

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 December 8, 2013 at Mexican Water Chapter Multipurpose Building Complex 1 located 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 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 @ 11:06 a.m.

B. Invocation by Harry Descheny

C. Roll Call by Mary Ann Woody

D. Approval of Agenda

Motion by Marlin Saggboy, second by Herbert Yanito, with a vote of 30 in favor, 0 oppose, 2 abstained, motion carried

Correction on Agenda by Martha Saggboy for item E it was left out accidentally

E. Approval of previous Journal of Proceedings/minutes of November 10, 2013 (Chapter Meeting Minutes)

Motion to approve by Marlin Saggboy, second by Harry Descheny accepted all reading of reports and from last meeting minutes with a vote of 33 in favor, 0 opposed, 2, motion carried.

Martha recommended to correct the resolution number 29/30 are same resolution therefore we need to delete #29 and adjust the resolution numbering thereafter.

II. OLD BUSINESS- none

III. NEW BUSINESS/ACTION ITEMS

A. **MWCDEC08 - 037** Support and approve a Veteran request for assistance from Veterans Trust Fund to purchase chimney kit and hearth.

B. **MWCDEC08 - 038** Support and approve Veteran requests for assistance from State of Utah LIHEAP Fund to purchase wood stove.

C. ~~**MWCDEC08 - 038** Approve/request for Emery Beletso Scholarship for PEC class for 6 people to get certified for construction.~~

Motion to support and approve by Cassandra Beletso, to purchase the chimney kit, second by Mary Benally with a vote of 35 in favor, 0 opposed, 2 abstained, motion carried.

Marlin Saggboy motion to amend the agenda, second by Cassandra Beletso with a vote of 36 in favor, 0 opposed, 2 abstained, motion carried.

Motion to support and approve to purchase the stove by Marlin Saggboy, second by Mary Benally with a vote of 35 in favor, 0 opposed, 2 abstained, motion carried.

The other corrections to be made to the November 10, 2013 regular meeting minutes is the Reports/Financial Reports to be included the expenditure reports because the expenditure was not completely filled out.

IV. REPORTS/ANNOUNCEMENTS

A. Financial Reports (attached)

1. Ratification of October 2013 Payroll Expense of **\$8,252.44**

2. Ratification of October 2013 Chapter Official Stipend Expenses of **\$3,000.00**

3. Ratification of October 2013 Chapter Veterans Organization Expenses of **\$0.00**

4. Ratification of October 2013 Scholarship Expenses of **\$7,150.00**

5. Ratification of October 2013 Vouchers Expenses of **\$14,446.02**

6. Budget Transfer/Modifications to cover expenses incurred October 2013

7. Ratification of November 2013 Payroll Expenses of **\$16,252.13**

8. Ratification of November 2013 Chapter Official Stipend Expenses of **\$3,000.00**

9. Ratification of November 2013 Chapter Veterans Organization Expenses of **\$484.44**

10. Ratification of November 2013 Scholarship Expenses of **\$0.00**

11. Ratification of November 2013 Vouchers Expenses of \$9,963.14

~~12. Donation request to support the 6th Annual Christmas Light Parade in Bluff on December 6, 2013 at 4:00 p.m.~~

Marlin Saggboy motion to approve financial reports from item 1-11, second by Cassandra Beletso, with a vote of 36 in favor, 0 opposed, 2 abstained, motion carried.

B. Quarterly Reports (Written/Oral)

1. **Edward Tapaha** – SJ County election

-Thanked the people, was looking for soup and found it. He is from Red Mesa. 2014 Election will be announcing the major general election, primary election in SJ County UT and state of UT. How many are you registered with Utah, AZ, NM, etc.? It's good to vote and you are known for that. It is known that by Democratic/Republican voters, how many people vote in certain areas either by county or state. If you're not registered, do so right away.

-**March 7-14, 2014** for leadership, State of Utah and San Juan County, put in an application.

-District 3, US House of Representative will be open. State of Utah, Utah State attorney General step down and will be re-place by a temporary person this position will be open too until next year there will be election.

-Utah State House of Representative, District 69 will be open, San Juan County, grand county along the Wasatch Front (Dzil Da'sit'a bik'ego) - Mike Newal is the rep. This concerns all of us Mexican Water, Bluff, Toda, etc.

-San Juan County Commission 2 will be open. District #2 Blanding, Navajo Nation Boundary, Blue Mountain, state line by Colorado, this position will be open.

-San Juan County Commission District 3, Bluff, Toda, Red Mesa Precinct 16, Montezuma Precinct 2, Aneth Precinct 3, Mexican Hat Precinct 12, also Douglas Mesa, Cedar Mesa, Piute, Navajo Nation Reservation to Colorado State Line which Kenneth Maryboy oversees, this position will be open too for County Commission.

-**San Juan School District 2 or 3** School Board position will be open at Toda, Bluff, and Blanding.

-School District 4, Montezuma, Aneth, and Red Mesa

-District 5 Oljeto and Naats'aan The fee has been increased, not sure how much.

-**County** attorney, county Assessor, county clerk/auditor, county recorder, County surveyor, County sheriff, and County treasurer will all be open.

Please vote at Monticello at county Clerk and the fee might be changed or will increased, not sure how much.

Election is a problem these days, due to immigrations coming to US and some became our in-laws, they don't have proper ID's. Voter's ID has been send to you in the mail and has all the information on it. Take care of your voter's registration; it is needed by the Chapter for certain reasons, etc. Addresses might have changed, correct those especially Post Office addresses.

Mail in voting w/Stamped envelope – with correct address, take time to look over it and mail it in.

Comment by **Marlin Saggboy** – UT/AZ, people who live within border line, purchasing of vehicle for example, if you live in AZ you are exempt from tax as appose to living in Utah, maybe this is the reason people don't vote.

Tapaha says that AZ/UT addresses have changed especially with Post Office Box.

Mary Benally – Absentee vote is the same? Yes, it's the same.

2. **Woody Lee** – BIA/NDOT roads, memo/letter

-Working with Kenneth Maryboy, there are many roads that we used every-day, the highway marks/markers (yellow/white line) are not very visible and someplace are not there, it is a safety factor for many people. Not just here in the surrounding area but every-where even up to Window Rock. We need to have it fix and the lines are very thin, when the states are wide. Also some places there are wavy line which makes a noise when you come to for safety and some places we don't have it.

-Fuel Excise Tax never been used for roads, it's being use elsewhere. 15 miles of road repair people don't approve of it and not enough to cover the needs.

-Many of livestock owners, NAPI garden were to be purchase/used for Navajo people on the Navajo Nation, we could look back into and voice our concern again. Hay is getting too expensive, competition, etc.

Marlin Saggboy question, purchasing of fuel goes to Fuel Excise Tax, it is our money and we have every right to be concern about it. (Bureaucracy in Window Rock) Upper Fruitland people don't have gas station but the highway goes there in their community. They don't pay into the pot; they go across the wash to get gas. We need to be very concern about, it is being misused. This is our tax money. Who is heading this money?

Woody Lee – we did question this, people living within the border chapters we go to local stores and our money goes to these local stores, etc. People in Fruitland go to Wal-Mart and elsewhere.

Herbert Yanito – Still asking where the Taxes went, our roads are terrible up in Garnet Ridge (Road BIA #6440). We need to work with this Tax issues to fix the road.

Martha Saggboy – CLUP&Z, the ladies are asking for input from the community on exactly what our needs/wants are, you plan, action, etc. Voice your concern within your community, etc. The ladies are going to be here again on Monday, be here with us again and bring out your ideas.

Regional Meeting at Red Mesa on Friday the 17th, “Roads”.

3. **Curtis Yanito** – Grazing Representative (Fire Woods in Dove Creek area)

-Informed all the community to care for neighbors and elderly especially during winter season, making sure they have woods and necessary things in place and are warm. Watch out for one another. As I go around the community, most of you have wonderful things in placed such as water, power, live stocks, etc. **Grazing permit holder– plan of operation in place**, water and garden are in placed some places. There are many sacred/wonderful place and sites within the community.

-Canada – Singing is a talent, they put things together, construction, etc., looking for constructions. Socialism type of living - all working for themselves.

-Capitalism-self-sufficiency for all, do for your-self and start with something such as jobs, etc. Work together as permit holder.

-Permit holders don't come together and discuss the plans, etc. They are most important people within the community.

-Oil/Gas drilling are damaged now, some are plug here and there, the land is damaged.

-1940 to now – lead mix with water now and kill all the fishes; these are going on right now.

-Fretting – Pittsburg, drilling looking for oil, damages the water and land (sink water is gas)

Keep in mind the Local Governance Act; we could do a lot. Thanks the people who put aside a land for youth to garden and to learn from it. A great possibility for water, garden, irrigation, etc. but we don't have money, but if the Permittees come together to form a government, these things could happen, etc.

-December 16, 2013 at Chinle for Grazing Act. 4-H Club is a possibility here at the Chapter which requires a lot of fund raising, etc., requires organization and committee, etc.

-Tourism/Broadband – need money from it

-Firewood at Devil's Canyon not Dover Creek, a lot of fire woods there just being burned, but the chapter needs to request for it for the people to haul it out or maybe the senior citizen council can request for it.

-Vaccination for Livestock, recommending for the people to do it themselves, just need to purchase the medicine because they are expensive, learn to do it yourself.

~~-Monday December 9, 2013 District Grazing Meeting in Rock Point Chapter at 9:00 a.m.~~

-Chinle is December 16, 2013

-Northern Agency Grazing Meeting at Cudei on December 20, 2013.

4. **Kenneth Maryboy** -- Council Delegate

-Fuel Excise Tax (Phil Lyman stated that Navajos don't pay a lot of tax). Utah and Northern AZ which the council is discussing right now, they want to do away with us. Don't really pay taxes, not a lot. Also people in Utah don't pay a lot of tax; even though they live in reservation they don't pay a lot. Chinle and into Az we pay a lot of tax and we should have a say so.

-There's mineral fund to NN, Tax, also federal funding from Washington (1 billion) which goes to NN) there not a lot of requirement to tab into it. Federal Funds from Washington (1 billion) for all Navajo people including children, goes to NN and 80% deechi' (funds kept at Central Government Level) only 20% (funds are allocated to local government at chapter level) goes to community which chapter meeting quorum of 25. Mineral funding not a whole lot of requirement to dip into this funding.

The one Washington allocates a lot of red tab with it (beehaz'aanii). They just go with mineral fund such as coal, oil, coming from the ground and they tend to, up to fiscal year and they forget and the money goes back in, Washington gets after us. Why does the money not being used and it go back? Budget and Finance and executive office, council are the law maker but we do so much and we send in all things. The responsibility lies with the Budget/Finance with the coming of money. The 80% should be administrative cost. They used up all mineral fund and the other money goes back in.

-Navajo Nation will receive Golden Hammer Award; you do not want to receive this award at all. It happened to one of the Navajo Nation program, he encourages all the Navajo Nation programs to meet the requirements of all outside funding source requirements. The Navajo Nation thought it was the greatest thing that happened.

-A lot of our money went back to Washington (3) times now. How come we don't have money at the chapter level etc.? Somebody has to do something why this is happening, etc. it is our responsibility to address this to the community.

-The added and introducing of new sales taxes is causing a huge impact on our small business owners. The new junk food tax is telling the Navajo people that we cannot control what we consume, and tells the government that they know what's good for all Navajos. The Navajo Nation already has programs that assist and educate our people, the Special Diabetes project, the Navajo Nation Health Promotions, Navajo Nation Community Health Representatives.

-Council 5% sales tax rises to infringe people with business owner and those who buy.

-San Juan County is operating on 1% sales tax right now. Golden Hammer Award, was it your fault? Not your fault, NN is into your pocket now.

-Council's Title II, lobby for Washington, so that the policy can be changed/amended. Chapter official is Title 26, community. Title 17 is for Grazing Representative, live stocks living on mother earth. At times we try to do everything all at once, comments positively for our Mexican Water Coordinator doing very well with paper work and such. Where would we be without her and her concern for the community. A lot of other chapters don't get along with their Coordinators, etc.

-Navajo Oil/Gas came one time, there became a conflict, Lewis Denetsosie went in and out again, now Robert Joe is in and had a meeting at Montezuma and held a meeting and wanted to help Utah people, every board member from Navajo Oil/Gas were there, CEO was there, but not a lot of turn out from the people who were concern. Suggested a Youth Community Center and work is happening now. Denver Major International Market, Oil Industrial international trade is closed. He eliminated all the Bilagaanas and hired some natives and is doing well. Utah attorney to sit on the board and one local member from Utah, etc.

5. **Cassandra Beletso** - UNHS Health Representative

Has not had a meeting again since last report. She mention that she got selected as a secretary for UNHS which she did not inform the people at the last chapter meeting.

6. **David L. John** - Shiprock Service Unit Health Board

1. **Health** -OBAMA CARE and Affordable Care - we are exempt, not so true, it's going to affect all of us. Need to go in and re-apply, penalty by payment with IRS. So re-apply, **March 31 expiration** re-apply so you will be recognize as native with all information on paper. If you are well physically then you might not need insurance. We don't have specialist with IHS so we are sent out to outside hospitals, then we are going to need insurance, etc.

2. We had a conference in Flagstaff in November and for 2016 allocation of money already formulated, priority is HOSPITAL, 109 housing unit in Kayenta. Continue Resolution is expiring January 15, 2014, thinks there will be a Government Shut Down again, maybe?

3. Affordable Care is the law now and we have to abide by it.

4. Resource Development – Katherine Benally requested for \$1.2 million for waterline for Denehotso, how many people live around Garnet Ridge who are registered with Mexican Water.

5. AFOG took packet to W/R, DOJ, SAS, CD going through the process. Business site lease and Taxation is still on the way. Voting is mainly for quorum to change from 25 to 15 to start a meeting, **vote on December 17, 2013 7:00 am to 7:00 pm.**

7. **Tommy Yazzie** - Red Mesa USD Superintendent – not here

~~8. San Juan USD Superintendent we did not informed~~

9. **Gerald J. Frank** - Authorized Local Emergency Response Team (ALERT) – not here

10. **Gerald J. Frank** - Community Land Use Planning & Zoning (CLUP&Z) – not here

11. **Harold Skow** - Economic Development Committee (EDC) – not here

12. **Jerry Tsosie** - Alternative Form of Governance Committee (AFOG)

13. **Martha Nahkai** - Senior Council - not here

14. **Bennie Begay Sr.** - Veterans Organization – not here

15. **Mary Ann Woody** - Peace Making Representative

Focus on Youth, not so much on Adult dispute or land. Meeting is being held at Hogan next to Red Mesa Clinic, everyone invited to listen in on.

David John – 30 days for medication, was 90 days before. Discussion is it might be mailed to you, due to long travel for elderly.

Mary Benally – resolution for OIL/GAS, EDC meeting and working with one another more effectively, etc.

Martha Saggboy – Mexican water does not have the authority to fire anyone, the person must have knowledge of the job, and board of director has their own policy. What we did is we supported the resolution and that is how it went in, etc.

David John, we did discussed with them already, AFOG is going to be the way it is,

Woody Lee - Tuesday is the Special Session in W/R where it can change

Darlene Yazzie – CHR for 20 years, worked with many of you, some just for k'e and some for health reasons. Last day of work is 27th of December 2013. Has worked with CLUP, ALERT, and still be working with you. OBAMA CARE is for everybody even if you don't want it, Senior who are being cared for at home they added Home Health, that's the reason why they are telling you to come in and re-apply for Arizona and New Mexico and are running with it, Utah did not get this. Children will be covered (eye/dental) Youth who are working are eligible too. High income you can buy insurance with low payment. There are Blue Shield who they will be working with, etc. there are a lot of insurance that can be considered.

Motion to accept all reports by Marlin Saggboy except #12 include a resolution (change the work session to) second by Mary Benally, with a vote of 46 in favor, 2 opposed, 3 abstained, motion carried.

MWCDEC08-039 Approve to request the Navajo Nation Council, Resources and Development Committee, Division of Community Development and Local governance support Center to consult with the Navajo Nation voting membership before making any amendments to Title 26, when will the LGA certified chapter begin their empowerment and practice its local authority

Richard Yanito – The roads are terrible, been an issue for a long time at Sweet Water. Questioning the Poncho House, who is the one talking about this? Clearing of the ground near the cliff around Poncho House area is NO for housing, etc. If it goes through with the housing, all the rest is NO. Is he addressing to EDC or who?

Jerry Tsosie – These are listing of things that will be happening in the future, has not been okayed, until the permit holders okay it, etc. Poncho House is being discussed by Harold Skow, etc. All these things are being discussed still. Tolin Hatalie ... Point of Order. Marlin Saggboy stated all this should be addressed to Grazing Representative.

V. **MEETING ADJOURNMENT BY JERRY TSOSIE at 2:07**

Motion to adjourn by Steven John, second by Tolin Hatalie with a vote of motion by with a vote of 51 in favor, 0 opposed, 0 abstained, motion carried.