

(Council of Mexican Water Chapter Government)

Notice is hereby given to the general public that the Council of Mexican Water Chapter Government will convene a planning meeting open to the public on October 08, 2014 at Mexican Water Chapter Multipurpose Building Complex 1 located at Highway 191 N Milepost#2, Mexican Water, Utah beginning at 3:00 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 @ 5:12 p.m.
- B. Invocation by Jerry Tsosie our chapter president
- C. Roll Call by Mary Ann Woody for the record
- D. Approval of previous meeting Journal of Proceedings/minutes of September 17, 2014
Motion to accept by Mary Benally, second by Darlene Yazzie with a vote of 17 in favor, 0 opposed, 5 abstained, motion carried
- E. Approval of Agenda
Motion for approval by Pauline Black, second by Gladys Begay with a vote of 18 in favor, 0 opposed, 7 abstained, motion carried.

Addition:

Addition/concerns to the Agenda:

Amelia Black- Requesting for a resolution regarding garnet ridge water line to speed up the process to Office of environmental health in Kayenta and OEH. Her mom has put in a paper a long time, etc. Went to the chapter again and was told that it would take 2 years again. Her mom has a medical condition. NN Council and OEH, Water management to push ASAP for water line extension to happen right away. Been working on it for about 4 years now. If there is a resolution stating that this project this is on-going project and timeline, etc. Needs some kind of evidence to show proof to her about the project/timeline. 8T519 windmill near to the home needs to be fixed; we haul water from Kayenta and Dennehotso.

Grazing Rep.: He will contact Dennehotso Grazing Representative and will let Amelia Black know.

Chapter President – Kayenta OEH, had a meeting with them a few months ago and on the wall is the time line of the waterline project. Re-affirm the resolution that is in placed already, will located the resolution first before we do another one.

Gladys Begay – Water line needed in her area, is hauling water every day.

Vice-President – lots of money was allocated through IHS a few years ago from Stimulus Fund, etc. Then another one from SEQUESTOR last year and continue resolution is in the work now. There is not any new project and for IHS funds that is coming through and waiting for it. Facility in Kayenta was allocated another 40M for 129 units for housing and all these are related to one another, etc. Council Delegate from Dennehotso requested \$1,000.00 for garnet ridge which is going on now for bathroom addition. Availability of contractor is another issue, etc. SEQUESTOR cut a lot of monies that were coming through, etc. (The \$554M is now doing Public Hearing) which by the time when it comes to the chapter it is going to be very low, shovel ready is the first priority for certain chapters, etc. Two resolutions, one for windmill, maybe do a resolution for this first while they are waiting for the waterline extension. The other one is for the waterline extension to speed up, etc.

II. OLD BUSINESS

- A. **MWCAPR06-108** Supporting & approving Cellular One's request to establish and install another Cell Tower to be located in San Juan County, Utah on the Navajo Nation Reservation to service the Utah Navajos.

Motion to support/approve by Amelia Black, second by Darlene Yazzie, with a vote of 14 in favor, 3 opposed, 7 abstained, motion carried and to hire a local person to work with them per request by Grazing Representative.

Comment: MB: Is it guaranteed that this set up will work this time? She is against the land being damaged with a lot of towers being set up here and there, etc.

Comment: FH: His understanding was that the tower will be set at another location, why is it the same location?

Comment: RH – Is it just Cellular One?

Deswood Begay – response is roaming with AT & T and T-mobile

- B. **MWCSEPT07- 169** Approve to amend and accept the FY 2015 Navajo Nation Chapter operating Budget allocation of \$346,370.00 and its budget

(Need to recall this item back on the agenda for amendment to add \$50,000.00 Capital Outlay funding to be included as part of the annual allocation not a supplemental)

Motion for recall by Amelia Black, second by Darlene Yazzie with a vote of 15 in favor, 0 opposed, 7 abstained, motion carried for correction only.

Motion for approval by Amelia Black, second by Darlene Yazzie with a vote of 15 in favor, 1 opposed, 7 abstained, motion carried

III. **NEW BUSINESS/ACTION ITEMS**

- A. **MWCOCT08-001** Approve to recommend to accept the finalized updated Community Land Use Planning document

Motion to approve by Mary Benally, second by Darlene Yazzie with a vote of 17 in favor, 1 opposed, 7 abstained, motion carried

- B. **MWCOCT08-002** Requesting the Law & Order Committee of the Navajo Nation Council to immediately begin an investigation into what happened at the District Court and the Navajo Supreme Court in the Navajo Nation Oil and Gas Company (NNOGC) Case No. SC-CV-25-14; and for the Law & Order Committee to retain its own independent legal counsel to assist it with the investigation process

Motion for approval by Mary Benally, second by Harry W. Tsosie with a vote of 16 in favor, 0 opposed, 5 abstained, motion carried, this includes **B, C & D.**

Clarification by Greg H. Bigman - Section 17 their action is supposed to be separate, their action is through shareholder. District Court all fact findings which did not happen, shareholder intervene and did not accept shareholder, and shareholder did not present their information. They were granted due process. The Charter has 7 shareholder representative, voices of the people, Supreme Court ruled on the 7. The company is supposed to benefit the Navajo Nation and Navajo people. He is only here to report the **facts** of what happened with this case, etc. (Narbona Growth Fund, NTEC, NOVA Corporation) are the companies all being effected.

Vice-President: look into the background of the outside attorneys, what's wrong with our own attorney. The outside attorneys just complicate things and want to get paid more, and incorporate this into this resolution.

Greg: Two chapters already did this and re-evaluate the CEO and board of directors, currently Al Tsosie has been replaced by Fort Defiance Agency, and the vote was 33-0-5 replaced by Randy Birchman back in January 12th of 2013. Jennifer Hatalie was replaced by Jennifer Riggs in December 21, 2013. None of these people have knowledge of oil/gas, there is no one from Utah too. We need people in there who have knowledge of oil business, etc.

Comment: DY: What is a shareholder? Response by Greg is "Owners of shares of corporation stock"

Grazing Rep: Paul Fry will be investigated, etc. Investigate the oil attorney from the outside, etc.

- C. **MWCOCT08-003** Requesting and recommending the law and Order Committee of the Navajo Nation Council to immediately retain its own independent legal counsel to conduct its own investigation of the District Court and the Navajo Supreme Court opinion, Case No. CS-CV-25-14, Navajo Nation Oil and Gas Company (NNOGC)

- D. **MWCOCT08-004** Requesting and recommending to the 22nd Navajo Nation Council to ratify the restated federal charter of incorporation of the Navajo Nation Oil and Gas Company (*two groups*)

- E. **MWCOCT08-005** Approving to request NRF Board to authorize expenditure of \$100,000.00 from the FY 2015 NRF Chapter Allocations to be used towards the MPB Complex 2 construction cost
Motion for approval by Mary Benally, second by Francis Haskan with a vote of 18 in favor, 0 opposed, 7 abstained, motion carried

IV. REPORTS/ANNOUNCEMENTS

Motion to approve financial reports 1-8 by Darlene Yazzie, second by Amelia Black with a vote of 17 in favor, 0 opposed, 7 abstained, motion carried with Amelia Blacks request of resolution

A. Financial Reports (Attached)

1. Ratification of September 2014 Payroll Expenses of \$27,645.13
2. Ratification of September 2014 Chapter Official Stipend Expenses of \$3,300.00
3. Ratification of September 2014 Chapter Grazing Official Stipend Expenses of \$538.26
4. Ratification of September 2014 Chapter Veteran Organization Expenses of \$900.00
5. Ratification of September 2014 Scholarship Expenses of \$00.00
6. Ratification of September 2014 Vouchers Expenses of \$20,256.13
7. Budget Transfer /Modifications to cover expenses incurred September 2014
8. Approve to use chapter activity funds to purchase food for Grazing Representative Meeting
9. ~~Approve to donate towards the Horseback Trail Ride to 2014 Shiprock Fair~~

B. Quarterly Reports (Written/Oral) *While waiting for a quorum to let the politicians make their reports*

1. Council Delegate, Kenneth Maryboy – no show
2. Grazing Committee Representative, Curtis Yanito will do his report until next month
3. UNHS, INC Health Board, Cassandra Beletso – no show
4. Chapter Officials- no reports
5. Kendall G. Laws – Candidate for San Juan County Attorney – born and raised in Blanding, went to law school in Wyoming. Here with his mom, wants to take the Navajo Nation Bar exam, specifically because of the natural law to better understand how things work when passing rules as county government. "Treat people the way you want to be treated" believes this because of how his grandpa taught his dad and got this teaching from his dad.
Comment by CY: Juvenile when they get in trouble, how to deal with that? They don't ask for attorney/representation, etc.
6. David Carpenter – Candidate for San Juan County Recorder, a lot that he has to learn about the reservation as a recorder to benefit the Navajo person, which is a public statement, etc. For example such as selling land, etc. His goal is to serve the people within the County.
Comment by CY: Land/Water – share, river is a service and all these are recorded, etc.
7. Edward Tapaha – Official Ballot with San Juan County – (handout available). Official Ballot to be sending out in the mail to everyone starting this Friday and will be receiving around next Tuesday and send it back right away.
8. Roger Atcitty – Candidate for San Juan County Commission as a **write-in**
9. Robert Whitehorse –
10. Sharon Topaha – Survey on Navajo Petroleum Pipeline System. Do transporting and protect the pipeline, go to chapters to make report of
11. Anthony Marcus Begay - With Social Service (Utah, Arizona, NM) children from age 4 to 17 years of age. His title is Family Therapist, etc. Office is in Shiprock, takes care of children with attitude problems, with counseling, etc. Brochure available.

V. MEETING ADJOURNMENT by Jerry Tsosie @ 6:47 with majority votes.

Chapter Planning Meeting is November 5, 2014 at 4:00 p.m. and Regular Chapter Meeting is November 9, 2014 at noon.

Posted by: Mary Ann Woody

Date Posted: 10/08/14

Time Posted: 6:48 p.m.