



December 18, 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 NOVEMBER 20, 2024 MEETING MINUTES

VI. PRESENTATION:

1. Chooshgai Community School

VII. UNFINISHED BUSINESS:

1. Navajo Nation's meeting with OIG (Federal Government) regarding the AIF program.
2. Update on TEC and scholarship funding for the Nation.

VIII. NEW BUSINESS

1. November 2024 Financial Report

IX. RESOLUTIONS:

1. **012-12-2025:** Resolution to approve budget transfer from SYEP in the amount of \$7,123.95 negative balance.
2. **013-12-2025:** Resolution to approve budget transfer in Fund 13 Scholarships in the amount of \$150.00 negative balance.
3. **014-12-2025:** Resolution to approve the purchase of two PC's in the amount of \$6,510.00 for the CSC and AMS upgrade.
4. **015-12-2025:** Resolution to approve Housing Discretionary Emergency fund assistance for Ann Etsitty's wheelchair ramp in the amount of \$971.28.
5. **016-12-2025:** Resolution to approve Priscilla Duncan as the new member of the CLUPC.
6. **017-12-2025:** Resolution to support the request to the NN Board of Education and Health, Education & Human Services Committee of the Navajo Nation Council for Chooshgai Community School to be re-authorized to continue grant School operations from July 1, 2025 to June 30, 2025.

XI. ANNOUNCEMENTS:

XII. NEXT MEETING DATE AND TIME: January 06, 2025 (Planning Meeting).

XIII. ADJOURNMENT:



December 18, 2024 10:00am

TOHATCHI CHAPTER MEETING MINUTES

- I. MEETING CALL TO ORDER: 11:40 AM
- II. ROLL CALL: President Sonny Moore, Vice President Halona, Secretary/Treasurer Jean Crawford, and Grazing Officer Gerald Moore, CLUPC President Elvis Bitsilly.
- III. INVOCATION:
- IV. REVIEW/APPROVAL OF AGENDA:
Motion: 1st Priscilla Duncan 2nd Lee Rodgers Vote: 19-0-1
- V. APPROVAL OF NOVEMBER 20, 2024 MEETING MINUTES:
Motion to include to read on your own:
Motion: 1st Lucinda Barney 2nd Pernell Halona Vote: 19-0-1
- VI. PRESENTERS:
 - 1.
- VII. UNFINISHED BUSINESS:
 1. Navajo Nation's meeting with OIG (Federal Government) regarding the AIF Program -
 2. Update on TEC and scholarship funding for the Nation -
Vice President Mike Halona – Navajo Nation's meeting with OIG (Federal Government) regarding the AIG Program: As far as the AIF Program is concerned, we are not locked in for 5 years. We still have the option to go with someone else if they have a better price and plan. That was misinformation that was put out there stating we (Navajo Nation) were locked into an agreement with CKP. We did not find anything like a legal document that's binding and it was like that for 7 years. So, we made a decision to go with someone else to try to get everything straighten out with this AIF Program. We need to provide accurate information as far as what we are insuring on the Navajo Nation not some inflated numbers on the acreages. I made the decision to notify CKP that we will be moving on with a new insurance agency in crop year 2025. We officially cut ties with CKP on December 31, 2024 and will start a new with the new company, Navajoland Insurance.
CKP got upset with the Navajo Nation and started to threaten us stating they would publicly discrediting the current administration and I'll do whatever it takes. This is being aired on the radio stations, people being paid to say what they are being told to say. Even on social media, there is a post by the "United Farmers & Ranchers," but there is no such organization on the Navajo Nation. These posts are computer generated to misinform our people. The USDA Federal Government was back to do their investigation into this matter and it has become a serious situation. They took 3 days to interview different people and different departments like the Department of Agriculture, Department of Natural Resources, President's office, and the Controller to name a few. There will be news of people who will be answering for the mishandling of this program. That was made very clear by the USDA. At the same time on Navajo, you have the Chief Prosecutor who is also conducting their own investigation internally on these activities. Now, we have the Auditor General coming in to audit the AIF funding from 2017 to now. I welcome this audit because we need to know where every penny went. How was the funding used, if it was used and who was

the funding given to? We need this information so we can move forward with a clean slate and we'll know how to handle the funding for the Ranchers and Farmers. We are also tracking the premium monies that have gone through and the accounting portion of the program. I do want to insure everyone that the AIF Program is not in jeopardy and it's not going away. Instead, we plan to improve the program, with better incentives going out to farmers and ranchers. We want to start with providing protein blocks for all the ranchers including the people who have sheep. This is also President Nygren's priority is, Agriculture. Just to give you an idea, yesterday we made a decision for the people who live in the NPL (Navajo Partition Land) which is located over by Black Mesa, Pinion, and Forest Lake that whole area there. These people who live in this area had their grazing permits taken away back in 1974 when the relocation started. For 50 years they did not have grazing permits and we started working on this for the past 6 months and we will be issuing the first 15 grazing permits back to the families who live in this area. Most of the permittees are deceased now, but we will be giving the permits to the next generations who are called the "inheritance" that will be receiving the grazing permits and they will be the ones who will be taking over what their grandparents left behind 50 years ago. It's been a real heartfelt process we went through to get this completed because it's long overdue.

Next, we will be working on the infrastructure like the windmills, dirt tanks, fencing for better range management practice. This is where the funding from the AIF Program was suppose to be going to make improvement so our ranchers and farmers stay in business and they continue to put food on our tables. USDA subsidizes this through an insurance program and they will provide incentives if we don't get any rain during the year. This is how the AIF program was suppose to be setup, but we will draft guidelines and policies for the program moving forward.

Elvis Bitsilly: RWFB – I appreciate the fact that the NN is finally working to better the AIF Program. I'm the joint Farm Board President or Chair of the 13 Farm Boards across Navajo we've had concerns about this AIF funding. I do hope the new insurance company will make some changes for the better and I would also like to recommend they post a registry of their employees who will be the oversight for each section of the AIF Program. Just to mention too, we are not associated with the so called "United Farmers & Ranchers."

Vice President Halona – Probably right after the 1st of the year, there will be special meetings scheduled to facilitate the changes that we will be making internally for example; restructuring.

1. Vice President Mike Halona – Update on TEC and Scholarship funding for the Nation:

We will be having a meeting internally with Archaeology, Land Department, Biological Department, and the Mineral Department to come up with a solid rental scholarship amount to take to Tucson Electric. We can say this is our position, this is what we are asking for, and this is how we want it to be done. It will be in their ball park. We have already been looking at what our transmission companies are paying land owners, whether it's on BLM land or Forest Service Land, County and State Land so we can do a comparison so see if it's comparable so we know exactly what the market is currently. Annual, it would go up with the index (the increase inflation) what we call "CIP" and these will be annually assess so it is not locked in at one number for the next 25 years or the next 50 years. It will go by annually, and increase by percentage. This will be applied to the scholarship fund. They are in a position to really take advantage of the power which will be coming into the Four Corners. We'll look at the wattage which will determine what our rate will be. This will tell us what we should be getting. When negotiation is completed, it will go through RDC and finally BIA who will grant the right-of-way. Most of the time they will support the Nation's terms and conditions. Just to let you know, we are looking out for you including the other chapters in district 14.

President Moore – We've had TEC here at our Chapter requesting for our support for the re-negotiation of their right-of-way through our communities. We had discussions and eventually tabled the resolution

which was brought back with a condition to have TEC provide \$50,000 in scholarship funds for our students which will be paid directly to our Chapter. That is the resolution we submitted.

Vice President Halona – The scholarship request is like a request from a 3 party to the agreement that we are making to TEC. The more we can get from TEC that can compensate for scholarships and the other part is if the Chapter will be receiving scholarships money from TEC, then NN does not need to put any money into the Chapter's fund which could be considered double dipping. So, we are looking for a mechanism where it would not be considered double dipping. But there are still funds that are earmarked for scholarships and also earmarked in the financial system as scholarship funds for these Chapters. Every lease and rights-of-way are payments that are made to the NN will go into General Funds. Out of that pot, they run the government and Chapters. The funds are distributed out to the chapters but some chapters do not agree with this. They are saying we are a bigger Chapter and we should be getting more in funds. It's a challenge to distribute equally among chapters and some chapter enrollment is coming down. The other agreement stated in Title 26 states to become a Chapter, you have to have a 1000 or more voter registered. Do we do away with those chapters and is Tohatchi one of them? These are some of the discussions happening in W/R. We continue to explain that the government designated all of our trust lands for the benefit and use for the Navajo Indians, which means all of us who has a census number and the interest for anything on Navajo. We'll continue to have these kinds of discussions, for example; the certified chapters. Do they get all the taxes from revenue in their communities and not share with the other 109 chapters?

Grazing Officer Moore – Will the grazing permittees who live and have their livestock graze beside the TEC right-of-way be affected?

Vice President Halona – When a permitted gives consent, the consent is based upon the disturbance to the grazing area. A grazing permit is a vegetation permit, it's not the land permit. So, when a project comes in you have to determine how much of your grazing area you are going to lose? Is it going to be temporary or is it going to be gone forever. Forever meaning the highway, they put in a fence and you can never use it again. TEC has a 300 feet wide right-of-way along the power line which was negotiated twenty or twenty-five years ago. But your livestock is still grazing underneath the power lines and TEC has not put a fence along the right-of-way to say livestock owners cannot graze their animals inside the fence. When it was 1st negotiated with TEC, the permittees were compensated to disturb the land when the power lines were put in and now, they have to reclaim it to bring the vegetation back. For example, the waterline coming down from Shiprock, you'll see some green strip of green coming up where the waterline was put in. TEC did all the disturbing of the land when they 1st started the construction of the powerlines. For the renewal of the contract that TEC is requested, they will be no disturbance of the land. TEC does not have to drive underneath the powerlines to check on the lines; they use drones and helicopters now to check the lines.

President Moore – How much is the NN requesting from TEC in this negotiation?

Vice President Halona – I believe they have offered \$39 million with a bonus. We as a Nation are working on the comparable stating, this is what you paid State, Private Land owners, and BLM. They are trying to get this negotiation done because they have to sign all the purchase power agreements, so TEC has their customers are locked in with the companies who are going to buy the power as well.

Laris Manuelito – Your right, if you have them at that point, you have the advantage. Historical, we have always been cheated in our negotiations. This is a prime opportunity to ask for as much as we can and is there something the Chapter can do to get more funds for scholarships? I'm not worried about the people down in Phoenix or Tucson who will be getting this power. I'm concerned for our people here in our communities.

Vice President Halona – I think we have all the resolutions that have been submitted in our package so that's the average we are trying to come up with. I can assure you; we are holding pretty steady in the

negotiation; we control the land and we can control the process. What TEC is calculating is what they paid in the past, the numbers of years with inflation.

VIII. NEW BUSINESS:

November 2024 Financial Report –

NOVEMBER BALANCE FUND		
1	Chapter Activities Gen Fund	\$19,808.23
3	Land Claims Trust	\$30,102.62
8	Supplement Youth Fund	26,402.45
9	Housing Discretionary Fund	\$5,709.83
10	LGA Grant Fund	\$68,427.14
12	Chapter Stipends	\$28,601.89
13	Scholarship General Fund	\$10,692.00
14	Scholarship Claims Fund	\$3,453.48
15	PEP Fund	\$44,385.50
16	Veterans Fund	\$6,370.79
17	Emergency Fund	\$27,896.03
23	NN Sales Tax	\$99,009.65
25	NN CIP - \$180,000	\$15,085.76
26	Red Willow Farm	\$1,040.37
27	NN CIP - \$200,000	\$3,877.78
40	Unhealthy Food Tax	\$104,299.56
61	Senior Citizen Fund	\$2,162.99
51	NAPI	\$2,299.66
80	General Fixed Assets	
34	Agriculture & Infrastructure	\$3.68
	Total Fund Balance	\$499,629.41

Secretary/Treasurer Crawford – The financial reports were reviewed by Chapter President and Secretary /Treasurer. For the month of November 2024, our books show we are over by 8 cents in our cash. This is an overage where the solid waste attendant is given incorrect change from community members when dumping their trash. This also includes the 4 cents from the previous month. So, we have a reconciling item in the amount of 8 cents. This should have been noted on the reports. The reason why the financial report is in balance is because accountant plug in the 8 cents to balance out the books. Other than that overage, our books were reconciled back to Wells Fargo’s books and we found no other discrepancies.

President Moore – Sound State Technology is our new phone carrier who are a part of Cellular One. We have moved away from Frontier, and now have voice over internet connection.

Just to mention as well, we only received half of our 2025 allocation from the Nation and I have not heard when the other half will be distributed and we are still on the continuing resolution. There is always the possibility of a government shut down if we don’t receive our remaining balance from our 2025 allocation.

Vice President Halona – The disagreement is over \$22 million dollars between Budget and Finance and the 3-branch government. The 3-branch leadership which consist of judicial, legislative, and executive

branch. They look at the budget and the projection of monies coming in this year and they set the amount they will be requesting for. On the other hand, Council is saying some different as far as the amounts being allocated. President Nygren felt it was a good budget because it was not over spending, but at the last hour Council decided to go with a continuing resolution stating to go with last year's budget amount and cut it in half. This has severely affected our contracts that we had in place, not to mention the general wage adjustment that were made to all departments has fallen short. There might be some lay offs in month 5 because we are not going to make the full 6 months. So, those were not taken into consideration.

Geneva Begay – I have a question about the PEP workers, do they have a divided number of hours they work? According to the financial statements, I see the PEP office staff make more money than the equipment operator. It seems like the hours worked between the PEP workers are not equal. The heavy equipment operator mention he comes into work and only works a couple of hours a day and he's send home.

Maria, CSC – Our heavy equipment has been down for a couple of months and we don't have enough work orders to keep him busy. He does not have a full-time job from Monday through Friday, 8-5pm. He understands he is a part-time employee and is on call when needed. All the hours are determined by the workload and the budget. The PEP workers will be working up until November 27th and then they will be laid off for a month. The budget covers each position separately, for example; the Laborers, Office Specialist, Heavy Equipment Operator, and the Receptionist.

Laris Manuelito – I just want to mention there is a 5-day comment period where you can put in your comments when Council revisits the 2025 budget. We need to be pushing the people at the grassroot level to pay attention to their government and to add your comment because that is the only way you can voice your concern.

Pernell Halona – When will the 6 months end for the continuing resolution?

Vice President Halona – The end of March 2025 will be the deadline when they have to do another continuing resolution or agree upon a comprehensive budget.

Motion to Accept the November 30, 2024 Financial Report:

Motion: 1st Priscilla Duncan 2nd Laris Manuelito Vote: 20-0-1

IX. RESOLUTIONS:

1. **012-12-2025: Resolution to approve budget transfer from SYEP in the amount of \$7,123.95 negative balance.**

President Moore – We were carrying a negative balance in the SYEP account fund because we were hoping the allocation which was given to us by the Nation would hit our bank account quickly, but that did not happen. We barely received our allocation for the SYEP fund in the amount of \$30,000.

Motion: 1st Pernell Halona 2nd Laris Manuelito Vote: 20-0-1

2. **013-12-2025: Resolution to approve budget transfer in Fund 13 Scholarships in the amount of \$150.00 negative balance.**

President Moore – In our "Budget to Actual" in this particular fund, we have a credit balance in Scholarship fund. So, in order to correct this credit balance, we'll need to do a budget transfer.

Motion: 1st JoAnn Crosby 2nd Priscilla Duncan Vote: 20-0-1

3. **014-12-2025: Resolution to approve the purchase of two PC's in the amount of \$6,510.00 for the CSC and AMS upgrade.**

Motion: 1st Laris Manuelito 2nd Lee Rodgers Vote: 21-0-1

4. **015-12-2025: Resolution to approve Housing Discretionary Emergency Fund assistance for Ann Etsitty's wheelchair ramp in the amount of \$971.28.**

Motion: 1st Laris Manuelito 2nd Pernell Halona Vote: 19-0-1

5. **016-12-2025: Resolution to approve Priscilla Duncan as the new member of the CLUPC.**

Motion: 1st Rolanda Hardy 2nd Laris Manuelito **Vote:** 19-0-1

6. **017-12-2025: Resolution to support the request to the NN Board of Education and Health, Education & Human Services Committee of the Navajo Nation Council for Chooshgai Community School to be re-authorized to continue grant School operations from July 01, 2025 – June 30, 2028.**

Lisa Hubbard – the resolution is for our school re-authorization so that we can continue to get direct funding straight from the BIE. Our school is setup different than Gallup Mckinley County Schools and how they receive state funding. We get funding directly from Washington DC and we've approached the Chapters in District 14. The Department of Dine Education and the NN Board of Education authorizes us in April and May 2025 when we submit our binder to them. Our re-authorization is based on our audit first and usually our academic scores. And we are proud to say our academic scores are above proficiency and this is the 1st year we've done that. Our school was also nominated to become a "blue ribbon" school which says we have become somewhat of a prestigious type of a school and it's stated on our banner as well. The communities in District 14, before 1998 we were a BIE operated school and all of our District 14 Chapters including Tohatchi said they wanted to have "community control" meaning that our elected school board members from each of the community can help us fill our policies and have a lot of input on how we run our school. Basically, it's the community that tells us how they want the children taught. We have I believe 208 students currently enrolled for this school year and 62 of these students are coming in from outside our community who reside in the dorms. So, we are requesting for your support for our school.

Motion: Anita Silver 2nd Mary Tsinnie **Vote:** 19-0-1

7. **018-12-2025: Resolution to Support the Completion of the Rural Addressing Program and the Implementation of the Next Generation 9-1-1 Emergency System.**

President Moore – We were given ARPA money in the amount of \$35 million to work on the rural addressing project. Just recently this project was given to Department of Public Safety and they hired subcontractor name Taylor Fraiser with Arrow Tech, LLC who stopped by the Chapter to ask for a supporting resolution from our chapter to continue working on the rural addressing project with this vendor.

Motion: 1st Pernell Halona 2nd Lee Rodgers **Vote:** 20-0-1

X. ANNOUNCEMENTS:

Laris Manuelito - Daltcs (Division of Aging and Long-Term Care Support) wants to have a meeting in January with District 14 to see why the Senior Centers are not open for business even though the funding for the centers are still going into their accounts. Where is the funding going if not to the centers? Secondly, regarding the new tower coming to our community, is "Dinehnet" the company we are negotiated with? Or has Tohatchi Chapter already negotiated with Sacred Winds regarding the tower? This is why I stress how we should be aware of what Council is doing.

President Moore – I did hear they are planning to put up a tower near Theresa Bryant's resident, but they have not come to the chapter.

Secretary/Treasurer Crawford – We discussed having the HVAC replace here at our Senior Center with Lesita Desidero who is the Director of the Department of Aging and Long-Term Care. She was trying to order HVAC systems for all the Senior Centers across Navajo, but because she submitted during fiscal year end, the request was denied. In the meantime, we asked OEH if the HVAC can be serviced and they said it was ok. We are working with Orlynda Dennison who is currently overseeing our Senior Center temporarily until a new supervisor is hired. Orlynda got quotes for us and the lowest quote was \$371.00 to service the

HVAC and the Chapter does have some extra funds to assistance with the cost. Orlynda states the Center still needs some work like painting, calking, and thorough cleaning of the sinks. So, we are hoping to open back up soon.

Doris Benallie – I was elected to the Aging Council of government back in June. The meeting is scheduled for January 22nd at St. Mary's Church in the bingo hall for all of District 14. We are going to talk about funding and the Senior Center which have been closed for over 10 years in District 14. We want to get together a committee to do resolutions to the Aging Program and on to Santa Fe. The funding from the State has been going to W/R and we don't see that money. The Chapter holds the responsibility of the buildings here in District 14 and across Navajo.

XI. NEXT MEETING DATE: January 06, 2025 Planning Meeting @ 10am. District 14 Grazing Committee meeting is held the 1st Wednesday of each month, but for January 2025, it will be held on January 2nd at Tohatchi Chapter @ 9am. RWFB meeting tomorrow, December 19th @ 1pm.

Pernell Halona – I just want to mention, someone has been dumping their trash up in the canyon along the road. It started about 2 months ago and I've been cleaning it up. I collected 4 bags of trash which I took to the transfer station. I need some help to get the word out and since I moved back here, I've kept the canyon clean by picking up all the trash. I've asked the Chapter to assist with some signs which they have.

Laris Manuelito – I would like to report that a bus has been crossing on the "centennial bridge" going to the Health Center. As we know, the bridge is not made to hold that kind of load and it's a danger to the children on the bus. Perhaps the Chapter can put a sign up there at the bridge to keep heavy load vehicles off the bridge.

Secretary/Treasurer Crawford – We just received an email from Mr. Rodgerick Begay with DOJ regarding the process for handling the vacant positions at the Chapters. In our case we do not have a Chapter President. Per Mr. Rodgerick Begay, the Navajo Nation Council approved this legislation at a special Council session on Monday, December 16th with a vote of 18-0-1. The attached legislation affects only a few Chapters but I'm sending this email to all 110 Chapters so that you will all have a clear understanding about its application. Once the resolution is signed by Speaker Curley and President Nygren, I will be providing detail guidance to the affected Chapters on how they will select their pro-temp. And they give several examples of the different scenarios and in our case here at our chapter we do not have an elected President so we would be following the 3rd example which states: Did you chapter select a Vice President but not an elected President if yes, this legislation does not apply to your chapter. Your elected Chapter VP will perform the roles of both the Chapter President and the Vice President until a new President is elected. So, in another word, there is no need to select a President Pro-temp.

XII. ADJOURNMENT: 1:50pm

Motion: 1st Priscilla Duncan 2nd Geneva Begay

Submitted by,



Secretary/Treasurer, Tohatchi Chapter **January 04, 2025**

cc: Mr. Sonny Moore, President

Mr. Mike Halona, Vice-President

Mr. Gerald Moore, Grazing Officer

Ms. Maria Allison, CSC