



March 20, 2024 @ 10:00am

## TOHATCHI CHAPTER MEETING AGENDA

AUDIO TELECONFERENCE CALL NUMBER: (575) 567-3331 PIN: 290 206 733#  
JOIN WITH GOOGLE MEET: <https://meet.google.com/vsc-zdtr-mbz?authuser=0&hs=122>

- I. MEETING CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. REVIEW/APPROVAL OF THE AGENDA
- V. APPROVAL OF FEBRUARY 26, 2024 MEETING MINUTES
- VI. PRESENTATION
  1. Kevin Mitchell/DODE/Mr. Wade Bell -
  2. Nicole Sombrero – NTUA Choice Wireless:
- VII. UNFINISHED BUSINESS
  - 1.
- VIII. NEW BUSINESS
  1. February 2024 Financial Report
- IX. RESOLUTIONS:
  1. ~~025-03-2024~~ - Resolution to authorize the 5.527 acre of the existing cemetery to be surveyed.
  2. 026-03-2024 - Resolution to approve Housing Discretionary assistance fund in the amount of \$2,073.12 from the remaining balance of \$3,607.27 using Housing Discretionary funds from year 2019 in amount \$15,000 allocation for Theresa Bryant's home to purchase sheetrock and installation.
  3. 027-03-2024 – Supporting resolution to approve virtual teleconferencing at Chapters per DOJ's request.
  4. 028-03-2024 – Resolution to approve Housing Discretionary assistance for Winifred Muskett to have a ramp built for her.
- X. ANNOUNCEMENTS:

Reminder: The Navajo Nation Department of Agricultural Farm and Garden Incentive Program ends on March 31<sup>st</sup>. This is the deadline to sign-up for the program and you can google Navajo Nation Department of Agriculture to get more information.
- XI. NEXT MEETING DATE AND TIME: April 1, 2024 (Planning Meeting)
- XII. ADJOURNMENT:



March 20, 2024 10:00am

## TOHATCHI CHAPTER MEETING MINUTES

- I. **MEETING CALL TO ORDER: 11:24 AM**
- II. **ROLL CALL: President Sonny Moore, Vice President Mike Halona, Secretary/Treasurer Jean Crawford, and Grazing Office Moore**
- III. **INVOCATION: Nicole Sombbrero**
- IV. **REVIEW/APPROVAL OF AGENDA:**  
**Motion: 1<sup>st</sup> Marjorie Francisco 2<sup>nd</sup> Kevin Mitchell Vote: 20-0-1**
- V. **APPROVAL OF FEBRUARY 26, 2024 MEETING MINUTES:**  
**Motion to include to read on your own:**  
**Motion: Priscilla Duncan 2<sup>nd</sup> Shirley Chato Vote: 19-0-3**
- VI. **PRESENTERS:**
  1. **Kevin Mitchell (GMCS) – School Board Official:** We have several people from GMCS, Mr. Moore Principal of Tohatchi High School, Dean Ms. Yazzie, from Central Office, Jason Wayman, and Mr. Wade Bell. A presentation will be provided by two individuals from the high school's Business Career Pathway Program. Keira Chato who is a junior and Bailey Chato who is a sophomore have been competing in the Business Career Pathway. Keira went to Regional to compete in Intermediate Word Processing and placed 3<sup>rd</sup> in baking and financing. At State she took 1<sup>st</sup> in Intermediate Word Processing. Bailey took 2<sup>nd</sup> in baking and financing. Keira will be competing at Nationals in Chicago on May 10<sup>th</sup> – 14<sup>th</sup>.  
Presentation on Tohatchi School of Business: At Tohatchi High School, we are expose to the business world, we gain practical skills and also have connections, industrial partners and internships. A side from being a school of business, we also have two pathways that help us like, computer science. Sophomores are offered computer science; juniors are offered computer science principles and seniors are offered on the job training and dual credit. The other pathway is carpentry where a student learns the basic rules of tools and basics skills needed for carpentry. Carpentry I is for freshman and carpentry II is for sophomore, carpentry III for juniors, and construction trades and dual credits for the seniors. But next year, the last 3 will turn into OCC (Opportunity Career Center). What does Business Career Pathway offer: Freshman, Introduction to Business, Sophomores, Business Ownership, Juniors, Business Management. Seniors, Business Internship and dual credit. At the end of each class, we take an exam for industry certificates that will allow us to use it throughout the country to have an advantage and get the job we want. We also have our own chapter, BPA Program (Business Professionals of America). Freshman Introduction to Business: in Quarter 1 we get business concepts, in Quarter 2, business documents, Quarter 3, advertisements, and Quarter 4, business plan. We learned the basic principles of what a business is and how to have a business. Sophomores Business Ownership: Quarter 1 Document signing, Quarter two Business documents, Quarter 3 Entrepreneurship, Quarter 4 Marketing and management. Next year Juniors will be offered Business management, this course will teach planning, staffing, and financing. And within 2 years, the seniors will have business internship and dual credit. With the BPA, we enter in contest at Regionals and if we qualify, we go to State competition. The Regional contest was held in December in Farmington. We also had our

State competition in Albuquerque recently. As a sophomore, I gained new experiences in the business world. I would like to start my own business and thanks to BPA and all the skills I gain through this program I can do just that. As a junior, BPA gave me more confidence in public speaking and take more risk. You can reach us at Tohatchi High School if you would like to reach out to us.

**2. Mr. Ferlin Clark – DODE (Department of Dine Education) office of Dine School Improvement:**

I've worked for DODE for over a year. The Navajo Nation Council enacted the Sovereignty Education Act back in 2005 for all the schools on the Nation; for example, public schools, BIE schools, and tribal controlled schools. This act is to implement the 5-standards which are culture, language, history, government and "ke" back into the schools. Our Navajo language is declining and the responsibility lies with the parents and schools to teach the Navajo language at home and in the schools. With this education and understanding, the students will thrive into a well-rounded individual and it will sustain them. The late honorable Dr. Peterson Zah reminded us as Navajos to never forget our Navajo language. Gallup McKinley County Schools have implemented the 5 standards and have done very well with the program. The comparison was made with the Pinon United School District, Central School District, and Chinle School District and GMCS had the best program in this area with an emphasis on Navajo language. They have the data to show how well their program is working. So, we decided we will use the same program with all our school under the Navajo Nation. We appreciate GMCS for sharing their program and we will continue to work with them.

**President Moore** – As officials we believe the key to success is education and we want to see our students excel. This is the reason why we are sometimes hard on Mr. Mike Hyatt, GMCS Superintendent by requesting for certain programs through Chapter resolutions. I appreciate the collaboration between GMCS and Navajo Nation. Recently, the CLUPC of Tohatchi has designated some land, 44 acres just north of the Tohatchi Clinic. We are looking to build some professional housing and possibly buildings for education. Hopefully, we will be able to provide college courses here in Tohatchi so we don't have to bus our children into Gallup daily. We like the dual credit system the school is providing which will encourage our students to go on to college or to a vocational school.

**Vice President Halona** – We recently had our children from our community visit our Chapter from Chooshgai Community School. The Navajo language and culture class were here to observe the function of a Chapter under the Navajo Nation government. I gave them some insight and advice on the importance of education. I want to thank Mr. Kevin Mitchell for his leadership and thankful our kids are looked after daily from the educational standpoint. We've always entrusted our children to the schools during the day to provide guidance and teaching to help them learn. I appreciate and commend GMCS for taking the lead and setting the bar. So, I ask you to keep raising the bar. You have our support and if there is anything we can do to assist, help, and advocate just let us know. We need to keep the line of communications open to help you carry the load.

**Kevin Mitchell** – I would like to thank Mr. Clark for taking some time to come out and update us on DODE. I also like to say how much I appreciate the work he is doing with the schools.

**Mr. Moore – Tohatchi High School Principal:** We have a lot of things going on the 2<sup>nd</sup> semester at the high school. We talked about our BPA program and we just got done with our basketball season which was very successful. Our boys got into the playoffs and they will have a good team next year as well. The lady cougars made it to the championship but unfortunately, we didn't get the trophy we wanted but we will be coming back next year. Overall, really good attendance and with the new policies for fund raising, it's been really difficult for our students to fund raise, but because of the new policy with concessions, our students made on average, I'm guessing around \$2,400 every night for their programs. We have our CCRC and Ms. Yazzie and I will explain what that is. We will be inviting the whole community on May 21<sup>st</sup> to come to the

high school. So, what the students have been learning over at the School of Business and other Pathways will be showcased at Tohatchi High School. Recently, we've started baseball, softball, track so there is no break between the sports. We are also trying to get cheerleading up and going again. They will be sent to cheerleading camp this summer and will be ready to go for football season. We have prom and graduation coming up here soon. Prom will be held at Tohatchi High School and we also have SAT testing coming up in 3-4 weeks. We will also be having a boot camp for the juniors to prepare them for their SAT testing so we can be a little more success.

I don't know if you notice, but there is a big hole behind the gym where they have been removing dirt/sand which means the construction of the new school has begun. We should be in our new school in a couple of years. We are all excited about that and we do look forward to coming back to the Chapter to talk to you about our CCRC showcase. We would love to have the community come over and support us on the showcase.

**Kevin Mitchell** – I would like to ask Mr. Ferlin Clark if he would look into the possibility of having the bilingual seal test given during the freshman year. This test is given during the senior year, which only gives them one opportunity to pass the test and receive their seal. I believe giving this test earlier, maybe during their freshman year would be more beneficial and we can collect data to improve on this test.

**Mr. Ferlin Clark** – I agree with Mr. Mitchell. I also would like to say, we need more parent involvement in the education of our children. It is very important for every parent to show up for their child's parent/teacher conference.

**Vice President Halona** – I want to thank the two young ladies from the high school who gave a presentation. You will be facing challenging times, but that only means you are on the right track. So, welcome those challenges, its not what you are going to get its how you become in that process. That's the goal so I wish you all the best and remember, the sky is the limit. Learn all you can and we'll be here to support you.

3. **Nicole Sombbrero: Choice Wireless w/NTUA** – Last week on Thursday, we had a ribbon cutting event here in Tohatchi. I would like to present the new services that are available in your community and what Choice Broadband is. What is ours is the RAM equipment on the towers which look like cardboards and provides internet services to the community. We are known as the last mile carrier, and when you see our name "Choice NTUA Wireless" that's because the majority of our equipment is on NTUA towers and they are known as the "middle mile carriers." If you get internet services with us today, our dispatch will schedule a time for installation at your home. The technician will install a modem on the outside of your home or on a pole and a line will come into your home to connect to a router. The router is the Wi-Fi which you connect to your laptops and computers. During the pandemic, we needed Wi-Fi for our internet to provide computer services to our students, but most part of the Nation did not have the Wi-Fi needed. This was a huge eye opener.

The tower which we have the new equipment on is near Chooshgai and with the new equipment you can get faster speeds and capacity levels. I've had people ask "what is mybts per second?" That is basically, if you were to get on Facebook now, and someone posted something and you react to it, how fast will that be sent out or if our Chapter officials were to send an email and the person response in a certain amount of time, those are the speeds. That is how it is categorized. I have one of the representatives here with me who can search your house using the map on the computer to see if your home would be feasible for internet service.

For the ACP services (Affordable Connectivity Program) which is a federal program will be ending in April. Afterwards, we did not want to leave our communities without internet services and we understand the internet services are a necessity but it can also be expensive. So, we have a proposal to the State to see if

they can assist with individuals on the ACP program with a credit. This is currently going through our Board to get approval and once it's approved, you will get a credit for a certain number of months toward your bill until you can afford your services. Let's say you want a faster speed like Tarana, we can discount that credit toward a newer plan that we have. You can find us at all the District offices; Kayenta, Chinle, Shiprock, Tuba City, Dilcon, and Ft. Defiance. The biggest thing I see with these services is a lot of our money does go off reservation, but if we are able to keep it here our communities can grow.

**Grazing Officer Moore** – Can the lowest Mbps (25 Mbps) handle streaming services like; Hulu, Netflix, HBO, and so on?

**Nicole** – Yes, but if you decide you need more Mbps, you can make changes per month which is great. Also, some teachers will ask for the “idle mode.” This is where let's say you were going to be gone for a month or longer, you can request for the idle mode. They will not charge you for these months it was in idle mode.

**Elvis Bitsilly** – I'm wondering how many people who were enrolled in the ACP program that will be losing their services.

**Nicole** – I don't know the exact number, but we estimate around 1,000 across the board. We were hoping the State would come up with a plan but so far nothing has been brought up.

**Vice President Halona** – Couple of questions, you indicated Choice Wireless is the last mile, so is Choice Wireless paying the middle mile to use their equipment? Even though NTUA owns it, you still have to pay? And as far as the rates that you come up with, I understand if you were a company that was investing into the community meaning, you use money to put the towers up, fibers, and antennas but all that is subsidized by the ARPA and grants, but there is not capitalization from Choice Wireless. With all the subsidized funding your rates are still high.

**Nicole** – I can take your question back to the main office to get an answer on prices we are charging our customers. I don't know why the rates are what they are. I know that the equipment, towers, and services are expensive. We do give back to the community by getting involved by offering free internet services during elections, we are a proud to be a partner of Miss Navajo by representing her and we also provide funding to the Chief Manuelito Scholarship

**BUSINESS:**

**1. February Financial Report -**

<b>FEBRUARY BALANCE FUND</b>		
1	Chapter Activities Gen Fund	\$20,466.46
2	NN General Fund	\$7.49
3	Land Claims Trust	\$22,406.37
8	Supplemental Youth Fund	\$16,473.60
9	Housing Discretionary Fund	\$17,156.98
10	LGA Grant Fund	\$74,601.97
12	Chapter Stipends	\$37,191.03
13	Scholarship General Fund	\$9,795.00
14	Scholarship Claims Fund	\$2,528.98
15	PEP Fund	\$58,901.27
16	Veterans Fund	\$5,000.00
17	Emergency Fund	\$40,212.02

23	NN Sales Tax	\$81,833.79
25	NN CIP - \$180,000	\$29,019.33
26	Red Willow	\$1,040.37
27	NN CIP - \$200,000	\$3,877.78
34	Agriculture & Infrastructure	\$3.68
40	Unhealthy Food Tax	\$88,720.99
51	NAPI	\$2,299.66
61	Senior Center	\$2,162.99
	<b>Total Fund Balance</b>	<b>\$513,699.76</b>

**Secretary/Treasurer Crawford** – President Moore and I review the financial reports monthly. For the month of February, our books are in balance and everything has been reconciled back to the bank. Every check that was written by the accountant has been reconciled or accounted for, for the month of February. Again, as always, these reports are posted at the Chapter and if you would like a copy of the Budget to Actual, that is available to the community upon request.

**Motion to Accept the February 29, 2024 Financial Report:**

**Motion: 1<sup>st</sup> Shirley Chato 2<sup>nd</sup> Priscilla Duncan Vote: 20-0-1**

**Lanea Desiderio-Jim** – I’m located at Tohatchi Health Center and today, I’m set up to raise awareness, today is National Native HIV/AIDS awareness day. It’s all about raising awareness in your communities and to let people know we support people getting tested, treated for HIV, especially if you are in Tohatchi. This is why I’m set here at the Chapter giving out stickers and tattoos just so you can show your appreciation about National Native HIV/AIDS awareness day. I’m also sharing information about congenital syphilis because we have high number of cases. What that means is mothers who have syphilis is passing syphilis to their unborn babies. So, when babies are born, they are born with complications. These are some of the cases we can prevent by raising awareness, talking to our kids, especially the younger generation about how to protect themselves and information on where they can get tested and treated. So, syphilis is treatable with medication. Syphilis will stay in your body unless it’s treated.

**VII. RESOLUTIONS:**

1. **025-03-2024:** Resolution to authorize the 5.527 acres of the existing cemetery to be surveyed.

**President Moore** – we have a resolution to approve the expansion of the cemetery, but now Land Administration is saying we need to have the whole cemetery surveyed because they and the Chapter have to record of the survey.

**Elvis Bitsilly** – We have \$84,000 allocated for our cemetery expansion for 1.5 acres and we need to expend those dollars. The Budget and Finance Committee with office of Controller are talking about ARPA money being reverted back to the Federal government. Our Navajo Nation Council is responsible for expending these funds which was in the legislation of the 24<sup>th</sup> NN Council and carried forward to the 25<sup>th</sup> NN Council. It’s important that the leadership take care of these projects for our community. NTUA was allocated \$79 million for cistern but they said they won’t be able to expend these funds by 2026 so it was moved to waste water. The NN is starting to move funds from one department to another to meet deadline. The ARPA funds that were allocated for administrative cost and services within the executive branch, over \$100 million maybe reverted back as well. Our Chapter projects are: bathroom additions-\$250,000, house wiring-\$91,000, septic system-\$950,000, waterline-\$278,000, powerline extension-\$105,000, cemetery expansion-\$84,000 which adds up to \$1.7million.

I also like to mention Mr. Tom Platero who stated from the start with this ARPA funding, it's a different kind of funds and it's not eligible for the money to be given out to the people of the NN. It has a different kind of restricted. If this is what they want to do, they would have to do a legislation and send it to the federal government.

**Secretary/Treasurer Crawford** – This ARPA funding did not just come to the Navajo Nation; all Native tribes across the country received this ARPA funding and the majority of these tribes decided it would be best to give it to their people. This has been done already with many of the other tribes so to say, “it can't be given to the people of the NN,” I feel is incorrect.

**Vice President Halona** – I would like to help everyone understand what is going on in W/R. I have the luxury of attending these meeting. It was in our teachings how a large sum of money (billions) is not good for the Navajo people. It is said this money will drive you crazy. Currently, this money is being pulled every which way in W/R. President Nygren's background is construction and he knows how long projects will take to complete and he says we are not going to meet the deadline for these projects. We have come up with a plan with the controller. We said let's look at all the projects and see which ones are possible. So, the departments and Chapters who received funds from ARPA are saying they can expend those funds. They don't want to let go of their funds and are saying “I don't know how we are going to spend it but we are going to spend it.” We are looking at pulling all the money which are allocated which can't be spent and put it back into one pot. What we did is we tallied up all the lost revenue during the pandemic. For instance; the casinos were closed, no revenue made. Is it \$600 or \$700 million that we could possibly recoup. The Federal Guidelines allows these funds to be put into “lost revenue.” So, our plan is to take the ARPA funds and declare it as “lost revenue,” than it turns into NN money and we can use it for leveraging. We can still do the projects with no deadline. Now the Federal government keeps changing the regulations on these funds. Putting the funds into lost revenue fits the regulations and the audit, now the challenge is getting people to let go of the funds that were already allocated to put into the “lost revenue” pot. There will be legislations coming in the next couple of months on the lost revenue option.

**Priscilla Duncan** – So, what happens to the project that have already started?

**Vice President Halona** – If they are able to finish, they have a contractor encumbered, these projects met the deadline so they will get completed.

**Motion: 1<sup>st</sup> JoAnn Crosby 2<sup>nd</sup> Mary Tsinnie Vote: 20-0-1**

2. **026-03-2024:** Resolution to approve Housing Discretionary assistance fund in the amount of \$2,073.12 from the remaining balance of \$3,607.27 using Housing Discretionary funds from year 2019 in the amount of \$15,000 allocation for Theresa Bryant's home to purchase sheetrock and installation.

**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Marjorie Francisco Vote: 17-0-2**

3. **027-03-2024:** Supporting Resolution to approve virtual teleconferencing at all Chapters per DOJ's request.

**President Moore** – This resolution will recognize our listeners who on the call with us. If they are a registered voter, we will be counting their vote and they will be allowed to speak to the conversation at the chapter. Tohatchi Chapter has already approved the use of teleconferencing previously but President Nygren vetoed the legislation so it went back to Council who overrode it, now they will need to change title 26 to make it law. Department of Justice states we need 56 chapters to agree with the legislation to approve teleconferencing on the Nation.

**Motion: 1<sup>st</sup> Valentina Benally 2<sup>nd</sup> Geneva Begay Vote: 17-1-1**

4. **028-03-2024:** Resolution to approve Housing Discretionary assistance for Winifred Muskett to have a ramp built for her home.

**Motion: 1<sup>st</sup> Geneva Begay 2<sup>nd</sup> Shirley Chato Vote: 19-0-1**

**Ansley Curley (LDA)**— I would like to speak on a couple of issues that have arisen with Council. Currently, the discussion which have been occurring within Council itself is regarding the \$2 billion that was received and allocated among many of the departments across the NN which includes NTUA, NECA, and Department of Community Development. This chapter including the other 4 chapters within the district are working on those projects that they selected including housing renovations, water line extensions, powerline extensions, bathroom additions and those type of projects which are ongoing. The Nation continues to try to get these projects completed and all this money spent. Right now, they are looking at possibly amending the original legislation to allow more money to be spent on some of these projects that have shortfalls. Yesterday at the Budget and Finance Committee meeting, they discussed amendments again. The big discussion now is whether or not to amend the original legislation because the 31<sup>st</sup> of this month that is a timeline Council placed on themselves to spend or at less to encumber all of this money. For the most part that has not happen. Of the \$2 billion, \$85 million has actually been spent, meaning that money has exchanged hands or these businesses have received payment of some sort. Currently, there is \$125 million that Council is looking as far as all of these department that have been given this money to work on projects how much money of that they have spent. If they don't amend the legislation to extend the timeline by the end of this month, but it does look like it will happen. At the end of this month, potentially Council is going to re-look at the balances across the board with all these departments. If these balances cannot be encumbered, cannot be spent then the possibility of legislation coming out for everybody to receive a check in the mail might be forthcoming. I won't know, my boss won't know until that legislation is introduced by one of the Council Delegate. Currently, and this was stated in the Budget and Finance Committee meeting yesterday that Delegate Amber Crotty says she does not want any of this money going back to the Federal government and rightly so, this money needs to stay on the Nation to be spent. But if these departments cannot encumber this money, she is considering introducing legislation to give the money to the Navajo people. What that balance may be and how much everyone would get is yet to be determine because they are still looking to amend the original legislation regarding the \$2 billion. These departments have had somewhat of a difficult time encumbering the funds which is due to some of the regulations and policies that are within the Navajo Nation itself. We've placed a lot of check and balances on ourselves and it's made the process difficult to manage. So, there is some real concerns this money (ARPA) will not be spent.

There are several other issues that are very important to the Chapter and one I've been task with is to work with the Chapter President and staff to close up some of these projects. We are continuing the work on the Safety Complex and there has been some new information coming out regarding the complex. Just recently we had a meeting with the NN to discuss the balances for the complex. There may be a route to take in order to procure or have someone to complete the planning and the design of the building.

Council Delegate Notah apologizes for not being able to be here, but he is attending the Tribal Interior Budget Council and he sits on the subcommittee for Land, Water, and Natural Resources. They discussed the budgets with the Federal government including IHS, Department of Interior, and BIA, all of those folks in Washington DC. Other than that, he has been working on procuring or working with State and County on some of the right-of-way agreements. The road issues have been one of his priorities which he is currently trying to resolve.

**VIII. ANNOUNCEMENTS:** Next planning meeting April 1<sup>st</sup>, District Grazing Committee meeting April 3<sup>rd</sup> @ 9am. Red Willow Farm meeting April 2<sup>nd</sup>, District 14 Council meeting April 3<sup>rd</sup> @ 5:30pm, CLUPC work



session April 2<sup>nd</sup> @8:30am.

**IX. NEXT MEETING DATE: April 1, 2024 Planning Meeting @ 10am.**

**X. ADJOURNMENT: 12:55pm**

**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Sam Natonabah**

Submitted by,



Secretary/Treasurer, Tohatchi Chapter **March 30, 2024**

cc: Mr. Sonny Moore, President

Mr. Mike Halona, Vice-President

Mr. Gerald Moore, Grazing Officer

Ms. Maria Allison, CSC