

(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 January 11, 2015 at Mexican Water Chapter Multipurpose Building Complex 1 locate 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 Branial 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 @ 11:40 a.m.
- B. Invocation by Vice-President – David John
- C. Roll Call by Mary Ann Woody for the record
- D. Approval of previous meeting Journal of Proceedings/minutes of December 14, 2014
Motion for approval by Thomas Poyer, second by Darlene Yazzie with a vote of 18 in favor, 0 opposed, 4 abstained, motion carried
- E. Approval of Agenda – read by secretary for the record
Motion for approval by Cassandra Beletso, second by Darlene Yazzie, with a vote of 20 in favor, 0 opposed, 4 abstained, motion carried.

Request:

Curtis Yanito - requesting for a DUNN Number for Grant Writing, all running operations, etc. and requesting for a resolution for DUNN Number.

Chapter Vice-President – Chapter Secretary/Treasurer (Mary Ann Woody) missed Wednesday's Planning Meeting due to a ceremony and she had some duties there and will do a claim for this month January, she will be excused due to traditional ceremony. These kinds of situations are excusable.

Chapter President – Red Mesa Superintendent will do his report first.

II. OLD BUSINESS

III. NEW BUSINESS/ACTION ITEMS

- A. **MWCJAN11-029** Approve to accept the FY 2014 Revenue Collection for FY 2015 Navajo Nation Chapter Sales Tax Funding of \$39,359.00 and its budget
Motion for approval by Thomas Poyer for item **A to H**, second by Cassandra Beletso with a vote of, motion was withdrawn by both party for each item to be discussed separately due to statements made by the community members.
KMaryboy - opposing item **D** and does not agree with it but it's up to the people. For Utah people, trust fund holding office Lynn Stevens wants this along with Ms Blackhorse. Not sure what their plans are again. There is still a question there. Blue Mountain is off reservation, it should be West Water people living on the reservation.
CBeletso – The way she understands is that from now until they find someone to oversee the funds, up to that time the money will re-open for people to use. Too many years and people are in need of money. This legislation states "Borrow money for economic development" which was included.
CPresident – During NUC Meeting, Shirley Silversmith was here and she brought these resolutions with her and said that it can be changed before it goes to the legislation. However ways the chapters votes on it. State of Utah is still in litigation, so maybe it will approve or not.

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KMaryboy – when you're working on it and with it, you understand it differently. The money is needed, yes, but the scholarship is not being eliminated. Just think about this that NUC is a Navajo Nation entity. He stated that years ago that NUC puts out legislation and the chapter reports it as it was voted on but when Washington looks at it, NUC is under the Executive Branch which is Navajo Nation President, so when the paper goes in the question is are they behind what the President say?

The second one is the Governor says he does not want this money and we are pushing the money into his pocket again. The paper in Washington is still the same and is there, the money is added on so when the money goes, what are we going to do? We will just be in the way. There, the question is not asked this way, what the Judge and Court says, it goes.

Housing, Sunset was not our fault and Governor jump off before his term ended. So the housing never got finished. Now Lynn Stevens is going around and requesting to the NRF funding to allocate more money and we approve it. It seems like we are paying for his mistakes, etc. These are the reasons I don't approve of **Item D**.

CBeletso – there has to be a majority of Utah here to vote, this became an issue at one time.

RYanito: Does not agree with the way the voting will be, it belongs to Dine in Utah, etc. Would like how the vote was made way back and keep it that way...

Motion for approval by Richard Yanito for item A, B, C, E, F, G, H & I, second by Kenneth J. White with a vote of 21 in favor, 0 opposed, 4 abstained, motion carried

KMaryboy: it is a very sensitive issue due to separation of some people, etc.

LGray; what is the allocation of money that was being aired in Arizona? She heard this through the Radio. **Response (DJ)**, there are capital out lay funds (roads, houses, etc.) We have a representative Albert Hale with Arizona, during state legislation meetings. Need to work with state legislature. We can request for these monies.

- B. **MWCJAN11-030** Approve to request NRF Board to re-program FY 2014 Chapter Project allocation of \$5,000.00 that was previously approved for Consultant Professional Services to Technology equipment project and to reimburse chapter for the purchased made using own chapter funds
- C. **MWCJAN11-031** Approving to request the Navajo Nation Division of Community Development to designate Mexican Water Chapter to serve as one of the Administrative Service Center for Region 12 Site
- D. ~~**MWCJAN11-032** Approving to request the 2015 Utah Legislature to enact legislation reinstating the State of Utah as the Trustee for the Utah Navajo Trust Fund and expressing opposition in allowing business loans and grants as an eligible trust fund activity~~
Motion to delete item D by Darlene Yazzie, second by Sarah Yanito with a vote of 24 in favor, 0 opposed, 3 abstained, motion carried.
- E. **MWCJAN11-032** Approving to support H.B. 33 (American Indian-Alaskan Native Education Amendments) and urging the 2015 Utah Legislature to enact proposed legislation
- F. **MWCJAN11-033** Approving legislative issues and concerns for presentation to Governor Gary R. Herbert and the 2015 Utah legislature during the Utah Tribal Caucus on February 12, 2015 (*recommendation is to have a representative from the chapter*)
- G. **MWCJAN11-034** Approving to request the 23rd Navajo Nation Council, Budget & Finance Committee and the Resources Development Committee to allocate 50% of the Permanent

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Trust Fund interested earned to the LGA governance certified chapters as the Resources Development Committee of the 22nd Navajo Nation Council recommended if the Navajo Nation is unable to get the loan in place that was intended to fund the capital outlay projects

- H. **MWCJAN11-035** Approving and supporting the Memorandum of Agreement (MOA) between Mexican Water Chapter and San Juan County, Utah Commissioners to disburse direct funding of FY 2015 Funds and to accept the SJC Funds in the amount of \$12,320.00
- I. **MWCJAN11-036** Approving and requesting for a DUNNS Number for Mexican Water Chapter

IV. REPORTS/ANNOUNCEMENTS

Motion for approval by Darlene Yazzie for item **A1 to 9**, second by Sarah Yanito with a vote of 22 in favor, 0 opposed, 3 abstained, motion carried

A. Financial Reports (attached)

1. Ratification of December 2014 Payroll Expenses of **\$25,593.92**
2. Ratification of December 2014 Chapter Official Stipend Expenses of **\$3,450.00**
3. Ratification of December 2014 Chapter Grazing Official Stipend Expenses of **\$00**
4. Ratification of December 2014 Chapter Veterans Organization Expenses of **\$1,350.00**
5. Ratification of December 2014 Scholarship Expenses of **\$00**
6. Ratification of December 2014 Vouchers Expenses of **\$16,369.80**
7. Budget Transfer/Modifications to cover expenses incurred December 2014
8. Approve to sell firewood for \$15 at 1/10 of cord to collect revenue
9. Approval of Veterans FY 2008 Supplemental Navajo Nation General Funds to be expended for:
 - Financial Assistance Hardship for three (3) Veterans in the amount of \$300.00 each, totaling \$900.00 for ANahkai; DTsosie; TPoyer (All prior receipt(s) for the full amount needs to be submitted before any disbursement)
 - Archaeological Clearance for one (1) Veteran UT: JETcitty
 - Medical Appointment Financial Assistance for one (1) Veteran at \$150.00 each for KJWhite

B. QUARTERLY REPORTS (Written/Oral)

1. RMUSD Superintendent, Tommie Yazzie (Bitahnii, To'ahani, A'shihi", Tl'izi Iani)
Capital Constructions:
 - A. Renovation (RMHS) 9th to 12th grade. Been with the school for 3 years now. The construction of the building was done in 1970. Air quality is an issue and had it surveyed (ceiling, has rooms and birds build their nest in these rooms). Constructors wired the building for Internet and left some holes within the ceiling. The smell of the bird nesting and death of them smells throughout the building which affects the students. Gas line (support system are loose). Building C and D have been in renovation for the past 6 months now and almost finished. It will be done by February and the restrooms are made according to the new ADA American Disability Act from Washington Law. (Total cost is **1.3M** for renovation).
 - B. First year as Superintendent, school district applied for IMPACT AID Emergency Grant-DUNNS Number is required to request for these types of things and before a year went by we got response that **6.8M** will be appropriated to the school from Washington. CTE building will go under construction right now. Welding Shop and

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Vocational Building, near these two buildings will be Welding, Building Trades, Computer Graphics, Nursing, etc. The problems with the building are fumes from welding causes sickness because there is no proper ventilation, etc. Also dust from board cutting will cause health hazard in the long run. State Department is advising us to do a proper ventilation of the buildings, etc.

- C. Special Education need to have public access for all the buildings, ramps for wheel chair, fire alarm, etc. Constructor has been hired and ready for construction and we want to finish by the end of fall 2015. Free Public money available to Red Mesa School District
- D. Elevated Tank-40 years old and has holes in it and the water drips from it. Used for Fire Suppression and if there is a sparks within the building or fire, the tank of water will be used but the pressure is very low too. We set aside some money for this too. Right now the tank is full
- E. Water – School Campus, there is a well and been using it but been told that there is arsenic in the water and have been using water bottle for the past three years now. NTUA water was connected to the school (right of way, lots of work and took the longest) but it only took a month to connect the water. January 15, 2015 we will stop water bottle and start using the NTUA water.
- F. Preschool: RMUSD had a preschool before and I notice that there were small furniture's. We requested for a Grant and on November 5th, we had the building recertified and currently have about 24 students with a certified teacher and paraprofessional in the classroom and capacity is about 50 students. Two board members have been added back with the School Board Member (Martha Saggboy)

Questions: DY, what happened with the Parent Center? Response – Still have it there but staff is only one clerk there. Right now working with GED program and working with Title I and Title 7. Parent Liaison is working with community and Chapters, going around to different areas to posted information regarding the schools, very minimal services. What can be done to get that Center upgrade? Response – Have to look at the funding, since 2008 there has been economic down turn and a lot of cuts from the state funding and there is a court order at the State level with the new Governor in the State of Arizona to restore that money, etc. Budget wise they don't have the money to do that, a lot of public schools sued to restore those funds but it is still going through the process of litigation and legislation.

Questions: KJW, Why is the campus not being expanded (bigger)? Preparation for College & Navajo Language, what does Red Mesa do to prepare? **Response:** availability of land, right now K-12th is sitting on 50 acre of land. There is not enough space and the only way is to go up on the building, if you make 2 story building then elevator has to be installed and re-calculate all the water pressure, etc.) If there is only water tank, not enough, will need one more. As for the land it is up to the people within the area to OK for the land withdrawal. Opportunities are available for Youth Program, currently partnership MOA with Dine College to offer college courses and Navajo Technical College and they use the classroom. The third one is Native Navajo Technical Trades Consortium in Kayenta. Right now we are offering Nursing Program through Internet connection through Chinle and

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Kayenta, they like to expand this. Kayenta has Ed Science Program, like to have it at Red Mesa too. For both schools to be successful and to work both in Kayenta and Red Mesa, they need a third School District to join, also Veterinarian for full time to be on staff. They are developing this with Kayenta and hoping that either Ganado or Chinle to come out to be the third District.

Comment by Kenneth Maryboy - *This chapter should write a support letter regarding the Superintendent's report and money is needed everywhere. Mexican Water Chapter should write a curtsy letter in support of what services and what Grants he talked about with RMHS. Write the letter on behalf of the community to acknowledge the service and funding that was provided to RMHS.*

2. Council Delegate, Kenneth Maryboy; *he thought his last day was last Friday but been told not till Tuesday of January 13, 2015 and Inauguration is Tuesday, January 13, 2015 for Council Delegates.*
 - *I've been asked to work for Navajo Nation Head Start but did not accept and want to rest and focus on his kids and grandchildren do not really want to work at this time. It's been 16 years and been overlooking 5 chapters and county, also as county commissioner. There are a lot we did, some are finished, some almost and some we did not get to. Only four years term according to Navajo way. Did not lose the county commissioner, he did not campaign.*
 - *Trust Fund pays Arizona and Utah/Navajo, 4M goes to Window Rock (General Fund) which is used by New Mexico and Arizona, 37% stays here in Utah. He worked hard on this and hopes that it stays in Utah. Some other communities don't have money and Utah is rich and has money available for the chapter to use when it becomes available, etc.*
 - *Question he has for all community members is "Do I run again for NN President?" It will be up to the people for him to run again for the NN President, if it doesn't work it should be left along. Fluency – even if you don't speak Navajo, a person will become NN President or a leader. So it is approved and he opposed due to him being a medicine man and still speaks with the truth.*
 - *It is now signed that all the 17 Candidates will run again. The filing fee is \$1,500.00 for new Candidates. June 2nd will be the Primary Election, August 4th will be General Election and Ben Shelly/Rex Jim will serve until Election Day. The fee for the Election is \$316,000.00.*
 - *Been told to help with EDC with Mexican Water Chapter which he like to do. Been asked to be a part of Red Mesa School District (IEC) also Community Liaison and Head start Program. Actually he wants to rest for two years.*
3. Grazing Committee Representative, Curtis Yanito
 - District Meeting and Agency Council Meeting, there are a lot of paper work not being done and there is no one who really is knowledgeable about the whole things. Try to question BIA and natural resource, thank the people for approving his request for increase of the budget, etc.
 - DUNN Number accountability pertains to school, road, USDA, etc. Federal Register funding, there is money there and we don't even request for it. As long as we have this

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DUNN Number (Accounting System). Bank who is donating, make sure you have accountability, tell how the money was used.

-Water, Plants, Gardens, Dams not fixed, needs a lot of work that needs to be done. We need to have our power back regarding the Grazing Permit. BIA and Natural Resources are working against the permit holders. Too many policy/laws and told to iron it out. BIA says that again, that there are too many animals; people don't know how to utilize the land, etc. What are we going to use to work on this; we don't have enough money, etc.

Natural Environment Policy Act, BIA took a look at it again, compliance and enforcement. It needs to have a federal action. Resource management, Conservation Requirement and NEPA compliance not being observed/obey, etc. Environmental Impact, conservation is saying we need to fix the land, etc. All this is affecting the transfer of grazing permit. So due to this a lot of horses are just roaming the land and nothing being done. Water, plants, seeds need to be provided, etc. Road is the same way, no lease for the road and too many unnecessary roads here and there.

Fences needs to be fix, there is not enough rain everywhere too. Do conservation plan and fix all these things is being stress for all grazing representative, etc. Chapter boulder is not there and unclear, nothing to work with.

Arch Clearance is \$105.00 per Homesite Lease which does not include water line, power and roads, etc.

He wants to reserve a bulletin board where he can post his information, etc.

Announcement: Navajo Oil/Gas having a meeting on January 15, 2015 at Red Mesa Chapter. January 16 at Tse'alnaazti'i' for all District Wide Grazing Rep., January 22, 2015 meeting with SWCG in Shiprock.

Comment: JM – Overgrazing/damage of land, we depend on these animals for income, don't blame the people, it's the RAIN, we need rain, etc. Lots of unwanted plants which animals don't consume and too many wild horses all over, there is hardly any one grazing their sheep barely enough in corral. Don't work against the people but work for the people, buy hay, do water well, plant some good seeds, etc.

Comment: TPoyer – Homesite Lease, we pay for it and it takes many more years for the homesite lease to come out. Why can't all the officials, grazing rep. and Council Delegate to come together and meet and discuss the issues at hand, etc.

4. UNHS, INC Health Board, CBeletso

Calendars are still available but don't know if more will be given.

Medications – will be held on January 15, 2015 from 1:30 – 3:30 at Montezuma Creek and also Monument Valley on January 15, 2015 from 9:00 am to 11:30 am.

V. **MEETING ADJOURNMENT** by Jerry Tsosie @ 2:10 p.m.

Motion for adjournment with all reports by Darlene Yazzie, second by Sarah Yanito with a vote of 18 in favor, 0 opposed, 2 abstained, motion carried.

Planning Meeting February 4, 2015 @ 3:00 p.m. Regular Chapter Meeting will be February 8, 2015 @ 10:00 a.m.

Posted by: Mary Ann Woody

Date Posted: 1/11/2015

Time Posted: 2:10 p.m.