He wants to assist with the knowledge that he has gained.

David John –We have a master plan in place here at the Chapter, we have 50 acre for economic development we plan to put the master plan beside the certification up on the board and stated that the chapter has recommended him to be a part of EDC and we need your help. We want people to be working in the industry. We have lack of housing for people who travel out here to be employees. This is going to be part of the economic development plan. We want to work with you; we are open to whoever wants to establish a business here.

David John read the Tax Ordinance A, B, C, and D in Navajo and clarified for the community and election will be set up for all the community to vote on Tuesday, March 12, 2013, it is called Referendum Vote.

C. ROLL CALL BY MARY ANN WOODY

(1) Jerry Tsosie- President

(2) David John- Vice President

(3) Mary Ann Woody -Secretary/Treasurer

(4) (Harry Descheny -at large representing Soil/Conservation,

(5) Francis Haskan - representing Veterans,

(6) Darlene Yazzie - CHR)

D. APPROVAL OF PREVIOUS MEETING JOURNAL OF PROCEEDINGS/MINUTES-we did not do this and has been deferred to next meetings

E. Approval of Agenda:

** Motion for approval of Agenda by Susie Blackhorse and second by Mary Benally, with a vote of 36 in favor, 2 opposed, 2 abstained, motions carried.

Requesting addition to the Agenda from the community members:-

Woody Lee, requesting to add a resolution which allows for two vacant slots for Dine Committee

-Francis Haskan, questioning chapter organization chart, direct/indirect lines of the chart, etc.

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-Mary Benally, water projects, economic development needs to be map and we need that to be forwarded to Mark Maryboy, (Use the website to get more information)

II. OLD BUSINESS - none

III. NEW BUSINESS /ACTION ITEMS

- 12 A. Second official reading of the Alternative Form of Governance, Council of Mexican Water Chapter Ordinance; Approving the Council of Mexican Water Chapter Ordinance (Ordinance); recommending approval of the Ordinance by the Resource and Development Committee (RDC) of the Navajo Nation Council; recommending referral of the Ordinance by the RDC to the Navajo Board of Election Supervisors to authorize a Chapter Referendum Vote at the earliest feasible date.
- 13 B. Approving the Mexican Water Chapter Business Site Leasing Administrative Plan and Management Plan (Plan); recommending review and referral of the Plan by the Division of Economic Development Review Team for approval of the Plan by the Resource and Development Committee (RDC) of the Navajo Nation Council; Recommending the RDC to Grant Final approval of Business Site Lease Transactions to the Mexican Water Chapter
- 14 C. First official reading of the Mexican Water Chapter Tax Ordinance; Approving the Mexican Water Chapter TAX Ordinance (Ordinance) recommending approval of the Ordinance by the Resource and Development Committee (RDC) of the Navajo Nation Council; recommending referral of the Ordinance by the RDC to the Navajo Board of Election Supervisors to authorize a Chapter Referendum Vote.
- 15 D. Approving and establishment of the Mexican Water Economic Development Committee to be tasked with approving Business Site Leasing transactions within the jurisdiction of Mexican Water Chapter and Mexican Water Chapter Business Development Office to be responsible for the management of Business Site Lease transaction and economic development activities within the jurisdiction of Mexican Water Chapter.

Jerry Tsosie-chapter president stated that we did not accept the agenda at the beginning of the meeting so we need to do that first but he did stated that we would have our Tax Ordinance reading first. David John – vice president –This is our community meeting, the other suggestion is public hearing along with the regular chapter meeting, what we could do is treat this as a public hearing before we accept the Agenda, the reading of the Ordinance and we send that to the chapter on records then we accept the Agenda A, B, C, and D. We will be back on order because we did not have our public hearing.

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Right now we're going to go ahead and go by the regular Agenda now that we're finished with the Tax Ordinance reading.

****Motion to accept report by Theo Shorty A, B, & C, and D, by Marlon Saggboy, second by Alvin Tohtsoni, Vote 31 in favor, 0 opposed, 2 abstain, motion carried. There will be an election set aside for the community to vote. Minor changes will be accepted, no major changes (confidence) sentences need to be defined).**

-Theo Shorty thank all the community and his time is the end of the month – Harold Skaw – financial/business plan, creating a private equity fund, response by Theo Shorty, come up with a plan that all the EDC should be doing, retention/business plan, etc.

Mary Benally – Adi Domain, this is in the land Use Plan.

Steven John – Time Frame, is there a limit? Theo once the book is approved and goes to the right people then RDC will be coming forward and you have at least 120 days to be working, setting aside for business lease, etc. Tax compliance office to collect taxes.

Kee White, Billy Saggboy, and Marlon Saggboy attending the chapter, previous chapter officials.

Marlon Saggboy, don't make this such a big deal like those in the city, (speak in Navajo/English).

Theo Shorty- thanked the community with full appreciation and support of the community, and is very proud of the community, help one another and help one another, chapter has moved beyond just being certified.

14 **E. Approve to support the Rock Point Community School Application for Reauthorization by the Navajo Nation Education Committee to continue to operate under the authority of PL93-638.**

****Motion by Alvin Tohtsoni, second by Pauling Black, Vote 30 in favor, 0 opposed, and 6 abstained.**

- Rosie Suen introduced herself and is here for the Rock Point School. Thanks all the community and requesting a resolution which will be forth coming.

19 **F. Approving and Supporting the Capital Outlay Projects submitted to the Navajo Nation CIO by the Utah Chapter and urging Navajo Nation CIO/Resources and Development committee to give fair and favorable funding consideration for construction-ready Utah Chapter projects.**

-David John, don't forget us who are in Utah, just because we are in Utah, allocate all the funding alike, think of us alike we are all part of NN.

****Motion by Marlon Saggboy to accept item F and second by Steven John with a vote of 33 in favor, 0 opposed, 0 abstained, motion carried.**

-Woody Lee – 2million to Utah and 2 million to AZ and NM.

-Mary Benally – housing, all the housing being built but there are piles of lumber sitting a side and the houses are not finished. Off the Agenda

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-But **Martha Saggboy** explained - there is different funding, money comes through and some are saying that people are going to be working on it themselves, when it gets there; people are saying they don't have anyone to make the house. The chapter does not have enough money to cover everything. Utah funding, met with them and there is funding for the lumber but no money for the labor/workers, etc. She also mentioned the meeting we had with Housing/Bank last week. There was 13 housing for MW, Trust Fund matching fund. How come they have new vehicle and they can't afford their own housing. There were 13 houses being in a plan but the budget froze and there was only 10 thousand, this is not going to build a home. Point of Order is well taken.

- 18 **G. Approving to recommend and support the current Judicial and Public Safety Facilities Fund Management Plan and the judicial/Public Safety Facility Construction Priorities, and issuance of bond financing to fund the construction of the new Judicial and Public Safety Facilities within Shiprock, San Juan County, Navajo Nation (New Mexico).**
**Motion by Darlene Yazzie, second by Susie Blackhorse, with a vote of 37 in favor, 0 opposed, 2 abstained, motion carried.
- 19 **H. Approve the Plan of Operation for the Alternative Form of Governance Development Committee.**
**Motion by Marlon Saggboy, second by Darlene Yazzie with a vote of 36 in favor, 0 opposed, 0 abstained, motion carried.

IV. Reports/Announcements (Jerry Tsosie took over from here again)

-**Kenneth Maryboy**; We were late for planning meeting, we have a lot of things that needs to be addressed here at Mexican Water community and outside the community and we are still are at each other for money. (da'ahiiniigaan) Tuesday we went to Salt Lake City to testify for money Allocation of funding, it's been 5 years, beehaz'aanii position statement, and only one is in place. Mary Benally was there and spoke for Mexican Water. Resolution was send there, Teec went to support, Aneth, Oljeto, Naatsis'aan all came to support. We came in front of the committee First of all Utah State Senator(Mike Nuwell along with our attorney) put forth a letter. Money was going to be for Aneth extension. It changed in 1968 it covers us too, a lot of people don't like this and want to get rid of 1968. Only ½ of the people are saying this. This paper was only for Utah Dine Corporation paper is the only one there, nothing else. Utah State governor met with W/R President last year, stated that there is no paper at Town Hall meeting and to this day you have not mention to me, (shinidin lah) now its 2013. Because of this started working against them. Blanding people such as Lynn Lee, Clio Bradford, Lynn Stevens and Donna Singer have been sending papers for them. They talked about each other there. Tomorrow at San Juan County commission naaltsoos bee adanihoodii taah haash'aadi coming forth. **(These people are not talking for the Navajo and are not Navajo, don't listen to them, listen to what the Chapter are saying)**. This is what the paper will say, I wanted Mexican Water to do a resolution too but it's close to

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finishing the Agenda and Oljeto is doing that already. Right now it's almost at the tip and when we testified committee voted on it and nobody opposed it, all the leaders now it will be Navajo Utah Dine Corporation beedooziil, with the attorney there.

Friday it went to Natural Resource (house of Representative) there were a lot of Kaa'yalii and were against this paper and some of them were escorted out. Senator Nuwell said the paper was voted on and nobody opposed. The paper will go forward no matter what, to all the important people.

April we will be traveling to Washington, this paper which is in place is stating that Utah State is the beneficiary and it has the legal authority/write (neezo'). Scratch UTAH and replace of UTAH Navajo and Utah Dine Corporation, revised this now and Utah Navajo a this is their money. (Over 50 million) and other assets (100 million) sitting there. Arizona continues to receive their money is being used for Roads and general fund, etc. Now that Utah Dine Corporation is moving, it was suggested Jerry Tsosie to go but he selected me to go for him and I am expiring. We need to select two people for Utah Dine Corporation and need a resolution from Mexican Water Chapter.

There were meetings that took place in W/R, council delegate were told not to take legislation out because there is only two more years left for election. Maybe that's the reason why to prove themselves, they are doing something for their people. Two years went by and we have not done anything yet that's worthwhile, did not really do anything. From my point we have not yet done anything, don't know what the people will be thinking about this. Only one of the leader mention 5% sales tax be added, Washington puts out **One Billion** allocated for the Council (which we don't see) but 80% administration Cost goes to W/R and in turn only 20% comes back down to the Chapter. There's something wrong and someone is sleeping at the wheel. Why is it like that? One of the council made a 5% sales tax infringe on the people, whatever we did not help and make it even, the mistake we made, now in W/R, the mistake we made we have to reach into our pocket sales tax to make things even, bee oonish. To me that not helping the people, if you look at that legislation I voted against this and I was the only one that did not vote for it. Only 1% of that sales tax is being used for San Juan County in operation. 1% of that sales tax Utah Roads is being work with.

Working with Woody Lee has really been helpful, he makes things even out for me. Has been working out for me, right now we are discussing homes and Veterans home Woody has been working on that. One thing that I am working on is bee and kayah bee anida hazti.

Keyah ni haanidaataah, it's just right there now, Forestry Services and BLM Coal Management Agreement is going to take place; if we won the land back, there's allot lands, some don't have owner.

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Dooko, oosliid, being discussion is the same too. Republican –(Green tea), niigo yee a'hota', according to them, this can be done, but what's difficult is county commission, there is three of us and Anglo has a different thinking and we Navajo think differently, we did not work together but now we have **Frame Work Agreement** came forward (resolution) and we can work together now. Also it hinder us, why the Navajo, the Medicine man/woman got a hold of the land was won back and herbs they make and the medicine (azee naageedigii) they used, the mountain, otherwise the mtn becomes a national service and no one etc. It happened to Grand Canyon, Escalante Staircase, took over the people land.

Water; AZ water, IHS water line is just for drinking water, Water extension coming from Aneth is for gardening/livestock. Utah Water Settlement which includes UT/AZ and NM was add, 30 thousand feet acre of what is going down/down. 170 thousand acre feet of going down to Arizona, to Dilcon. What we are including is Teec Nos Pos, Rock Point, Dennehotso, Kayenta, Black Mesa, and Tuba City, that's how far this water is going.

-**Mary Benally** – CLUP and ALERT meeting, plan needs to happen. Grazing permittees and all the community needs to attend, school in Bluff needs to be relocated and water is the issue. Bring your youth and bring two other people with you when you come to the meeting. So when the money comes through, we would be better prepared.

****Motion to accept Kenneth Maryboy's report by Marlon Saggboy and second by Susie Blackhorse, with a vote of 29 in favor, 0 opposed, and 0 abstained, motion carried.**

Woody Lee -requested a resolution earlier so that would be included with Kenneth Maryboy's report. Dine Utah Corporation needs 2 members to represent Mexican Water, Kenneth Maryboy is in now and we can re-select Kenneth Maryboy and add someone else. Motion by second by Marlon Saggboy.

Marlon Saggboy, as council delegate he has certain duties, and we all voted for him form AZ and UT. We done this and done and gone. When you look at that one million of dollar is nothing. What are the other Utah chapters saying? Utah people need to talk about it, etc.

Kenneth Maryboy, how many voters are there in Utah? This question has been posed before and many times. How come there is no understanding of it. Navajo Mountain put out a resolution, Oljeto and Mexican Water, Red Mesa, Teec Nos Pos, can there be a resolution if it has not been discussed? Aneth was the first chapter to put out a resolution. Kaa'yalii has a different thinking, they want to eliminate everybody, but majority of Aneth community wants to be over here. Why was it Sunset? Why? UNDC was question, 6 million dollars was missing. Utah Navajo Health System took 6 million, Governor Bilagoona 3 called Trustees, Utah Dine Committee, Office of Trust Fund, Trust

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Fund the chapter has to approve, etc. People did not approve to take this money out and people were not informed. Board of Trustees took the money and became an issue and it became a sunset issue. After it being Sunset, Congress did not want to do anything, why is Governor off the seat with fiduciary responsibility 2014 why run off before that? Navajo Nation came and requested to have the money. When already 621/2% within Aneth extension going that way. Aneth extension outside oil 100% is taken by Window Rock. The council said that every mirror there is an agreement, why is 371/2% going that way? Why? Aneth extension has a separate agreement and Navajo Nation has no right to take these money. Two options: 1). NN has it all and account. 2) Develop your own corporation, UNDC, UNHS, were placed, etc. There is only one which is Utah Dine Corporation.

Martha Saggboy - segregation of duty, conflict of interest, etc. need to understand this because the officials have a lot of committees. We need the community to get involved and these officials are already on a lot of committee, etc. Their work is a lot, when they're asked to be at certain meetings, can't make it, they'll say that. As a chapter manager, I have obstacle that I face due to my job

Jerry Tsosie – The first meeting on this issue, there were only 19 people present, but the resolution went forward.

Marlon Saggboy – there should be some kind of recommendation; there should be some note of it.

Richard Yanito – vote for Kenneth Maryboy because he understand the whole thing, the second one should be **Mary Benally**. Help one another and made a motion, second by **Steven John**, with a vote of 29 in favor and 0 opposed and 1 abstained, to represent Mexican water Chapter, motion carried.

6 chapters are appointing 2 representative from their chapters.

A. Quarterly updates to the Community

V. Meeting Adjournment by Jerry Tsosie at 3:10 p.m.

Next meeting April 7 for chapter meeting at noon and April 3 is planning meeting.

**Motion by Marlon Saggboy and second by Darlene Yazzie with a vote of 29 in favor, 0 opposed, 0 abstained, and motion carried.