



December 02, 2024 10:00 A.M.

PLANNING MEETING AGENDA

TELECONFERENCE: 1-219-803-8769 PIN# 160 108 500#

Video call link: meet.google.com/ahs-epsf-aep

I. MEETING CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. REVIEW-OF THE AGENDA

V. COMMUNITY REQUESTS AND PRESENTERS:

1.

VI. REPORTS:

***Council Delegate Report:**

***Community Service Coordinator/Officials' Reports:**

1. Status of Audit – Negative Balances
2. Report on Safety Complex – Management team, Parsons—See Senator Pinto/Dr. Greyeyes Email
3. Update on status of Senior Center discrepancies -
4. Update on cemetery expansion – need to develop erosion control.
5. Bike Trail Documents to DOJ -
6. CLUPC on Land Use Recertification update –
7. Plans to Designate Land for Commercial Development along Highway 491 – Meetings with Economic Development –
8. Status of East Flats Water Drilling –
9. Preparing for ICIP 2025 –
10. Asphalt Milling – NM State and NNDOT Letter
11. Update on Roads 15 Mile Designation—MOA with BIA Roads

***Red Willow Farm's Report –**

1.

***Grazing Officer Moore's Report -**

1.

VII. RESOLUTIONS

1.

2.

VIII. ANNOUNCEMENTS:

IX. NEXT CHAPTER MEETING DATE: 12-18-2024 (Chapter Meeting)

X. ADJOURNMENT:



December 02, 2024 10:00 A.M.

PLANNING MEETING MINUTES

TELECONFERENCE: 219-803-8769 PIN: 160 108 500#

Video call link: <https://meet.google.com/ahs-epsf-aep>

- I. **MEETING CALL TO ORDER: 10:34am**
- II. **ROLL CALL:** President Sonny Moore, Vice President Mike Halona, Secretary/Treasurer Jean Crawford, and CLUPC & RWFB Chair Elvis Bitsilly
- III. **INVOCATION:** Vice President Halona
- IV. **REVIEW OF THE AGENDA/APPROVAL OF AGENDA**
- V. **APPROVAL OF NOVEMBER 20, 2024 CHAPTER MEETING MINUTES**
- VI. **COMMUNITY REQUESTS AND PRESENTERS:**
 1. **Zondra Bitsuie – Health System Administrator for Tohatchi Health Center.** There are times I'm not able to make it to your meetings, but in the future, I would like to send a representative over to sit in on the meetings. I have our CHR, Renee Martinez here with me today. There haven't really been any changes but we are seeing more peds and woman's health patients. We do currently have a women health provider who will be leaving in January. She is station at GIMC, but rotated out to Tohatchi Health Center. We still don't have a Clinical Director which has been going on for a year now. But the current providers we have are excellent providers. We are still giving COVID and flu shots through walk-in clinic and just to mention there has been a rise in flu activity. Some upcoming changes is we are trying to integrate into a PCMA (Patient Centered Model) where we are trying to remodel one area where all the providers can get together to discuss patients records and provide the best care for them.
Secretary/Treasurer Crawford – I was wondering if Dental has been re-opened and are they fully staffed now?
Zondra Bitsuie – We still don't have a dentist, but we have one coming in from GIMC on Tuesdays for walk-ins and on Friday, they are only seeing mainly students from the surrounding schools. I do have two contracts out for 2 dentists currently, but we have not had any luck in filling these positions. Hopefully, we will have someone by January, then again, they will have to go through the background checks as well.
Secretary/Treasurer Crawford – So, would you say the clinic is still facing challenges in staffing and housing.
Zondra Bitsuie – Yes, housing is a huge problem. The providers want housing so they don't have to travel back and forth from Gallup daily. We are currently sending patients who need x-rays to GIMC for services. We do have an applicant and he is very interested in coming to Tohatchi Health Center and hopefully we can get him on board in the next few months.
President Moore – I just want to share that we do encourage our students to go to college because we believe that it is the key to success. I did see an article from Santa Fe on how students attending universities can work at IHS facilities as an intern or to do their residency. We acknowledge the provider shortages in IHS and we have been encouraging our students from the high school to think about a career in the health field. You do have good providers like; Dr. Taylor and Dr. Gonzales and just to mention our CLUPC is well aware of the need for professional housing. There are 32 houses up at Chooshgai which can be demoed and get new homes built.
Elvis Bitsilly – We have a CLUPC meeting on December 17th at 9am. We've tried reaching out to you, but have received no response. Just like you mentioned housing is a priority and we need to coordinate with the clinic to get things moving. If you can share your email address and let us know when the best time for you is that will be helpful.

VII. REPORTS:

***Council Delegate's Report:** Not in attendance.

***Community Service Coordinator/Officials' Report:**

1. Status of Audit: Negative Balances –

Maria, CSC - We have not met with the auditors for a follow-up meeting. We did submit all policies back to them on Friday. They responded by stating they have a shortage in staffing and probably won't be getting back to us until January for the follow up meeting.

President Moore – I've asked Maria to start using the new policies we created even though we are waiting on DOJ to approve the documents. The only thing they (DOJ) would be approving is the corrections they ask us to make to the policies after they reviewed them.

2. Report on Safety Complex – Management team, Parsons -

3. Update on the status of Senior Center discrepancies –

Orlinda Dennison with the Naschitti Senior Center – I'm currently delegated to oversee the Tohatchi Senior Center and Mexican Springs, but my center is Naschitti. I know the previous supervisor left back in September and kind of left a mess. As far as I know the Tohatchi Senior Center is closed due to deficiencies and the HVAC system not being serviced over the many years. This could be a major health risk for our elderly. However, we are still doing home delivers, meals on wheels. Right now I have only 13 clients and if you know of any elderly who is age 50 and high risk, please refer them to me. I am asking for referrals to assist the elders who are in need of food delivers. Since taking over in September, I have delivered 166 meals in our community. For Tohatchi Senior Center, we do not have a supervisor, a cook, or driver. All positions were posted and it has closed and now I'm waiting for the applications to hit my desk so I can start interviewing.

As far as the HVAC, Everett Jole from Twin Lakes had started getting quotes to get the HVAC system serviced. The lowest one we received was \$371.00, we are asking if the Chapter will be willing to paid for that for us. I do need to get an updated quote because the one is from October from Storm Refrigeration.

There is quite a bit of work that needs to be done inside the center, like painting and some remodeling. I will work with Maria to get the PEP workers to assist with the painting and the remodeling. We will be receiving some fund in the amount of \$148 million which was approved for us.

Geneva Begay – I've been hearing about the HVAC and the cost to replace one. I was wondering if a mini-split would be considered instead of an HVAC. The mini-split is the newer version of an HVAC system which will heat and cool a building. I believe the cost is much less than an HVAC and is something to consider. I would suggest looking into Capital Outlay to purchase a vehicle which has a refrigerated system for the Seniors.

Orlinda Dennison - The Center does vehicles which have something we call "a hotshot." It has the refrigeration on one side and the heating on the other side.

4. Update on Cemetery expansion, need to develop erosion control -

Maria, CSC – The project is completed except for the erosion control. The fencing is put up and I just met with the PEP workers and operator to go over the erosion control. There is water coming in the back and we have to move some dirt around to control the erosion that is occurring. Also, Rollies will be sending someone out to give training on how to properly document the graves. Wilhelmina Jones will be assisting me in this process.

5. Bike Trail documents to DOJ -

Maria, CSC – All the documents went through the 164 process and is now at DOJ. They sent back the documents and asked for correction to be made and to also attached the June resolution regarding the Bike Trail. Now, I hope to get Patricia Begay's help to walk these documents back through DOJ. Because of the holidays Patricia has been in and out of the office. I hope to get this done by the end of December.

6. CLUPC on Land Use Recertification update –

7. Plans to Designate Land for Commercial Development along Highway 491, Meeting with Economy Development

8. Status of East Water Drilling –

9. Preparing for ICIP 2025 –

Maria, CSC – The ICIP portal is open and the deadline is December 15th. These are the projects which will require funding from the State to complete the projects. I will be meeting with CPMD and Casey Begay to see if our proposals are in compliance and all documents attached. Once approval is given, I will be submitting the proposals through the portal before the 15th of December. I'm also working with Denise to let her know of our 3 priority projects which are the Safety Complex, Warehouse, and the Highway Lightening. I was also informed "Indian Day" which us usually on the 1st Friday of February is not the only day open to advocate for our projects. They suggested advocating throughout the term of the legislative sessions in 2025.

10. Asphalt Milling – NM State and NNDOT letter -

Secretary/Treasurer Crawford – Back in 2022, we made a request to the State of NM to move some of the asphalt milling which is located near El Paso and some down here by the old Chevron Station. I also started a list of names of individuals who wanted some of the milling to repair their own roads, but the problem we had was we could not get anyone with a belly dump truck to haul the milling to the Chapter for us. The State informed us that we cannot have people start loading up their trucks with the asphalt milling in their right-of-way. So, it will have to be moved to the Chapter house before the community can start requesting for the millings. President Moore went to the NNDOT to request for assistance to move the asphalt milling for us. Hopefully, they will be willing to help us with this project.

President Moore – I'm trying to work with NNDOT and BIA roads, but it can be difficult. I did speak with Clarence Tsosie to say, if we can get approval to move some of the asphalt milling, can you have your equipment there to start stock piling the milling alongside the highway. Of course his answer was no, because of the right-of-way issues. But he did say he can do is spread the milling a quarter of a mile about 2 inches and that's it. When I went to NNDOT, I went to see Mr. Tom Platero but they were getting ready to attend a 4pm meeting with the President. There is another individual name Shelia Clyde who is 2nd in command behind Mr. Peterman with the NNDOT. She came out directly and told me, didn't I tell you "No" to your request. I told her we have already made our request to the State to have some of the asphalt milling moved to our Chapter. I don't understand why your department refuses to work and assist the Chapters. We don't have any other resources who can help with our request and we are always hearing from the NN departments, "we are here to help in anyway" or "our doors are always open to you" but that's not the response I'm getting now. I'll ask again politely, please help us move some of the asphalt milling to our Chapter. The Chapter does have an area designated in the back of the Senior Center to pile the milling. NNDOT can help with other projects as well for example; providing huge culverts for areas like Halona Canyon where families have to cross water to get to the other side. But BIA states they can only replace culverts that were originally placed by BIA. I have another meeting with NNDOT on December 16 to discuss the 15-mile designations.

We also have to consider the ICIP projects we want to start with State funding. We have 3 priority projects with the State currently: the Safety Complex, the Warehouse, and the highway lighting. We can request to purchase a new truck. The Chapter has a 2006 vehicle which needs to be replaced. We can also request funding to renovate the Chapter kitchen by buying new stove, refrigerator, and freezer. The Chapter restroom need to be brought up to ADA compliance. Maybe purchase a new HVAC system and put in a new heating system for the Chapter. These are some ideas as we move forward with our Capital Projects for the new year.

11. Update on Roads 15 Mile Designation: MOA with BIA Roads –

Maria, CSC – Our Chapter grader is still down and I had a guy, Milo come out from Gallup who is a maintenance man take a look at the grader. He said the battery had to be replaced and a pump which goes between the fuel pump and the small pump where the smokes come out was not working. It's not pumping fuel to the fuel pump. He will be back today to replace this part on the grader. He also mentioned, the heavy equipment is not being maintain like it supposed to be. The backhoe needs new tires, the tires that were put on there were put on backwards and the hydrologic that go on the backhoe needs to be greased. Milo also asked what was wrong with the 'old' grader that is parked there? I told him it has to do with the electronics, I believe. When you turn on the grader, all these red lights come on so he is willing to check on this grader as well.

President Moore – I've asked Mr. Peterman to share a sample of heavy equipment maintenance schedule

for the backhoe and grader. We need to start maintaining our heavy equipment, otherwise they will start breaking down.

Maria, CSC - The PEP workers last day will be December 20th and they have been busy. They completed 6 wheelchair ramps, 7 housing discretionary applications but still have 2 in completed due to the weather. These homes are requesting for roof repairs and they can't do any roofing right now because it's too cold outside. They also cleaned up around the Chapter house including the Senior Center, the Veteran's Park, and the Post Office.

The new hours for the Transfer Station started as of yesterday, December 1st. Sunday through Thursday, 10am-2pm. I spoke with Oscar Desteza and he said he was really busy yesterday and he brought in twice as much money because of the Thanksgiving holiday.

As far as culverts, we replaced the one on the Bitsilly Road which was washed out. The next one which was to be replaced was on Cecelia Yazzie's Road but the culvert was too small. So, we will contact Twin Lakes to see if they have a longer one. We will require two longer culverts for Mrs. Yazzie Road and the Muskett road in the canyon.

The Chapter does have wood for sale at \$47.70 per cord of wood. We did deliver some wood to the elders who cannot come to the Chapter for wood. This is part of the winter emergency assistance program. So, if you know of anyone who is in need of wood, please let me know. We also have a load of coal scheduled to be delivered on Wednesday for the elderly who cannot come to the Chapter to pick up a load of coal.

The Chapter does have pellets for sale as well which was purchased from Fund 01 account and will be sold for \$5 per bag and the limit is 10 bags of pellets. We will be purchasing more of the pellets and wood with the emergency funds which will be available for community members who are in need of assistance. People considered to be in need are families who do not have a vehicle, elderly who do not have family members checking on them, and families who lived a distance from the highway or in the mountains. We see a lot of community members who live in the NHA housing who are requesting for assistance and have vehicles.

We will be hiring students (high school or college students) during the winter months. The deadline to application is on December 12th and they will start work on December 23rd through January 3rd which is 2 weeks. One child pre household and you can pick up application with the receptionist. There will also be college scholarships available and the deadline is December 27th and this will be put on our January 2025 agenda.

Doltex has provided the Chapter with applications for our elders who have custody of their grandchildren. Doltex, will assist grandparents with resources for their grandchildren's school supplies. I have given out 6 applications so far.

Septic Tank Cleaning, I had originally asked for 25 community members but I only got 22 who are signed up for septic tank cleaning. Come May 2025, I will only be taking 20 community members for septic tank cleaning.

Update on the CHID Housing Program, the 10 people who the Chapter nominated for housing assistance only 8 of the applicants qualified for the CHID program. I do not know how many houses will be given to Tohatchi as of yet and I don't know if it's going to be a mobile home, manufactured home, or a house built form the ground up. I'm still waiting on more information from the CHID office regarding these homes. The 8 people who qualified for the homes are: Tommy Badonie, Edison Jones, Loretta Etsitty, Rose Mary Wood, Lorraine Manuelito, Elton Watson, Evenly Billie, and Malerie Tso. Edison Jones did come back to say he is having issues obtaining a new homesite lease so he has requested to give up his slot for a new home. I would like to ask the officials if they would talk to him to try to convince him to stay on the program for a new home. So, now the alternate will be Charlene Tom.

Secretary/Treasurer Crawford – Does he have a homesite lease for his current residence?

Maria, CSC – Yes, he does, but he doesn't want to live there anymore. He is trying to get a homesite lease on the westside of highway 491.

Secretary/Treasurer Crawford – What if they have an NHA house, do they still qualify for this program?

Maria, CSC – No, they will not qualify.

I've had community members coming in to request for the Low-Income Home Energy Assistance Program (LIHEAP). Back in July, the LIHEAP office only gave us 25 applications and those were given out by the CHR. We don't have any more application to give out, but Social Services is telling people that the Chapters

should have the applications. We could not make copies of the applications because they had already numbered the applications.

Just to mention, Mr. William Nez with the "light up Navajo" program is still taking applications. Here was here at our Chapter a couple of weeks ago and took 6 applications. And the homesite applications that the Chapter provides is available and the staff and myself will assist the elderly in completing the application. We did some site visits and we also got names of families that the CHR provided who are in need of renovations and additions but they lack homesite leases. If we are to provide home renovations or additions the applicant has to have a homesite lease. We've contacted these families and asked them to come to the Chapter to get a homesite lease application started.

We had our new phone lines installed and we are no longer under Frontier, but I and the officials don't have a phone as of yet. So now, there should be no excuse for not talking to an individual at the Chapter. Each phone stalled comes with a headset and if the receptionist does not pick up the call, the call will be deferred to Janice's desk. The only thing we still don't have is our fax machine which is being worked on and will be connected to the internet and our emails. This phone system is good because it can be connected to our cell phones when we leave the office. I can receive calls just about anywhere for example: the Post Office or the barn if I have the headset with me. I can also check my missed calls through my emails which is great. Our new carrier is with Cellular One.

Also, just a note to please when we provide luncheons, don't throw your food away in the trash bins. If you don't feel like eating, please let the ladies know so we will not be wasting so much food. We found food threw in the trash bins and it's just wasteful. These plates could have gone to someone else to enjoy. The Chapter spend over \$600 for Thanksgiving luncheon for the community. With Christmas coming up, and the Chapter will be celebrating with the community again. We will have the prince and princess from Naschitti coming in to entertain us. We also have a special guest coming out from W/R as well and two more guest to confirm they will be attending. I hope to have a full day of activities scheduled for the community to enjoy.

The Chapter will be closed on December 25th and January 1st for the holidays.

***CLUPC Report and Red Willow Report:**

Elvis Bitsilly – The CLUPC is still moving ahead with our projects and we will be adding a new member to our committee. We will have the NN Senior Planner with CPMD here at our meeting on December 17th. She is assisting with us on the overall plan that we are working on and the steps are slow moving but we are moving forward. We are looking to get recommendations on the process of what we are doing. We've assigned certain sections of the process to the committee members. There are also other projects that pop up along the way which need to be reviewed as well. We are looking at this spring to get this finalized. This Thursday, December 5th, NN Department of Economic Development will be here at the Chapter. We will meet with Flora Nez who is an assistant to Leonard Francisco. She will be touring with us the business site which have been withdrawn.

Kyler Frasier with Arrow Tech, LLC contacted me a couple of weeks ago requesting to be put on our December 17th CLUPC agenda. He will go over what they are doing with the NN rural addressing project. Just to mention, I really like to get our housing project going for our community. I recognize the need for professional housing. We also need to follow-up on the fire hydrants and the water systems in our community.

I like to mention a couple of projects which our community will be a part of is the board band tower for Tohatchi, Coyote Canyon, and Pinedale. This legislation was drafted by Danny Simpson. The other is the lease fees which is at \$12,000 per year but recommendation has been made to drop to \$6,000 per year. As far as Tucson Electric is concerned, they are still in negotiation with the NN. The powerline which goes right through our community and other communities in District 14. The Chapter should be following up on these discussion with TEC because the Chapter and community tabled this resolution.

President Moore – The Tucson Electric resolution that the Chapter tabled was un-tabled and we asked for \$50,000 in scholarship money.

Franklin Thompson – back in 1957 with the Paul Jones Administration who rubbed stamped this agreement. Now, it's much more difficult to get a right-of-way approved by the Navajo with all the processes involved like arch clearances to determine sacred sites. I believe back then there were no laws in

place to protect our sacred sites. I also would like to ask the Grazing Officer about the plans to run a railroad down along side of highway 491 from Farmington to Gallup. The other question is regarding the CPK issue I've been hearing on the radio.

Red Willow – We are still working on getting the portal building move to Red Willow. We also submitted a supporting resolution to JTF (Just Transition Fund) and moving forward with this project with DCRE. We will be discussing at our meeting the AIF program and the new owners of the contract, Native Lands.

***Grazing Officer Moore's Report:**

Grazing Officer Moore – Just to mention, the Grazing Officers in District 14 are no longer available for chasing livestock off the right-of-way due to safety issues. The NM Transportation will be handling this from now on. They have the emergency equipment, vehicles, and staff.

We met with TEC (Tucson Electric Company) and they wanted to know which permittees lived on the eastside of the powerline. They already had a list of names (permittee holders) from their previous contract, but the names didn't look familiar to me. So, I ask to add on the names of permittees in our area to their list. My question to TEC was, are you looking at permittee who live near the powerline because these individuals that I named live near the powerline. Their livestock graze along the powerline even though they live a mile or mile and half away from the powerline. They (TEC) were not sure how to answer my question. I told them you have to look at the grazing boundaries because the livestock will wander. They were suppose to get back with Land Department with Mr. Martinez and I did pose my question I had to him regarding the permittee's animals grazing within the powerline and should they be added to the list? I know TEC has a right-of-way which is 300 ft on each side of the powerline.

Franklin Thompson – I recall way back when they were bringing in the powerline, Mr. Ned Plummer was the person who handled that project. He worked with the permittee holders and the permittee holders were compensated based on their tally count and they were paid \$10 per head at that time. Now, times have changed and the cost of living has gone up significantly and we should be requesting for maybe \$20 per head instead. I believe grazing permits were issued after 1940's and the "red book" I'm referring to Congress has not ratified and BIA is still overseeing the grazing permits. The "blue book" that the Navajo Nation has is very similar to the "red book." This talk about the new railroad that is coming down from Farmington is suppose to compensate the families who live along the route, but that never happened. So, I believe our signatures holds no weight and I'm one who is not going to sign my name.

Grazing Officer Moore – As far as the railroad, I know that a lot of the people are not for it. They say to keep the railroad by 371 and don't come this way. That's what I'm hearing.

The new insurance holder for the AIF program, is Native Lands and I think what that person on the radio is referring to is the money that CKP brought to the Navajo Nation which is supposing million of dollars. Where is that money going to be spent? The money should be going into the AIF Program. CKP is just the agent and USDA is the Federal Program who issues out the checks. Some of us who have grazing permits, agriculture land use permits, those of us who have gardens applied for the AIF funding. The insurance company who replaced CKP is Native Lands and I remember they were stationed out west going by the name of WSR (Wraith, Scarlett, & Randolph) doing the same work as CKP by the same individuals. I don't know what the history is on them. I've met with Fernand Notah who was the brain child of CKP and how he got involve with the AIF program. He stated we did nothing wrong and I don't see why NN is bringing in Native Lands as the new insurance company.

Vice President Halona – One year ago, the 2024 crop year we received documents from Fernand Notah asking us for our signatures. December 1st is the deadline so yesterday was the deadline for crop year 2025. I started to look at the documents, the 1st one I looked at was NM, Socorro County, Alamo 97,000 plus acres it said. That was a big red flag for me, Alamo only has around 3,000 acres of trust land, others are allotment band lands. So, they were fudging the acreage and the Colorado Ranch was stated as BIA Trust Land. Colorado Ranch is not a trust land, it's "fee lands" as known as private lands. So, I took the concerns to the President and said I don't think we should sign these documents from Fernand Notah. I've already seen some discrepancies, but I haven't gone through all the documents. Yet, Mr. Notah is telling us to hurry and sign the documents because we could lose millions of dollars. I immediately said we shouldn't sign the documents and I was told you want to be responsible for losing millions, and my response was "I don't want to be responsible for paying back millions if we are reporting the wrong information. But they went

ahead and sign the documents last year for crop year 2024. So, we brought that issue up and then I got a call from the USDA investigator. I was told CKP is an insurance company, he is just an agent. He is not State Farm, he is the guy in Gallup that you go see to complete the paperwork for you. That's all he is, is an agent. So, USDA is investigating CKP which brought up another red flag. How much money did the AIF Program really bring in? Has an insurance company told you, you have to stay with them for 5 years? We can change our insurance anytime we want. CKP stated they have a contract with the Nation, but there is no contract, and we did look for it and we did not find the contract. We pulled all documents relating to CKP, and a so call PFQ was done. CKP is the one who completed the PFQ and sent it to the Department of Agriculture so they could post it. We got the copy of the emails, there are workers for CKP who come to work for Department of Agriculture and then they go back to CKP. That was what was really happening, so this year I said no more. I wrote a letter to CKP stating we are going to do business with someone else because we are moving on. CKP again, stated they have a contract, and I asked to see the contract. CKP never provided the contract to me because there is no contract that exist. But there is a Department Manager who wrote a memo, stating you are with us for 5 years. That memo carries no weight. Nobody reviewed any of these documents, not even DOJ, Purchasing, and Business Regulatory. This has to stop, so I ask people in the year 2018, how many people got paid? 2019? or 2020? We started looking at what was coming in as far as money is concerned and we were paying almost \$20 million a year as premium and they show a big check but there was 2 years we were in the hold and nobody talked about that. Right now, we are in the hold for year 2024 and at the end of this month we will find out how much we owe. So, the only person making money is the agent along with Brown & Brown Insurance Company with the underwriter Great American. So, when this started to transpire, that's when they started to investigate and they (Feds with OIG) will be meeting with us tomorrow. Now we are looking internally at where all the money has gone, AIF received millions in funds that went here and there, but there is no accountability for year 1, year 2, year 3 is when there were 18 projects proposed, but I said no. These projects do not help the farmers or the ranchers. One project proposed is to start a lumber mill, so we told them no. CKP, tried everything to continue as the agent for Navajo, but when he realized he wasn't getting anywhere, he started to threaten us. That's when CKP wrote letters to all the permit holders, but in reality, he never paid 1penny to the Navajo Nation. USDA provides funding to keep our ranchers in business, our farmers to produce to put food on our tables. That's what the government subsidizes for so we can stay in business even during the drought seasons. From 2018 there has been no direct services to the people, ranchers and farmers. Now, we got new players and we have a new direction and we are going to fix this and we are going to figure out how its will be done. We decided to do an RFP the right way with DOJ and everybody else who needs to be involved. Three companies responded, two missed out because they missed the deadline. So, there was a Priority One, he started his business 2 weeks ago before we opened up for bids. I felt this was too new of a company so we went on to Priority 2 which was a woman, Navajo, and has been in business, has 5 years of experience working for other insurance companies. She came back to Navajo and started her own insurance company and she came in as Priority 2. She has the experience, been in business long enough and has met all the criteria. The other one we didn't look at because they were not a Priority One or Two. That was how they were selected. We had 10 people sitting in the bid opening, Business Regulatory, the Controller's office, Purchasing Department, and our attorney from DNR. They all scored it and came to one conclusion. We have nothing to hide so we have a new insurance agent who will be working with their underwriter. But we will have to work on our AIF Program, we will need to re-do the legislation because it's expired and it needs to be re-done. So, if you ever applied to the incentive program, your information was put into a portal/website. CKP created the portal and when they were told they were not going to be doing business with Navajo, CKP locked up the portal. Over 15,000 people's information has been taken away by CKP. That's how they were able to send you all emails because they have that information. CKP states they turned in 7,500 applications for ranchers? He never had 7500 applications and now he is saying the ranchers are going to miss out.

So, that's where we are at and that's what we have done to correct the AIF Program.

As far as TEC, when they started the construction, they cleared the land which cause impact to the grazing land. Years later the right-of-way has expired and now they want to renew it. They are not going to do nothing but renew the contract for right-of-way which means no impact to grazing. They don't even use

the road they 1st built during construction inside the right-of-way. At one time they actually use to drive it to inspect the powerline. Now, they are using helicopters and drones to do the inspections. So, the question we should be asking is; how is it going to impact my grazing area, if they renew their contract? There is no impact to the land and the permit holders need to know this. TEC did not put a fence on either side of the powerline to keep your livestock out of their right-of-way. The NM Highway Department won't let you graze your animals inside their right-of-way. The other part of this is our request for scholarships. We are trying to figure out a mechanism for scholarships, and all the Chapters want scholarship money which is understandable. Right now, in W/R we are trying to figure out what the rental rate will be for the next 25 years; what should we charge them? The funds come into W/R and gets disbursed out for everyone, meaning the NN government including Chapters. TEC is saying it's hard to disburse funds to each Chapter but we are willing to put the money in and you can figure out it will be disbursed which will be easier for us. So right now it's the rental rate, how we are going to disburse the money, and when will it go to RDC for their approval. That's where it is at now.

There are also concerns about the 491 right-of-way payments. They had it split up between south and north and people who lived on the northside received payment. We disburse over a million dollars for the northside. The people on the southside didn't want payment but asked for turnouts with cattleguards. That right-of-way will be coming up again in the next 15 years for the 1st phase. When TEC was putting in the powerline, did they come around to get signatures from the permittees? No, they didn't because it wasn't required back then. When that line was going in some old residences were cleared out and they filed a lawsuit against TEC which is called Tucson Electric vs Dennison, Navajo Supreme Court ruling back in 1974 as a result of this powerline. From there on the consent for grazing permittees started and if you want to read it, it's in Title 16, 1401-1403. I suggest you take the time to read it and how I interrupt it is it's only for outside companies, but we use it for homesites and everything else. I've been asking DOJ to re-evaluate the law or to get a second opinion because it doesn't seem right for me as a tribal member to tell another tribal member you can't live on this trust land when the treaty says for the beneficial use of Navajo Indians. That's where you'll find your \$10, it's stated in section 1403 where it states any form of compensation will be \$10. If it to go to \$20, you either change the code or you can negotiate. We been negotiating for grazing people and some get more but it does depend on the grazing land. If the land is overgrazed, there will be no compensation and no consent required. So there are stipulations in there as to when and how it can be done. If you oppose it, you can lose it to "eminent domain" and then an appraiser will come in to apprise the land and they would determine the cost of the land. If they say \$50 an acre the money will be required to be put into an escrow account to be paid to you later. This is what's called "eminent domain" and the government uses it all the time. You'll see a new freeway and all the residences in the area will have moved out because they were compensated. A one-time consideration; Navajo Nation has the same ability when you disagree with the terms, you'll have to hire your own appraiser and the NN will have their appraiser, they put the numbers together and you still don't agree, then the NN President will make a decision on which amount he will go with and get paid and that's the end of it. So, just be mindful of this process.

As far as the cell towers at \$6000, I know this is currently at RDC for their action. If it was at \$12,000 it would have been approved, but since they want a deduction in the rate; RDC has to make that decision.

On our housing project for our community, I still think we should do an RFP for a developer. Let's get it out there because someone has to come in to design the layout for example; homes will be here, duplex will go here, park will go there and all of this needs to be designed. In most places when a developer does that, he has all his plans and he can go in to finance it and build the structures and sell the homes. This is how they make their money back from all the constructions. Right now, the land is there but we are just in idle mode and we need to get moving with this project.

VIII. RESOLUTIONS:

1. Resolution to approve the budget transfer from SYEP in the amount of \$7,123.95 negative balance.
2. Resolution to approve the budget transfer in Fund 13 Scholarship in the amount of \$150.00 negative balance.
3. Resolution to approve the purchase of two PC's in the amount of \$6510.00 for the CSC and AMS upgrade.
4. Resolution to approve Housing Discretionary Fund Emergency Assistance for Ann Etsitty Wheelchair

ramp in the amount of \$971.28.

5. Resolution to approve Priscilla Duncan as a new member of the CLUPC.
6. Resolution to support and re-authorized Chooshgai Community School to continue grant school operations from July 1, 2025 – June 30, 2025.

IX. ANNOUNCEMENTS: Community Christmas Luncheon will be held on December 20th. District 14 Grazing Meeting Wednesday, December 3rd @ 9am at Mexican Springs. Red Willow meeting tomorrow at 1pm, and CLUPC December 17th @ 9am.

X. NEXT CHAPTER MEETING DATE: December 18, 2024 @ 10am

XI. ADJOURNMENT: 1:12pm

Submitted by;



Jean Crawford, Secretary/Treasurer, Tohatchi Chapter – December 12, 2024

cc: Mr. Sonny Moore, President

Mr. Mike Halona, Vice-President

Mr. Gerald Moore, Grazing Officer

Ms. Maria Allison, CSC

Mr. Nathan Notah, Council Delegate