



THE NAVAJO NATION

TOHATCHI COMMUNITY LAND USE PLANNING COMMITTEE

Post Office Box 287 Tohatchi, New Mexico 87325 Tel: (505) 733-2845/2846

Elvis Bitsilly
President

Larry Rodgers
Vice-President

Delphine Bitsilly
Recorder

Fern Spencer
Member

Byron Bitsoie, Sr.
Member

AGENDA

Tuesday January 16, 2024 @ 9am

Tohatchi Chapter

Teleconference# 1+2532158782

ID: 4311314751

Passcode: 230694

- I. Call to Order: Time: _____
- II. Roll Call:
- III. Invocation:
- IV. Introduction of Guests:
- V. Approval of Agenda:
- VI. Approval of Minutes: December 19, 2023
- VII. Old Business:
 - A. Mr. Kirk- Chooshgai Community School Cycling.
 - B. 5-year Land Withdrawal Application for Commercial Development. (Identify all land tracts).
- VIII. New Business:
 - A. Tohatchi Community Land Use Plan- Consult with Shynoke Ortiz-Planning Consultant
 - B. Schedule Nation Navajo Economic Development for follow up- Leonard Francisco, Jr.
- IX. Resolutions:
- X. Announcements:
- XI. Next Meeting Date & Time: Tuesday, February 20, 2024 @ 9am
- XII. Adjournment/ Time:



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TOHATCHI COMMUNITY LAND USE PLANNING COMMITTEE MEETING MINUTES

January 16, 2024

- I. **Call to Order: Time:** __9:16 am__
- II. **Roll Call:** Elvis Bitsilly, Larry Rodgers, Byron Bitsoie Sr., Fern Spencer, Delphine Bitsilly
- III. **Invocation:** Sonny Moore
- IV. **Introduction of Guests:** Frank Chiapetti, Greg Kirk, Laura Johnson, Scott Nydam
- V. **Approval of Agenda:** Approve Agenda as written, Sonny Moore request to add Expansion of the Transfer Station under VIII. **New Business, C.**
M: Larry Rodgers 2nd: Fern Spencer Vote: 4-0-1
- VI. **Approval of Minutes: December 19, 2023** – approve minutes as is, read on our own, Larry Rodgers motion a made to change “minerals to resources” in New Business, A. Community Land Use Plan Recertification review/process.
M: Larry Rodgers 2nd: Fern Spencer Vote: 4-0-1
Make correction from “minerals to resources.”
- VII. **Old Business:**
 - A. **Mr. Kirk- Chooshgai Community School Cycling -**
 - ***Larry Rodgers** – Zone One was approved by the community to move forward, a contract is to be issued to do a conceptual plan, create a new zone for Chuska area, Zone Two;
 - ***Greg Kirk** – Physical Therapist – I was asked by Mr. Chiapetti to start up the bike program which is an after school program, 25 bikes were bought, Wednesday and Thursday we do our biking program, we have our own portable to have as our bike shop, do our own repairs and use as a hub for our biking program, we want to link up with Laura Johnson, Navajo Nation, NMBAH and Silver Stallion, a trail map given to CLUPC members, we would like to collaborate with them on this proposed trail map, we want to link in our Chuska School to the mesa go north, east, west and south of the school to build trails to link to the school, it will be good for the students as well as the community, trails will be non-motorized for hiking, cross country running and biking, Joey Klein has done tremendous work for trail building, we want to build a trail for increase quality of life, fitness and the overall health of Tohatchi;
 - ***Frank Chiapetti** – Zone Two is an existing road, we have our one mile pave route on top, we have a lot of community members walk up the hill, walk or jog the loop, Mr. Kirk is proposing to put between our administration building and the school, the downhill flats, several S curves for people to start up, start out at the downhill slope and learn the S curves, there’s an ingress, egress behind the school that is not capability of buses or cars and it’s washed out, it is capable of bicycles, we would like to add the ingress off our loop by TAOS and downhill where they can link up to the trail system, if they don’t want to do the whole loop, goes south of the school, back up to the lake, and at 491 Tohatchi HS and Tohatchi Mid can have access, we would ask the State to put in a cross

walk, it started off with 5 students, currently have 57 students in residential area; ***Larry Rodgers** – which way is the egress?; ***Frank Chiapetti** – we have two egress – come down road from Chuska, bottom of the hill you can turn left or right, go around the mesa, there's a road that comes off from TAOS; ***Larry Rodgers** – Chair, the reason I'm asking these questions, having a egress road is for safety for the community and school, thinking about future housing in the northwest of the lake, if there was a road that went around that way leading up to 491, it can be considered a loop and be paved, support the school for the bike trail, the paved road that is leading up to the mesa, was the road built by BIA and answer is Yes, the community and school board can approach BIA and let them know this is what the community is planning, get BIA to put on their road development list; ***Fern Spencer** – Sonny, he has the bike trail going down, does that have to be approved by the chapter, who's grazing area does it belong to; ***Sonny Moore** – Grazing Officer should attend meetings to be aware of the plans in our community; ***Frank Chiapetti** – this is from the original group, you all approved, we're keeping what they proposed, adding ingress and egress off the mesa on the southeast, we want the approval from the Chapter before we do anything, will start on the S curve on the hill this spring, ***Larry Rodgers** – does the school have a cross country team; ***Frank Chiapetti** – the school does have a cross country team and Frank Chiapetti showed the trail on the map; ***Larry Rodgers** – work with IMBA to integrate the bike trails; ***Laura Johnson** – I support the trails and talk to Scott about the benefits of program; ***Scott Nydam** – we are behind Greg Kirk and Frank Chiapetti, we support Chooshgai school to help develop youth programs and whatever assistance they need, our coaches travel once a week to Tohatchi and we can commit to Chooshgai school the same way, Tohatchi is the leader in this bike program, thank you Mr. Rodgers; ***Laura Johnson** – thank you for your support Mr. Rodgers and Mr. Moore; ***Larry Rodgers** – request to work with Mr. Greg Kirk to GPS the trails on the mesa and integrate it into the work IMBA already done, we would like to receive the actual data file, submit to the CLUPC so we can have our map and add to the planning we are doing; ***Sonny Moore** – status of our first resolution and request has funding available for Zone One, must go through CSC and looking at the final approval from DOJ – follow up with Maria, would like her to attend CLUPC meetings so she can be involved with the planning of CLUPC if we need to request funding through the Healthy Food Tax, community is in support of the bike trails; ***Elvis Bitsilly** – a request by CLUPC to chapter, can we give it a deadline, 30 days or by next meeting, can we get an answer from DOJ, projects need to happen in this community; ***Fern Spencer** – are we adding to this project or tagging on or is it separate, write memo to Sonny and we do need deadlines, let's contact Delegate Notah what we are planning to do; ***Elvis Bitsilly** – we are waiting to hear from DOJ regarding Zone One and is pending, now we have plans for Zone Two, let's take care of Zone One and get it established, as RWFB President – we are currently eradicating the Russian olives at the Chuska Lake area, the project is moving forward to get done, funded by BIA, this project will start this year, this project will help with the bike trail in the area; ***Fern Spencer** – there are trails in the bushes; ***Greg Kirk** – are they going to cut and burn; ***Elvis Bitsilly** – cut and burn; ***Larry Rodgers** – Zone One has a contract, planning is ongoing, I told Scott to GPS new trails and will add on, grazing wise is not doing any damage to any grazer, where the trails are there is nothing growing, there is no livestock on the trails, I question the black and dark blue lines on the map; ***Frank Chiapetti** – we will match \$3500.00 for Zone Two; ***Larry Rodgers** – top of mesa should be considered, part of Zone Two; ***Greg Kirk** – blue zone is for advanced riders; ***Elvis Bitsilly** – who takes care of the trail, walk "monster" trail behind the Christian Reform Church; ***Fern Spencer** – cross country team would do the cleanup on the trail, Dion who is the Cross Country/Track coach can help with the care of the trail; ***Greg Kirk** – is there a Navajo Nation Youth Conservation Corp Workforce?; ***Fern Spencer** – a company out of Albuquerque, they brought money in for students who had to interview for a job to work, it was for all of Gallup McKinley County, worked four days, fifth day the students had to be in class, speakers came in and did this for a month, it was for two years, a good program; ***Greg Kirk** –

trails in the Gallup and Zuni mountains, the High Desert Trail System all maintained by the Youth Conservation Corp which is subsidized by the County and City, Josh Bitsilly oversees the program, they maintain all the trails, I can put you in contact with him, ***Sonny Moore** – if CLUPC would like to take interest they can submit a memo regarding this cleanup project, Karl Lohnman used to run this program; ***Larry Rodgers** – do you have questions for Maria regarding the contract in Window Rock, Zone One Bike Trail for \$12,000.00 plus coming out of the Junk Food Tax; ***Maria Allison** – I did submit to DOJ portal, an attorney reviewed it, haven't heard from the attorney and I can only see the results in the portal; ***Larry Rodgers** – what actual documents have been submitted through the portal?, who does the contract?; ***Maria Allison** – the proposal was submitted; ***Sonny Moore** – we think once they review everything, they have their own agreement/contract that they will produce and that is what we're waiting on; ***Maria Allison** – before October we can print out and submit ourselves, after October there's a new process to use the portal, they send us a contract, a whole new process; ***Byron Bitsoie** – it's called a IQ system, one person is allowed to upload in the system; ***Maria Allison** – we did contact a person, was told to go to the portal, that is where you see all the comments on the progress of the projects, I'm doing follow up on the bike trail project, when I look at the portal two attorneys have looked at the documents, they haven't sent me anything on the contract, all notes are noted in the portal with questions; ***Elvis Bitsilly** – what is DOJ purpose – are they reviewing to approve project with the funds we have, DOJ to okay this project regards to funds to use or the project we want for Tohatchi community, where does DCD come in with this or CPMD?, why is the contact through website only?; ***Sonny Moore** – how is the communication to DOJ?; ***Byron Bitsoie** – the communication is good, it depends on the language in the contract, liability issues and funding is what they look for, the Controller will have easy access once it's been reviewed, DOJ is the one who does the assessment for the contract; ***Sonny Moore** – we are using the restricted funds on the Unhealthy Food Tax; ***Larry Rodgers** – there are contracts going through the progress using the ARPA funds and our project is in the pile with hundreds of other contracts; ***Frank Chiapetti** – update on School Board members, we're now with 7 schools in Arizona, Board President is from outside of Dilcon, we're having input public meetings, Monday January 29 at NTU at 1:00 pm, Navajo Prep January 16 at 1:00 pm.

***Larry Rodgers** – Chapter President is here and it is good, I'm proud of that, other chapters normally don't have their President present, administration are not present at meetings and no participation, I did the GPS for the BIA land withdrawal, I was told I had to do it right and the individual who did the GPS mapping didn't get paid, what is "do it right", tell us how to do it right, the leadership should be more understanding and give respect, we are volunteers and how are we valued; ***Maria Allison** – when you do a request, suggest to write a memo letter to the administration which is me or officials or both of us, that you're going to hire someone to do the GPS for maps and attached a price quote to submit, with the AMS we can look at what funding we can use, how much money do we have, do we have to do a transfer, present the money to the chapter officials, this is where the money will come out from, if it has to do with finances it will come to me and cc to officials; ***Sonny Moore** – there was misunderstanding on my part and giving it to the CSC, will work with the individual for the work that was done, for the future we will do a 3 bid quotation, Maria attend the CLUPC meetings for updates; ***Larry Rodgers** – my responsibility as well, there's a protocol to follow; ***Byron Bitsoie** – have respect for each other and follow the process, keep everyone inform, thank you Larry for your work.

B. 5-year Land Withdrawal Application for Commercial Development. (Identify all land tracts).

***Sonny Moore** – Delegate Notah and Secretary/Treasurer are in Santa Fe to ask for information on capital projects, can CLUPC to do a cover letter and send to me, let's get a resolution approve by next Wednesday on the Land Designation for the property by the Health Center, questions to Byron and Larry, if you look at check list – and/or, is it asking for GPS data? Or are they asking for an official survey?, I interpret it as saying if you have GPS data you can submit it as part of this

application and it will be acceptable, complete application and submit to Land Department, let's talk about the commercial site, let's bring back Leonard Francisco to keep him updated with our plans, bring someone in to produce maps, there were land withdrawals during the late Julie Badonie and Herman Morris terms, I found resolutions, according to the maps I've seen there are three areas, one is an existing homesite – old Rental Flick, an existing business site across the high school that goes to Chuska Lake and the Old Orchard area by the transfer station and it looks like they've been surveyed out, Byron can we dig up the information, the Old Orchard site there was an archaeological site and not sure if it's been resolved, currently there is land to be looked for commercial development; ***Elvis Bitsilly** – identify all land tracts, see what we can apply for land withdrawal; ***Byron Bitsoie** – gldd.org, land withdrawals, cemetery and right of way, Veterans site already done; ***Larry Rodgers** – how do we know which tracts the President talked about are officially withdrawn?; ***Byron Bitsoie** – we have it at the Navajo Land Department, the cemetery hasn't been officially withdrawal and there's no paper work; ***Larry Rodgers** – what about the commercial areas?; ***Byron Bitsoie** - the Orchard is done and will be resurveyed; ***Sonny Moore** – the Veterans; ***Byron Bitsoie** – the Veterans was done; ***Sonny Moore** – Old Rental Flick business site, across the high school turn off; ***Byron Bitsoie** – are you talking about the Chuska Lake tract?, it shows on our data base, Goldtooth did the old Trading Post and Post Office, are you guys going to relinquish those?; ***Larry Rodgers** – the St. Marys Church land was withdrawal, community wants a new survey done for the church so there can be land for economic development, under the Sloan study they wanted the area for tourism, there's a conflict with the expansion of the transfer station, how much of the area goes to the transfer station and how much to use for commercial activity?, the one end of the airport has a archaeological site and it open area, all those areas need to be reconsidered, resurveyed and is GPS good enough; ***Byron Bitsoie** – GPS is acceptable with existing homes and not for new homes, follow the regulations and new regulations will be come out, the Church will need to do a legal survey; ***Sonny Moore** – maps for the housing development, when we apply and on the check list, is there a GPS and yes we do and add to the resolution; for commercial development, I thought we had a agreement with the Catholic Church to redraw the area and I thought it was a small area, that information is somewhere; ***Byron Bitsoie** – I have it drawn up, you and Mr. Halona, and they were good with it, look at the parcels on the map and it's everything we have so far, update the Trading Post, we can make the maps at your request; ***Fern Spencer** – Elvis can you request the maps from the Land Department?; ***Larry Rodgers** – how official is the 750 ft. corridor?, previous plan shows the road going through the community; ***Byron Bitsoie** – it's set by the resolution and the chapter needs to accept it, set in place, how far can we go down 491, map it and submit it to the Resource and Development Committee; ***Larry Rodgers** – Tohatchi Chapter never accepted it?; ***Byron Bitsoie** – no chapter has done it except for one; ***Sonny Moore** – there is a resolution here on file and accepted by the chapter, all the way from Mile Marker 19 and pass this way; ***Byron Bitsoie** – if you can get that resolution we can use it to base it on the mile marker and plot it to show the area that is withdrawal for the 750 feet corridor, it's from the fence line not the center line of the highway, the right of way is 750 ft and not the road; ***Larry Rodgers** – since it has to go to RDC, the revision of CLUPC has to go to RDC and might as well have it in the document itself and RDC will approve both; ***Elvis Bitsilly** – is this all part of the CLUPC plan we're trying to approve and revise?, are we doing something separate; I've never heard of it going to RDC, we need those documents; ***Larry Rodgers** – it's the one approved for 2018, now it has to be approved by the chapter; ***Sonny Moore** – it already went to RDC, my overall concept of commercial development, for example the Post Office and the strip of land, even though there's an existing business site there, I want to see a map that shows how much tract of land is available for commercial development at that area, the infrastructure available on the west side of the highway, moving towards the Chevron station and even though there's an existing Veterans tract there, I want to see how much land is available for commercial development, I get a

favorable response from Veterans to say if you relinquish that land back to the chapter, in the future we'll find you a place, we can draft a letter to Veterans for the land and attend their meetings, the Old Orchard has room, by the Francisco's there's a small place and maybe there is a homesite lease there; ***Fern Spencer** – the 5 year land withdrawal application, do we have to wait for the maps to talk about this?, what are we doing?, do we need maps?, I thought what you did with your brother, the tract of land for housing that's what we're working on, Elvis will you write a letter to Byron, Land Department for maps and how soon will the maps be ready, will the maps be ready this Thursday; ***Larry Rodgers** – we need to agree on what will go into the plan, that's the housing tract, commercial is where the businesses will go, two separate tracts, they need a resolution for the housing development for next Wednesday's meeting; identify all the land tracts that are officially withdrawal, map is done, resolution is drafted and ready to go, where it says other housing tracts, where haven't talked about where these other housing tracts are, President get rid of that blank, go with the old boarding school housing area, you'll have the resolution with the map showing the acreage, we're identifying only one place, we need to identify other areas for housing; it can be part B of housing, commercial is separate, we need to know which land tracts are officially withdrawal, what is the status; ***Byron Bitsoie** – the map in the hallway is an official land withdrawn.

VIII. New Business:

A. Tohatchi Community Land Use Plan- Consult with Shynoke Ortiz-Planning Consultant

***Sonny Moore** – set up a teleconference with Shynoke and have an informal discussion, set up a date and time, give her questions.

B. Schedule Nation Navajo Economic Development for follow up- Leonard Francisco, Jr.

***Elvis Bitsilly** – invite him back to our February 20th meeting for updates.

C. Expansion of Tohatchi Transfer Station

***Sonny Moore** – the transfer station is that the only land that was withdrawn, people are saying to expand the transfer station; ***Byron Bitsoie** - land withdrawal is the small area, Orchard is the bigger area, you can go further north, you can extend towards the road coming in; ***Sonny Moore** – we're looking for the documents, can you produce it.

IX. Resolutions: None

X. Announcements: Parsons Meeting, January 19, 2024 @ 8:30 am

Tohatchi High School Groundbreaking, January 19, 2024, 10:00 am

Tohatchi Chapter Meeting, January 24, 2024, 10:00 am

XI. Next Meeting Date & Time: Tuesday, February 20, 2024 @ 9am

XII. Adjournment/ Time: 11:40 am