

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 June 9, 2013 at Mexican Water Chapter Multipurpose Building Complex 1 locate at Highway 191 N Milepost#2, Mexican Water, Utah beginning at 10:00 o'clock am.

Information regarding the following agenda items may be reviewed in the office of the Council Manager at Highway191 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. CHAPTER MEETING

A. Call to Order by Jerry Tsosie at 12:07

B. Invocation by Herbert Yanito

C. Roll Call by Mary Ann Woody

D. Approval of previous meeting Journal of Proceedings/minutes of May 01, 2013

Motion to approve by Mary Benally, second by Ruby William to defer to next meeting in July with a vote of 31 in favor 0 opposed, 2 abstained, motion carried.

E. Approval of Agenda

Motion to approve Agenda by Marlon Saggboy, second by Herbert Yanito with a vote of 31 in favor, 0 opposed, 3 abstained, motion carried with corrections on Agenda and names.

Roy Hatalie – question on road that is in District 8 Garnet Ridge. What's on the agenda is District 9. According to David John we can add that **6440** road onto the District 9. Marlon Saggboy suggested that most likely they will say no but it does not hurt to do a letter to Dennehotso Chapter.

Jean Mustache – has the same problems but this is residential road which is separate.

Marlon Saggboy suggested to leave it as is by not adding because these are bus routes. It's being addressed in item **O**.

II. OLD BUSINESS

A. **MWCDEC09-046, approve to correct the name from Loulinda Gray to Loulinda Yellowhair on the Mexican Water Phase II Scattered Power Line Project**

Martha Saggboy – the individual person needs to come in and these are legal documents, she needs to come in and correct this herself. This has been two years in the process. She further explained that Loulinda was never on the list anyway but she added her on just because she was right next to another home. Motion to drop the name by Ophelia Black, second by Darlene Yazzie with a vote of 21 in favor, 5 opposed, 3 abstained, motion carried. Only 7 people will go forward with the project.

B. **MWC MAY05-085 Approve to request NDOT to designate fifteen (15) miles of road maintenances within Mexican Water Community base on priority: BIA RD# 5058, 5023, 5055, 5052, was tabled last meeting.** It was requested for the money to be given to the chapter but that did not happened. **David John** recommended to re-call the item.

David John recommended to re-call the item.

Motion to re-call by Marlon Saggboy and second by Roy Hatalie with a vote of 29 in favor, 0 opposed, and 2 abstained. Motion to approve/request by Marlon Saggboy, second by Darlene Yazzie, with a vote of 30 in favor, 0 opposed, 2 abstained, motion carried.

Martha Saggboy explained that the Council voted to give the money to the chapter to do their own maintenance of bus routes that are listed above. Apache County only takes care of these two roads, 5055 and 5052. The rest is BIA and they maintain the rest of the identified routes. Maintenance of the road is twice a year.

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- C. **MWCMAY05-090 Supporting and approving to ratify with a resolution number, the Bluff Elementary After-School Program's request from Navajo Revitalization Fund Non-Chapter Fund for matching of \$3,000.00 towards the ASPIRE Grant.** Motion to support/approve by Ruby Williams, second by Mary Benally with a vote of 31 in favor, 0 opposed, 2 abstained, motion carried.

III. NEW BUSINESS/ACTION ITEMS

- A. **MWCJUN09-091 Approve to request NTUA to amend the contract for the Mexican Water Phase II Scattered Power Line Extension Project to add two (2) client (s): Evangeline Gray and Guy/Margaret Redhouse to be included and to adjust the construction cost.**
8 people are on the approved contract but we added 2 more people just in case there might be extra money (houses are close together) so it would be okay for at least two more people.
Motion to approve by Herbert Yanito, second by Mrs. Wilhelmina John with a vote of 33 in favor, 0 opposed, 2 abstained, motion carried.
Mrs. Margaret Redhouse came in late, stated that she did request for electricity and still wants that request to move forward.
- B. **MWCJUN09-092 Approve to support and request funding from the Navajo Nation to allocate \$1.1 million construction cost for the Multipurpose Building Complex 2 Senior Center/Wellness Center.** Motion to approve/support by Ruby William and second by Roy Hatalie with a vote of 32 in favor, 0 opposed, 2 abstained, motion carried.
- C. **MWCJUN09-093 Approve to support and request the Chapter membership to delegate the resolution authority to the chapter administration through the chapter ordinance process. The delegation of authority specifically applies to: the issuance of home, business and other site leases, contracting, the authority to acquire, sell or lease personal property of the chapter, and to appropriate funds.** Motion to approve/support by Susie Blackhorse and second by Mary Benally, with a vote of 35 in favor, 0 opposed, 2 abstained, motion carried.
Martha Saggboy explained further that DOJ stated that if the Chapter is certified they have certain authorities to carry out as a Certified Chapter.
- D. **MWCJUN09-094 Approve to support the All Hazard Strategic Planning Document developed by the ALERT.** Motion to approve/support by Marlon Saggboy, second by Susie Blackhorse with a vote of 34 in favor, 0 opposed, 2 abstained, motion carried.
- E. **MWCJUN09-095 Supporting and approving the Grand Application Submission to the Administration for Native Americans (ANA) for FY 2013 Funds in the amount \$400,000.00.** Motion to support/approve by Marlon Saggboy and second by Roy Hatalie with a vote of 34 in favor, 0 opposed, 2 abstained, motion carried.
Martha Saggboy, AFOG set in place, BSL in place, Tax Ordinance in placed, we need money for people who will oversee the Business Site Leasing, each of these have to have ordinance (dog) control for example, who will oversee these operations.
- F. **MWCJUN09-096 Supporting and approving to submit intent to enter into Memorandum of Understanding with Weatherization Program to administer the grant.** Motion to support/approve by Marlon Saggboy, second by Betty Bigboy with a vote of 32 in favor, 0 opposed, 3 abstained, motion carried.
- G. **MWCJUN09-097 Supporting and approving Mrs. Juanita Joe to be assisted with complete housing that will accommodate her handicapped accessibility.** Motion to support/approve by Roy Halatie with adding item H below, second by Darlene Yazzie, with a vote of 29 in favor, 2 opposed, 2 abstained, motion carried.
- H. **MWCJUN09-098 Supporting and approving to recommend a client for the Design Build Bluff project.** Mary Benally requested for this at the Planning Meeting on June 5, 2013.

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- I. **MWCJUN09-099 Supporting and approving to Kayenta Indian Health planning and design for the Garnet Ridge proposed water line extension, to seek and obtain funding for legal survey for right-of-way acquisition, archaeological clearance and environmental assessment to serve (30) homes. Motion to support/approve with addition of item J below by Marlon Saggboy second by Darlene Yazzie with a vote of 31 in favor, 0 opposed, 2 abstained, motion carried. Requesting for funding.**
- J. **MWCJUN09-100 Supporting and approving to allocate chapter project funding of \$36,000 for construction of bathroom additions.**
- K. **MWCJUN09-101 Supporting and approving to request the Navajo Board of Supervisor and Navajo Nation Election Administration and the Office of the President to allocate and/or re-program a portion of the \$200,000.00 for Special Election Set aside to be used towards the chapter's referendum voting for the alternative form of governance and ordinances that will require community membership voting since HCR 11 is making its way through U.S. Congress and will not need the Special Election on the Utah Navajo Trust Fund. Motion to support/approve by Marlon Saggboy, second by Mary Benally with a vote of 35 in favor, 0 opposed, 3 abstained, motion carried.**
- L. **MWCJUN09-102 Supporting and approving to designate the Chapter Secretary/Treasurer Mrs. Mary Ann Woody to represent the chapter on the Northern Navajo Fair Board and to have the Chapter President, Mr. Jerry Tsosie as the alternate. Motion to support/approve by Darlene Yazzie, second by Roy Hatalie with a vote of 35 in favor, 0 opposed, 2 abstained, motion carried. Marlon Saggboy suggested that the Fair Board don't ask the chapter for monetary donation or such, etc.**
- M. **MWCJUN09-103 Supporting and approving the Memorandum of Understanding between the Navajo Division of Transportation and the Mexican Water Chapter for sharing of Road Maintenance Resources. David John suggested to add all items from M to Q they're all about the same. Motion to support/approve with addition of M to Q below by Ruby William and second by Marlon Saggboy, with a vote of 38 in favor, 0 opposed, 2 abstained, motion carried.**
- N. **MWCJUN09-104 Supporting and approving to request the Navajo Division of Transportation to allocate FET funding to improve the access road and parking lot that is construction ready and priority one project.**
- O. **MWCJUN09-105 Supporting and approving to request the Bureau of Indian Affairs Road/Engineering Department, Shiprock Agency Road Committee, and the Resources Development Committee the chapter's intent for road improvement on the access road and to use the force account to improve surface by stabilizing the existing road, with gravel and chip seal.**
- P. **MWCJUN09-106 Supporting and approving to request the Navajo Division of Transportation and Bureau of Indian Affairs Road/Engineering Department, Shiprock Agency Road Committee, and the Resources Development Committee, the chapter's intent to enter an Intergovernmental Agreement for funding allocation to do own road maintenance on existing roads.**
- Q. **MWCJUN09-107 Supporting and approving to recommend to the Navajo Division of Transportation and the Resources and Development committee of the Navajo Nation Council to approve the following prioritized listed road Multipurpose Building Access Road and Parking Lot as Navajo Fuel Excise Tax (FET) funded heavy road maintenance and improvement projects as directed by the Navajo Nation Council and to re-allocate/reprogram FET fund allocated to each of the Chapters for construction ready and priority one project for those chapters that do not have a construction ready project to be given to those chapters that have**

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construction ready projects and to stay within each district per council delegate regional plans for road improvements.

- R. **MWCJUN09-108 Supporting and approving to accept a donation of Zerox equipment made to the chapter from Red Mesa USD.** Motion to support/accept/approve with addition of (R, S, and T) by Darlene Yazzie, second by Roy Hatalie with a vote of 36 in favor, 1 opposed, 2 abstained, motion carried.
- S. **MWCJUN09-109 Supporting and approving to request the Navajo Nation Land Department to immediately expedite all pending home site leases by finding a legal registered surveyor to complete for processing.**
- T. **MWCJUN09-110 Supporting and approving to contract for IT for computer maintenance.** Lena Bigboy, what about Utah? AZ is the only subject regarding road maintenance.

** Jerry Tsosie suggested reopen/amend the agenda due to Loulinda Yellowman coming in. Motion to re-open/amend the agenda by Susie Blackhorse, second by Trudy Cedarrain with a vote of 26 in favor, 0 opposed, 5 abstained, motion carried.

Now Motion to approve/correct/discuss by Ruby William, second by Harry Descheny with a vote of 34 in favor, 0 opposed, 4 abstained, motion carried.

Loulinda Yellowman came in around the middle of the meeting, got in front of the audience to request for her name to be changed back from Loulinda Yellowhair to Loulinda Yellowman and is requesting for power line. The community voted to drop her from the list earlier under old business item A.

IV. REPORTS/ANNOUNCEMENTS

A. QUARTERLY UPDATES TO THE COMMUNITY

Mary Benally – made a report of the events that took place at the Warren Racing Ceremonial Ground – “Youth Appreciation Day”. She also reported her duty as Domestic Violence Advocate. June 20, 2013 traveling to Salt Lake City, Utah for a conference on Domestic Violence.

David John - June 18, 2013 Rabies Shot here at Multipurpose Center (New Chapter House)

Agency Council Meeting is at Red Mesa Chapter on Saturday June 15, 2013 at 9:00 a.m.

District Grazing Meeting on June 14, 2013 at 9:00 a.m. (Pot Luck).

Marlon Saggboy – how do we contact the Grazing Representative? Curtis Yanito’s number was written on the board but somebody erased it, need to put back on.

David John – explanation of being registered to vote – right to vote.

Wilfred Jones – Thanked the chapter for certifying themselves, stated that this is how the Montezuma Creek Health System operates.

- V. **MEETING ADJOURNMENT** by Jerry Tsosie, motion by Roy Hatalie second by Wilhelmina John with a vote of majority, motion carried.

- VI. **NEXT MEETING DATE:** Planning Meeting is July 3, 2013 at 4:00 p.m.
Meeting was adjourned at 2:25 p.m.

Posted by: Mary Ann Woody

Date Posted: 6/9/13

Time Posted: 2:25 p.m.