

(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 **May 13, 2015** at Mexican Water Chapter Multipurpose Building Complex 1 locate 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 Martha Saggboy 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 David John at 4:06 p.m.

B. Invocation by Mary R. Benally

C. Roll Call by secretary/treasurer for the record and quorum is present

D. Approval of previous meeting Journal of Proceedings/minutes of April 12, 2015

Motion for approval by Mary Benally, second by Darlene Yazzie with a vote of 15 in favor, 0 opposed, 3 abstained and motion carried.

E. Approval of Agenda

Motion for approval by Ruby William, second by Roy Hathalie with a vote of 24 in favor, 0 opposed, 4 abstained and motion carried

Addition to the Agenda:

RYanito – wants to add, stated that they are living behind the hills and has issues such as roads, mud, etc. He said he address this to the chapter before and nothing was done and want to add to this agenda (county road 440). Rain washes this road out, like to request a culvert across the road. Then also five point where the paved ends, there is another wash and starting to form a big ditch. There are several areas like this and high traffic in this area.

Response was that it is in the process and was on a priority list and Rebecca Benally: county commission will do a short report on the road issue and where it is at. Rebecca was asking to do her report even though she is not on the agenda.

Council Delegate and chapter president walk in at this time.

II. Old Business - none

III. New Business/Action Items

A. **MWCMAY13-074** – To approve and request the IHS & OEH to include the two year plan construction of Lagoon for White Rock Point Community

Motion for approval by Sarah Yanito, second by Ruby William with a vote of 20 in favor, 0 opposed, 3 abstained and motion carried

David John elaborated on the above item: Waste water is running out into the housing and children are playing in it and is unsafe. Craig Ute has some money with Health department to do some survey or look at it and base on that things will be moving. There are about 23 homes and were paying to NHA and some or all of them have paid off and when the pay-off was made they signed a contract that they would be responsible for damages, waste water, and electrician, etc. Based on the contract it is the responsibility of the home owner, etc. The title is still at BIA and they are the only one who will release the title. But Health Department stated that NHA has some hold on it and will not do anything so until they release that with a letter then they will move on it.

Brian Reed is working on the development of the letter currently (draft form) and CEO will sign it and the letter will come forth, we are waiting on it. Land has been paid and home is in a lot, so if the pipe goes through the homes all the homeowner has to sign the documents/consent which needs to be done. Need this resolution to go forward before the letter gets here and attach this letter/resolution to be sent to IHS. **Ruby William** – question regarding subsystem, where is it at? Response is we are still working on it and community needs to come to an agreement when the guy will come down so that a few, not just one person will get their system cleaned out, must have the money right there and then to pay for it.

- B. MWC MAY 13-075** – Supporting and approving to request the Navajo Nation Department of Veterans Affairs to assist Mr. Anthony M. & Mrs. Berlinda Begay with Veteran's Trust Funds to purchase housing materials for complete new construction
Motion for approval/support for item **B & C** by Roy Hathalie, second by Tsosie Tsinaajini with a vote of 23 in favor, 0 opposed, 4 abstained and motion carried
- C. MWC MAY 13-076** – Supporting and approving to request the Navajo Nation Department of Veterans Affairs to assist Mr. David & Mrs. Pauline Deswudt with Veteran's Trust Funds to purchase housing materials for renovation
- D. MWC MAY 13-077** – Appreciate, support, and recommend continuation of the Gates Millennium Scholarship Program (GMS) and American Indian graduate center scholars (AIGCS) program to benefit American Indian, including Navajo, scholars
Motion for approval by Ruby William, second by Darlene Yazzie with a vote of 25 in favor, 0 opposed, 4 abstained and motion carried
- E. MWC MAY 13-078** – Mexican Water Chapter, LGA certified chapter will start the process to form a partnership with the Navajo Nation Historic Preservation and Navajo Nation Parks and Recreation with a Memorandum of Understanding (MOU) for the development of the Poncho House Park. The Poncho House is an existing Navajo Nation Park and fenced by the Navajo Historic Preservation
Motion for approval for item **E, F, & G**, by Richard Yanito, second by Ruby William with a vote of 25 in favor, 0 opposed, 4 abstained and motion carried
- F. MWC MAY 13-079** – Mexican Water Chapter to recommend Harold Skow to submit a Letter of Interest (LOI) and resume to the Utah Governor's Office for a membership on the Utah Dine' Advisory Committee. Harold Skow will represent the Mexican Water Chapter and community to be instrumental on submitting projects for funding from the Utah Trust Funds
- G. MWC MAY 13-080** – Mexican Water Chapter to allocate the land segment allocated by the Bureau of Indian Affairs as the "Waste Land" are to be zoned as the Wildlife Conservation Area. Many wild animals are currently undisturbed in this area and made it their natural habitat
Council Delegate elaborated on the item above, resolution and consent is all we need at RDC and will have the final approval
- H. MWC MAY 13-081** – Mexican Water Chapter to assist with funding Mary Benally's house solar project, up to the amount of \$5,000, to be connected to the Rocky Mountain Power grid. Design Build Bluff is paying/donating \$10,000 towards the staffing, installation and equipment for the solar. Grid Alternative is paying/donating \$5,000 towards the solar project. Minimum amount requested by GRID Alternative is \$1,000 and maximum amount is \$5,000.
Motion for approval for item **H & I** by Richard Yanito, second by Darlene Yazzie with a vote of 22 in favor, 0 opposed, 4 abstained and motion carried
- I. MWC MAY 13-082** – GRID Alternative is requesting volunteers to install the solar equipment on Mary Benally's new house built by Design Build Bluff. The installation date will be on June 7th -10th, 2015. GRID Alternative is requesting the community and the Chapter House to donate sack lunches for the volunteers. The number of volunteers requested is between 8 to 10 people. All ages and gender is allowed to volunteer. Veterans are encourage to participate
- J. MWC MAY 13-083** - Approve the Mexican Water Economic Development Committee to request, by a letter, a donation (s) of aged-out vans and buses from the Navajo Nation Transit System. They have one

9 seat van, 2 midsize buses and 1 large bus. The buses will be used for the Mexican Water Chapter tourism.

Motion for approval for item J & K by Ruby William, second by Darlene Yazzie with a vote of 24 in favor, 0 opposed, 4 abstained and motion carried

- K. **MWCMAY13-084** - Approve the Mexican Water Economic Development Committee to request, by a letter, a donation (s) of heavy equipment (back hoes, bull dozer, heavy trucks, and loaders) and shipping containers from the Burlington Northern Santa Fe (BNSF) economic development division. The equipment will be utilized for economic development

IV. **Reports/Announcements** (Jerry Tsosie-chapter president took over from here, not feeling well)

Mr. David John showed off the cake he brought for Mother's Day for the community – Mothers.

A. **Financial Reports (Attached)**

Motion for approval for item 1 to 6 ratification by Darlene Yazzie, second by Ruby William with a vote of 23 in favor, 0 opposed, 4 abstained and motion carried.

1. Ratification of April 2015 Payroll Expenses of **\$18,234.20**
2. Ratification of April 2015 Chapter Official Stipend Expenses of **\$3,000.00**
3. Ratification of April 2015 Chapter Grazing Official Stipend Expenses of **\$.00**
4. Ratification of April 2015 Chapter Veteran Organization Expenses of **\$911.48**
5. Ratification of April 2015 Scholarship Expenses of **\$225.00**
6. Ratification of April 2015 Vouchers Expenses of **\$6,077.84**
7. Budget Transfer/Modifications to cover expenses incurred April 2015 (no funds was used)
8. Financial Assistance – Enrichment Funds for RMUSD 8th Graders Educational One-Day Field Trip – don't know how much they need, it is easier if the amount is stated.

Motion for further information and to **table** item number 8 by Francis Haskan, second by Sarah Yanito with a vote of 12 in favor, 3 opposed, 4 abstained and motion carried

9. Cake Purchase for Mother's Day (**\$38.98**) (Jerry forgot this one)

B. **Quarterly Reports (Written/Oral)**

1. Navajo Housing Authority – Two people were here but did not do their report
2. Council Delegate, Davis Filfred

-“Happy Mother's Day”. Was dancing at a Pow Wow and elders were brought out and song was used for them and it was dripping a little bit and everyone was very emotional especially the elders, cloudy and a little bit of rain. There is a story to this but will tell later on and how the name came about -1914 Woodrow Wilson by proclamation it was enacted and it became a law and is 100 years old plus. Dine kego hane (Shima) is there too. Father's Day is coming around.

-This month is Police Day and national level remembrance of Police who died. Law Enforcement Day, Arm Forces Day, Graduation, congratulation to those people who are graduating. Memorial Day is coming forth and for civilian, etc. People celebrate these holidays differently.

-Yesterday was the Navajo Nation Inauguration Day-Russell Begay & Jonathan Nez. Board of election supervisor is (Sam Akeah). Was surprise to see some visitor with Rebecca Benally, senators, resolute were there too, etc., also help Rex Lee Jim with a ceremonial song which was very good which was recorded.

-We had a meeting with Resource & Development Committee and our topic was legislation and will come before Nabiki'yati' and what is legislation? (Beehaz'aanii). Public hearing was done here and Mexican Water Chapter has approved and passed the resolution with 26 in favor, 0 opposed, and 3 abstained on August 15, 2013. Thank you.

-UTAH - RDC approved for Rocky Mountain Power to buy NTUA and tomorrow there might be an addition to this or make amendment, Resolute (NN Oil/Gas) is also an Enterprise and agreement by 2017 for low payment, it's going to be too much. The end of the five years the bill will go up.

-Tomorrow in Blanding there will be a bike ride and asked to pray at National Guard and going to Nabikiyati in Window Rock and head on to Scottsdale 2 nights for NN Shareholder for NN oil/gas.

-Went to NUC in Dennehotso (consultation is bothering them, schedule, authority is being taken away and that's not true) and then went to NAPI and had a meeting for one hour and I am here.

-NAPI - Flour making machine is broken and need to return all flours back, something in it. It goes down to Mexico and as far as California. Out of that all the shipping is 1% stays here within the nation and 98% goes down to other states. It will cost 3.9M to fix the machine, it was used machine, it's going to take about a year and it will take 6 months for manufacture and it will take another 10 months to put back together. (Mill and Miller) will be trained for 10 months, etc.

-Met with Water Resource in Albuquerque on May 11, 2015, Gallup pipeline (1962) was the first time proposed. 2009 was started and will be finished by 2024 (Zia Bar) water will be coming out from there, this water is good. If being studied the one from the ground has a lot of petroleum, parchnent, and cilium, etc. There is going to be a lot of treatment being done. The pipeline is being worked on right now. There is a lot of confidentiality when it concerns water, because there is a lot of activist who are against water.

-San Juan River 81,500 cubic feet of acre of water is in depletion being approved. We can go ahead and accept this because it might go down later on we fight for more. Window of opportunity due to representatives Rob Bishop Chairman and will support this and Senator Orin Hatch chair the resource, Rob Bishop chair the funding and we have these leverage, etc. Senator David Hickens is in support of it, will go to work on this during the summer.

-New Mexico, Navajo Dam the water is way down, the water line is being extended to Ya'atehay and there is a lot of water line being worked on, cannot go into Arizona by law.

-Sihasin Funding on May 29-30 meeting in Twin Arrow, this will be the second meeting.

-NN Oil/Gas May 15-16 in Scottsdale, AZ

-Title Two subcommittee had our meeting in Albuquerque, discussed all the issues and concerns, a lot to fix, etc.

-Page Dam by elevation this will be own by the Dine. Three stories high is elevation, etc. The water is way down and middle of the water is ours to renegotiate yet and really did not discuss further because "Antelope Point/Canyon" was being discuss more. Tourist season and May to Labor Day is Tourism and there is none during winter. A lot of people coming through and Navajo Dam is the second largest in the Nation even though it is only a reservoir. Seesaw and Motel is a problem for them, etc. In the meantime Lupe Chapter is certified. They will take over and can get all the money and put out a resolution. But their national resource director did not come. Parks/recreation were there and they are in need of police. The main thing is how they can reclaim the water and will go to work on this later on. The Park Manger is not in agreement and stating that it is done/deal don't need to talk about it, but the original agreement within seven years, all the infrastructure and construction was going to be done and is now past due, etc. Water was going to go from there to Ba'adway Gap and Tuba City, etc.

Ruby William – shearing of sheep, Window Rock took over and there was going to be more money, but now Teec Nos Pos brought it back, etc. (she's out of order). It is only suggestion I guess.

3. San Juan County Commissioner – Rebecca Benally: NUC meeting is done at Dennehotso today. It's been four month being in the office.

-The main problem is the **Road**. 2,733 miles is San Juan county road, 786 is on the reservation, 287 is bus route, 86 miles is dirt road on Navajo Nation in Utah. On January 16 we met with officials and Bruce Adam and Phil Lyman and to pick 3-4 priority roads which has been done and there will be a resolution coming forth with the county road numbers on it. From there met with Navajo Dept. Transportation and Utah Dept. of Transportation. BIA came to visit in Window Rock and we are working on the road. San Juan County said 50% will match for work and tools. The reason being is in San Juan County is 1 million in the deficient/red. Not enough money, some of the funding such as

Indian School Bus Route Fund and funding are out there, has to follow and ask questions regarding the funding and sometimes they will fund the project being requested, etc. Somehow it was forgotten and San Juan County did not get funding for two years now. So due to this SJ is short of money.

-Dirt road 86 miles east Aneth and Naats'aan (2 roads) and all dirt roads will be gravel. The road has to be raise up and gravel it. We don't have gravel close by too, so off the reservation to haul gravel is \$70,000 a mile and if there is gravel near it is \$30,000 a mile. They need help with a gravel pit with all the Utah Chapters. For four years Phase I, II, and III will be set up. MOA agreement for Utah Dept. of Transportation, BIA, and Navajo Dept. of Transportation will work together and put the money forth from each department being discussed and working on it. First priority will be the school bus route.

-Shush Jaa' – environmental group and people who want to use it; a lot of them are saying that they want a piece of it, etc. Congressman Rob Bishop and Representative Jason Chaves and we look at all the interest, some had map and some are just written words. There is a plan its call San Juan Special Management area which will be over 2M acres dooleel. Shush Jaa' doo Cedar Mesa area is sacred, and our people had lived there. Goose Neck and Canyon land will be 2M acres for wood hauling, herbs, ceremony, sacred stone offering, will be allowed, local management, etc. Public hearing on Tuesday May 19, 2015 in Monticello is there for a window of opportunity and it will only take an act of Congress. There might not be another one for a long time. When the land exchange happened – Lake Powell, they transferred without mineral rights.

Council Delegate was excused at this time, for veterans meeting somewhere else.

McCracken Mesa will be given mineral rights and San Juan Southern Piute end up with no land base during land exchange and give back a land back to them, anywhere from 600 to 1200 acres so they can come back into San Juan County.

-Water is also a problem, two different ones. Navajo Nation Water Settlement 1,500 acres feet and currently during legislation Jan/Feb/March, Wednesday, Thursday, and Friday been traveling to Salt Lake City for the meeting. March 20, 2015 the governor sign one of them and they allocated 8M dollars and the federal government supposed to help up to 150M for projects along the San Juan River for the Navajo people and State of Utah allocated 8M a year and Federal government is saying put in a share, San Juan County residents were not aware of it when this happened so this man name Kent Jones director of Natural Resource and Mark Stillman and told them to come to **June 1, 2015 at 3:00** in Monticello. They need to come and report so we can report back to the people and settlement was made without really informing the local people.

-Economic Development – Lt. Spencer Cox visit certain area throughout the local area for two days where in San Juan County is an opportunity for economic development. The population 14,986 and 50.86 is Native American. We are the poorest county in the state of Utah. 47% of the population in San County lives in poverty just understands that. Grocery store is a need. We need store with fresh food that people can buy. Some of the stores just have junk food. People need fresh groceries. Not enough population to support the store by someone who did the survey, etc.

-For Tourist is Cultural Center, we would share what we have, so the tourist can spend the money so the money can stay on our side of the county or County in general.

-San Juan public health (Price is the office) there is hardly any services in our area, SJ County goes to Arizona, it does not stop just in Blanding. So we separated ourselves from them, right now there is San Juan county public health: It's about prevention, immunization, vital statistic, WIC, it is all prevention, etc. Our second month in place.

-Utah Navajo Fair – selected a new manager (Herman Farley). The county allocates \$35,000, \$5000 will go towards the manager, and \$30,000 will be for the fair/activities/events. A person can generate money if they understand how to manage money. There is no money from last year, need money management that knows. There are bills coming in still for payment, don't know how that happened, etc.

-Tomorrow – going to Kanab, for domestic violence, protection, etc. work with SJ county and meeting with all, child abuse, elder abuse and get together with sheriff department, etc.

-Native American Summit in July 30-31, 2015. What kind of workshop do we provide, etc? Walk for Healthier nation, it is good. Do the best for the people (work together) and we can do all this with that. Prayer, yini dilyin ke, etc. For the school, Malinda Blackhorse got selected and will represent our schools and we can all help her too, etc. She will try and come around to the chapter meeting to do her report.

4. Grazing Committee Representative, Curtis Yanito

-It is true with all the reports referring to the reports made by different people. Permit holders all need to do tally count and even if you don't use it or is being probated it still has to be made with permit and without it, tally count has to be made.

-Water is an issue, not enough but the Officials would not sign the resolution and the grazing representative did sign the paper and approved it. Elevation is about half of the door and we are up to the top of the door and the water is or does not get up there. 1960 congress made an agreement with Council Delegate and is still the same and that same one is being used, etc. still the same and they are using this today. We want the authority back to us, etc. Uneducated people who oversaw a lot of things regarding the water and permit did all this without knowing or had knowledge of it. This 1,000 acre feet is not enough: rain, running water that is measured, windmill water, ground water, surface water, and San Juan River all together is 81,000 acre feet. The Angelo wants all the San Juan River and is not being report, so there is not enough water. Due to the need of water based on population and we use it and do planting but told no, etc. This is the reason why we want to take a look at it. The Garden area along the San Juan River and should have been added to the agreement, because of the economic development for each chapter to develop what they want, but was shorten with the thought. There were a lot of questions and it went past by us and going ahead without really letting the people know what is happening, etc. There are two reports now with Commission and Council stated this in their report, etc.

-Road: need a resolution for this and we made recommendation that we ask BIA to do certain things. They need to help with the road. Permit holders are using the road too, haul hay, etc. and they need to help us out with the money.

-Land Bill – a lot of disagreement (mineral rights) leetso', gas, these Bilagaana are looking at this all the time but this is ours too as permit holders and deal with by grazing rep.

-SJ River - along the river there are a lot of gardens, etc. A lot of money has been used to pump water by engineer years ago. It was not done correctly, so we are discussing this to get it fix and have been attending meeting with Soil Water Conservation. 8M is coming forth but there is 150M out there, what happened to the rest of the money? Climate changes, lots of smoke and due to that there is no rain, drought, etc. Land is being prepared for garden, etc., economic development and others being work on.

-Soil/Conservation – Signs is being discussed so that the land is being recognized, each District line, there is entrance so that people know and Washindoon ok this years ago. Already worked on these signs that will be posted. Tomorrow is a meeting in Hogback about the Signs, etc.

-Plants – take care of it and reserve it, there are a lot of good plants, and it strengthens the land. When people want to build something they clear the chil lizhini which takes many years to grow.

-Trash dumping – there are a lot of trash here and there, running water area, etc.

-Tiis – cotton wood trees – being used a lot for peyote meeting, they sale it, there is a law and need permit for it. Get a permit to haul from the mountain. Reserve it and take care of it, etc.

-Four wheelers – running all over the area too and damaging the plants, there are places for these kinds of things to be ridden. June 16, 17, 18 are at Twin Arrow – Southwest Livestock and Family Day in Flagstaff, AZ. If training is needed by the community let him know.

Roy Hathalie - how much respect do they have for permit holder for people building or clearing the area. For example there was a bull dozer and cleared the road and were not informed. This become a big problem and is a big issue, etc. They should have informed the permit holders, there are three of us, etc. Response is this kind of things was approved many years ago. It was to be enforce for those people who are clearing the area without approval, get a signature for me and go see a permit holder, etc. District 8 and District 9 is being discussed and make an agreement, etc. Cannot clear the ground without approval from permit holders, this was to be enforced, etc. A lot of youth are coming to him to get a person with a home site lease for them. Also if you live in a group it is much easier for sewer system to be cleaned and the same way with road will be done much faster, etc. Trash dumping and electricity is the same way too. Take care of the land, herb, plant, sacred ground, water, etc.

CHR – Valencia Brown, introduced herself and she enjoys her job within the community and will be attending the chapter meeting every now and then. Her office number is 928-656-5326

5. UNHS, INC Health Board, Cassandra Beletso

A lot of work that she's doing, deadline for meter reader and today is the deadline.

"Happy Mother's Day" to everyone. Her report she left it at home so there is no report

6. Chapter Officials

V. Meeting Adjournment by Jerry Tsosie at 7:00 p.m.

Motion for approval of all reports and adjournment by Ruby William, second by Lena Begay with majority votes 17 in favor, 0 opposed, 0 abstained and motion carried

Next Planning meeting is Wednesday June 3, 2015 at 3:00 p.m. and regular chapter meeting is on June 7, 2015 at 10:00 a.m.

Posted by: Mary Ann Woody

Date Posted: 5/13/2015 Time Posted: 7:00 p.m.