



November 20, 2024 @ 10:00am

## TOHATCHI CHAPTER MEETING AGENDA

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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 OCTOBER 23, 2024 MEETING MINUTES**

**VI. PRESENTATION:**

1. Hazel James-Tohe: Just Transition (JTF)

**VII. UNFINISHED BUSINESS:**

1. **Un-table Resolution 051-07-2024:** Resolution to approve the new rate schedule for the Transfer Station due to the increase in monthly charges from Northwest Regional Waste Authority.

**VIII. NEW BUSINESS**

1. October 2024 Financial Report

**IX. RESOLUTIONS:**

1. **006-11-2025:** Resolution to approve the Teleconferencing and /or Hybrid Meetings.
2. **007-11-2025:** Resolution to approve the East Flats residual (Monies) to be used for Future Repair and Maintenance.
3. **008-11-2025:** Resolution to amend the 033-04-2024 resolution for Red Willow to add Repair and Maintenance and Diesel Fuel.
4. **009-11-2025:** Resolution to let Economic Development know we do not want Navajo Nation Motor Pool here in our community.
5. **010-11-2025:** Resolution to approve Housing Discretionary Assistance for Lorriane Manuelito and a legal survey of Herman Yazzie's homesite.

**XI. ANNOUNCEMENTS:**

**XII. NEXT MEETING DATE AND TIME: December 02, 2024 (Planning Meeting).**

**XIII. ADJOURNMENT:**



November 20, 2024 10:00am

## TOHATCHI CHAPTER MEETING MINUTES

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- I. **MEETING CALL TO ORDER: 10: AM**
- II. **ROLL CALL: President Sonny Moore, Vice President Halona, Secretary/Treasurer Jean Crawford, and Grazing Officer Gerald Moore**
- III. **INVOCATION: Elvis Bitsilly**
- IV. **REVIEW/APPROVAL OF AGENDA:**  
**Motion by Fern Spencer to add Hazel James-Tohe on the agenda to present topic: Just Transition Fund.**  
**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Mary Tsinnie Vote: 28-0-1**  
**Fern Spencer** – I would like to add to the agenda the presentation from the Just Transition Organization. They presented to the CLUPC previously and they would like to reiterate that information regarding the environment to the community.  
**President Moore** – The Just Transition organization has a deadline to submit resolutions and this would be the only time they can present to community so they can get their resolution in for a possibility of grant funding.
- V. **APPROVAL OF OCTOBER 23, 2024 MEETING MINUTES:**  
**Motion to include to read on your own:**  
**Motion: 1<sup>ST</sup> Lee Rodgers 2<sup>nd</sup> Orlinda Nez Vote: 28-0-1**
- VI. **PRESENTERS:**
1. **Hazel James-Tohe:** I'm here to ask for your support and completing the questionnaire regarding your water issues here in your community and at home. Some people want clean water for their animals to drink and maybe to do some farming. They would like to see clear water readily available to do this at their homes, but they are being told no because of all the policies and regulations. Climate change has been here for the past 15-20 years and it is going to get worst. The climate change is 50 years ahead of us and there is no way we will catch up to it. This will bring wind, drought, less rain and snow, and weather disasters. So, how are we prepared as a community? We can start with prayer for our existence to continue and pray for rain and less wind. We also have invasive species and shrubs growing in our area. There are 24 species of invasive plants in our area and they are foreign to this area, but they thrive here in abundance, so we need to do some clean up on invasive plants. We also need to request for support funds for equipment to do land conservation to do water shed projects, to have water attachment system constructions for your home, to change out your door and windows for climate resistance. We are also asking for irrigations support and funds and to save every drop of rain that comes off the Chooshagi mountain. We need to find ways to save the water here and that's what we are proposing in this resolution. This resolution will give \$250,000 if granted. You will be able to hire a hydrologist and a civil engineer to do water assessment study. You can have a water committee within your Chapter and they will be afforded some funds to keep planning for water and you do have good leaders here that can actually do that.  
I would like to ask everyone to please fill out a questionnaire. The initial thing is through the Navajo Nation

Memorandum of Understanding (MOU) and the Dine Center for Research and evaluation is the key people who are help the people along 491 communities all the way from Gallup to Shiprock to do this water support funding. Yesterday, Sanostee passed their resolution with a vote of 57-0, and Newcomb had a vote of 48-0 and Mexican Springs tabled their resolution. Twin Lakes is coming up but Coyote Canyon will miss the deadline. If we do receive the funding, we will still share funding with Coyote Canyon. You are all invited to tomorrow's meeting at Dine College and we are anticipate 100 farmers or more to attend this meeting.

## VII. UNFINISHED BUSINESS:

**Un-table Resolution 051-07-2024: Resolution to approve the new rate schedule for the Transfer Station due to the increase in monthly charges from Northwest Regional Waste Authority.**

**President Moore** – We presented a resolution back in July to increase the trash disposal fee at the transfer station. This transfer station is the best money maker for the Chapter and the funds go back into 01 Funds and used to purchase things like fuel for equipment and wood for community. We would like to un-table this resolution today.

**Motion: 1<sup>st</sup> Fern Spencer 2<sup>nd</sup> Emery Begay Vote: 27-0-1**

**President Moore** – There is a cost comparison sheet which was provided by the staff which goes back 3 years. So, if you look at the spreadsheet, it clearly shows we paying out more than we are taking in. That was the reason behind asking for a rate increase. We are not making money; we are losing money according to the spreadsheet. Here is what the staff is proposing, they are not proposing a rate increase currently, but would like to change the dates the transfer station will be open from Sunday through Thursday, 8am to 12:30pm. We are hoping changing the date and hours will increase our revenue from the transfer station.

**Maria, CSC** – We have a contract with Thoreau to take our solid waste to them for disposal.

**Lee Rodgers** – According to the Chapter minutes, Priscilla talked with the worker Mr. Destea on a Sunday. He mentioned to Priscilla that it is very slow on Sunday. Not very many people drop off trash on that day. For a lot of us, we get off work on Friday and head into Gallup on Saturday and I'm wondering why Sunday is a slow day for trash disposal. On Mondays we are not thinking about dropping off our trash, we are worried about getting to work. So, I would think Monday is the lowest day.

**Maria, CSC** – Yes, Mr. Destea has reported he gets around 8-10 customers on Sundays, but after a holiday he will get a lot of people. Monday through Thursday, he will get very busy on Wednesdays. I can say Mr. Destea gets busy on Tuesday and Wednesday. Our schedule was Monday through Friday, and people started calling us stating we can drop our trash off because of work. Most people don't get home until after 6pm. So, with the community's request we opened on Sunday, but we still get very few people on Sundays. Let's try these new dates and see how it will work for the community. But you have to remember, I only budget him for 20-24 hours with PEP.

**Priscilla Duncan** – I would like to suggest changing the time from 9am or 10am to 2pm, because 8am is too early. I believe that will work for us.

**Maria, CSC** – So, the new dates and time will be Sunday through Thursday and time will be from 10am to 2pm starting December 1, 2024.

**Lee Rodgers** – For future planning, can we look into recycling plastic?

**Maria, CSC** – Yes, I'm working with Thoreau on recycling plastic, tires, appliances, and furniture. I hope to have recycling in place soon.

## VIII. NEW BUSINESS:

**October 2024 Financial Report –**

<b>OCTOBER BALANCE FUND</b>		
1	Chapter Activities Gen Fund	\$21,001.53
3	Land Claims Trust	\$17,233.52
8	Supplement Youth Fund	<b>-\$7,123.95</b>
9	Housing Discretionary Fund	\$4,733.83
10	LGA Grant Fund	\$62,205.85
12	Chapter Stipends	\$12,879.35
13	Scholarship General Fund	\$3,745.00
14	Scholarship Claims Fund	\$2,528.98
15	PEP Fund	<b>-\$1,624.75</b>
16	Veterans Fund	\$3,870.79
17	Emergency Fund	\$29,358.03
23	NN Sales Tax	\$105,845.35
25	NN CIP - \$180,000	\$15,434.96
26	Red Willow Farm	\$1,040.37
27	NN CIP - \$200,000	\$3,877.78
40	Unhealthy Food Tax	\$104,621.20
61	Senior Citizen Fund	\$2,162.99
51	NAPI	\$2,299.66
80	General Fixed Assets	\$880,726.90
34	Agriculture & Infrastructure	\$3.68
	<b>Total Fund Balance</b>	<b>\$1,264,821.07</b>

**Secretary/Treasurer Crawford** – The financial reports were reviewed by Chapter President and Secretary /Treasurer. For the month of October 2024, our books are in balance and everything has been reconciled back to Wells Fargo’s books. We still show a couple of negative balances for “Supplement Youth Fund” and for “PEP Fund.” We’ve been waiting on these funds to reach our bank account and finally received the funds and will be posted on the November financial Statement. We also added in the Chapters’ assets in the total amount of \$880,726.90 which will now be added to the financial statements monthly.

**President Moore** – I believe we made history here by being one of the few Chapters who can now state their Chapter’s assets. It’s usually just the certified Chapters will know the value of their equipment and buildings, but this was one of the audit findings. Now, we know the value of our equipment and in Title 26 and the 5-management system it states, inventories should be done annually. We should give our staff credit for doing the inventory. They tagged every thing from heavy equipment to office equipment which were valued over \$500. We purchased a software to help us with setting up and calculating our assets including depreciation annually. I believe we’ve made a huge step towards becoming a certified Chapter. As far as the audit is concerned, we’ve corrected all 12 findings. This was submitted to DOJ who reviewed our corrections and asked us to add some language they recommended. We’ve done that and it’s ready to be sent back to DOJ. Now, we are waiting for our 2<sup>nd</sup> audit. We will have people from the Auditor General’s Office here again to look at our books. When we pass this audit, we will go back to RDC to let them know we’ve completed our corrective action plan. We will then be eligible to become a certified Chapter if that’s

what the community wants. I believe we are ready to become a certified Chapter.

**Lee Rodgers**— How were appraisals done? Did you bring someone in to do the appraisals?

**President Moore** – For the buildings we had to bring in a person who does appraisals to give the value of our buildings. For the equipment, we found invoices, and if no invoices were available, we went to the internet to get the value of the equipment.

**Motion to Accept the October 31, 2024 Financial Report:**

**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Kevin Mitchell Vote: 33-0-2**

## IX. RESOLUTIONS:

### 1. 006-11-2025: Resolution to approve the Teleconferencing and /or Hybrid Meetings.

**President Moore** – During COVID, we as a Chapter were given the opportunity to use teleconferencing during our meetings but people who were listening in were not allowed to vote on the resolutions. So, the Chapters across Navajo were asked if they wanted to continue with teleconference meeting, if so, submit a resolution in support which we did. The Chapters agreed and we were asked for another resolution to change Title 26 to include teleconferencing at meetings. To change the law in Title 26, we needed 56 chapters to agreed to teleconferencing. We were one of the Chapters who said yes, let's keep moving forward. So, more than 56 chapters agreed to change the law to include teleconferencing in their meetings. But if you as a Chapter want to use teleconferencing, you'll have to provide a policy to the community so they understand teleconference meetings. We have provided the template from DOJ for teleconference meetings and the secretary/treasurer has to identify the individuals calling in to make sure it's that individual so they can vote. We can verify the individual by asking them to turn on their camera and then they will be allowed to vote. Now days we advise people who are feeling sick or coughing to stay at home. They know they can call into the meeting using teleconference to listen to the meetings.

**Secretary/Treasurer Crawford** – It does state on this resolution that this change in Title 26 does apply to the Chapter officials as well. If we needed to be absent from a meeting, we can still get on line to listen into the meeting.

**Sam Natonabah Jr.** – will this apply to the other subcommittees, for instance Red Willow Farm meetings?

**Lee Rodgers** – I have some issues with this resolution, the policy that was provided to us is just a template. It doesn't necessary say this is how you will conduct your meetings. On #2 of the template, it says you can do it in 2 ways, either by chapter resolution or referendum. Then I read, chapter should give 48 hours' notice of an upcoming meeting or more. Some things caught my attention, let's say you are at home on your computer and there is more than one person, it states if multiply people logged in on one line but only one vote will be counted toward quorum. No where in here does it say Chapter officials can be absent using the teleconference. It doesn't say anywhere on this template. The reason why I think is because Title 26, Chapter II, the title is Chapter government, subchapter V, Navajo Nation government for officials and administration. It talks about where elected officials have to be present at Chapter meetings under section 1002, meeting requirement and compensations (C1). Chapter officials will be compensated only the number of meetings provided for in the Navajo Nation approved budget. I must quote from Title 6, "it is nonetheless the obligation of Chapter officials to be present at all meetings. So, with that in mind, I think why DOJ (Department of Justice) who knows better to circumscribe the law or go and make their own arbitrary decision and give us options to do that. That is the way I'm reading the law. On the letter "F" it states, representing the meetings in which the Chapter has interest so I'm saying the Chapter officials should be here for meetings. I read both the template and Title 26 and I research it.

**Franklin Thompson** – I'm wondering if this law can be changed if it doesn't work out for our Chapter.

**President Moore** – It's like all our other policies, we can consider making the change.

**Secretary/Treasurer Crawford** – The Navajo Nation Council has already voted and passed resolution CO-82-23 states “this resolution allows Chapter Officials to attend Chapter meetings in person or virtually. The document was provided by Mr. Rodgerick Begay with DOJ.

**Pat Morris** – If we vote now, we’re saying for you all not to be present, if you can’t. If we vote and the vote is zero, does that mean you have to be here?

**President Moore** – With your vote as stated on the resolution, it says Chapter Officials can attend virtually if they need to.

**President Moore** – There are 2 different ways to get it approved through the community, by referendum, if you are voting you can add it in or you can do it the way we are doing it right now at the Chapter level with a resolution.

**Pat Morris** – What if we are all here for a meeting and the officials aren’t, who runs the meeting?

**President Moore** – That is a legitimate concern, but as an elected leader we would like to be here in person and that’s how we have been operating. Then again, what if one of us gets sick and has to attend virtual because we do not want to infect anyone with an infectious disease. We also have made an effort to attend our Chapter meetings in person and I believe this should continue. So, if this resolution gets approved, it would allow Chapter officials to attend meetings in person.

If you like, we can add in a stipulation into the policy but that has to go back to DOJ for review again.

**Eric Manuelito** – Right now, we are not voting on whether the Chapter officials should attend in person. That’s already stated in the bylaws. What we are voting on is give our registered voters who aren’t able to attend meeting in person the ability to call in virtual and vote on resolutions. The concern being discussed from our community is the fact that we are being told over and over one or more of our officials will not be attending a meeting. That’s the concern and that what your people expect of you. You have other jobs or other things you have to take care of, but you decided to run for this office and stand up for us. We come after your family and that’s the concern my aunts and uncles are feeling and have felt, maybe not you, but those feelings get passed onto the next people who are in office. Until you prove us wrong, we want our leaders to be like our grandfathers, they were poor and gave everything that they had. Our leaders use to be like that, but not today. Now, it’s about money, power, and fame. We want our community to be different.

**Pernell Halona** – I want to add we can amend this legislation if need be.

**President Moore** – if it does not work out, we can make amendments. Next year in 2025, you’ll have new officials who will have to adhere to this policy and carrying this forward.

**Lee Rodgers** – I’m not against moving into the 21<sup>st</sup> century because I have a lot of friends and family out there who want to attend virtually. I’m all for it. But there is one part I didn’t mention is the Chapter shall not intentionally disconnect virtual attendees. This happen to me back in July or August, I called in because I was in another state, and I heard the meeting going on and some giggling and before the meeting started, I was cutoff. I tried calling the Chapter and the Secretary/Treasurer but no one answered their phone. I felt like I was intentionally cut off. That’s wrong, I don’t appreciate that. Now, this resolution you are going to write we will approve it but with a stipulation like you said which states the President, Vice President and Secretary/Treasurer shall be here in person unless they are sick. In Title 26 you can select a Pro-temp where we can do temporary assignment to appoint someone in there.

**Vice President Halona** – This topic has been discussed in length by Council Delegates and it has taken this long to bring it to the Chapters. DOJ cannot put everything into law and I believe we need to get more common comments and not personal comments. We want to be positive as to how we will be moving forward. And yes, there will always be some kind of emergency we have to attend to. I want you to think about that. We have families, children and grandchildren and emergencies do arise and you have

to remember being an official is a challenging position. I want you to take the time to really think about this. If we want to do virtual meetings, we are thinking about those who are not here today. That's what the virtual concept is about. We want to be able to include them and get them back involved in the community. How do we give them the opportunity to have to voice too that has not been there. When you think about it, we went 2 years without coming together as a community here at the Chapter. Things were still moving because we didn't need a quorum. We had many conference calls among the officials and the CSC outside of the regular Chapter meetings to discuss our pending projects, who do we need to contact and how can they assistance our Chapter. So, we didn't stop, we continued to work with one another to assist Maria, CSC. It works both ways, you want to see the officials here in person at the meetings then, we want to see you all here at the meetings as well, so it does work both ways. We are asking you to help us plan, guide, and assist us here at the Chapter. Give us your perspective and ideas. It is a challenge to meet everybody's request but we provide you the opportunity to discuss it here at the Chapter level. So, moving forward let's work together and let's make things work for all of us. We can continue to improve on our virtual meetings until we prefect it because it took us a while to learn how to use teleconferencing.

**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Pernell Halona Vote: 28-0-1**

2. **007-11-2025:** Resolution to approve the East Flats residual (Monies) to be used for Future Repair and Maintenance.

**Motion: 1<sup>st</sup> Lee Rodgers 2<sup>nd</sup> JoAnn Crosby Vote: 39-0-9**

3. **008-11-2025:** Resolution to amend the 033-04-2024 resolution for Red Willow to add Repair and Maintenance and Diesel Fuel.

**Motion: 1<sup>st</sup> Emery Begay 2<sup>nd</sup> Pernell Halona Vote: 41-0-1**

4. **009-11-2025:** Resolution to let Economic Development know we do not want Navajo Nation Motor Pool here in our community.

**Motion: 1<sup>st</sup> Lee Rodgers 2<sup>nd</sup> Emery Begay Vote: 38-1-3**

5. **010-11-2025:** Resolution to approve Housing Discretionary Assistance for Lorriane Manuelito and a legal survey of Herman Yazzie's homesite.

**Motion: 1<sup>st</sup> Fern Spencer 2<sup>nd</sup> JoAnn Crosby Vote: 40-0-3**

6. **011-11-2025:** Resolution to support the initiative for Just Transition Organization to obtain grant funds.

**Motion: Lee Rodgers 2<sup>nd</sup> Priscilla Duncan Vote: 24-0-2**

X. **ANNOUNCEMENTS:**

XI. **NEXT MEETING DATE: December 02, Planning Meeting @ 10am.**

XII. **ADJOURNMENT: 1:35 pm**

**Motion: 1<sup>st</sup> Priscilla Duncan 2<sup>nd</sup> Emery Begay**

Submitted by,



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

cc: Mr. Sonny Moore, President

Mr. Mike Halona, Vice-President

Mr. Gerald Moore, Grazing Officer

Ms. Maria Allison, CSC