



THE NAVAJO NATION

TOHATCHI COMMUNITY LAND USE PLANNING COMMITTEE

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

Elvis Bitsilly
President

Larry Rodgers
Vice-President

Delphine Bitsilly
Recorder

Fern Spencer
Member

Byron Bitsoie, Sr.
Member

AGENDA

Tuesday February 20, 2024 @ 9am

Tohatchi Chapter

Teleconference# 1+2532158782

ID: 4311314751

Passcode: 230694

FEB 27 AM 8:23

- I. Call to Order: Time: _____
- II. Roll Call:
- III. Invocation:
- IV. Introduction of Guests:
- V. Approval of Agenda:
- VI. Approval of Minutes: January 16, 2024
- VII. Old Business:
 - A. 5-year Land Withdrawal Application for Commercial Development-Update by Sonny Moore
 - B. Tohatchi Community Land Use Plan- Shynoke Ortiz/ Planning Consultant update by Sonny Moore
- VIII. New Business:
 - A. Tohatchi Chapter Add to the Nation Navajo Economic Development Plan- DED
 - B. Review and update on Business site plans from Laris Manuelito.
- IX. Resolutions:
- X. Announcements:
- XI. Next Meeting Date & Time: Tuesday, March 19, 2024 @ 9am
- XII. Adjournment/ Time:



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TOHATCHI COMMUNITY LAND USE PLANNING COMMITTEE MEETING MINUTES February 20, 2024

- I. Call to Order: Time: 9:20 am
- II. Roll Call: Elvis Bitsilly, Larry Rodgers, Byron Bitsoie, Sr., Fern Spencer, Delphine Bitsilly
- III. Invocation: Sonny Moore
- IV. Introduction of Guests: Sonny Moore, Laris Manuelito, Lillian Barney, Leonard Francisco, Jr., Flora Nez
- V. Approval of Agenda: Reading of Agenda – Larry Rodgers
Motion to accept: Fern Spencer 2nd: Byron Bitsoie, Sr. Vote: 4-0-1
- VI. Approval of Minutes: January 16, 2024
Motion to accept: Larry Rodgers 2nd: Fern Spencer Vote: 4-0-1
- VII. Old Business:
 - A. 5-year Land Withdrawal Application for Commercial Development-Update by Sonny Moore
*Elvis Bitsilly – our last CLUCP meeting some things were brought to our attention with Economic Development to get updates on our commercial and business development: *Sonny Moore – the weekend we were supposed to get the broken water line fixed which is connected to the Senior Center underground water line, finish out a plan with Intergovernmental agreement with the HeadStart, designate land for study and work with Byron Bitsoie and work with Economic Development, Professional Housing Development for workers in the area, Health workers and teachers are assets in this area, they can buy family type housing, schools are our assets, too, low performance scores at the schools in New Mexico and why is this happening, a strong community should have a good school system, parents send their children to other schools, designate other pieces of land in this area and do a study, how will it help the community, there are business sites by Tohatchi High School and transfer station has some land, in front of the old orchard there is a business site, across the highway there's a Veterans tract, what can we do with this tract of land, in the study we can do the land tract south of the abandon gas station, we can work something out with the Veterans, designate land for commercial development, this chapter is working towards certification, this chapter is working under an audit and we're working on one more finding to address and need the assistance from the ASC office, Patricia Begay and Dererk Echohawk, they need to come in to determine that one finding - gift cards, we answered all the audit questions, how we are operating and we updated our policies, mainly the housing discretionary was our findings, the smaller findings were corrected, two things lack for us to complete in the audit, **1** - \$880,000 of assets and need to properly record on our balance sheet, and start using the software that will start depreciating all the assets we have, **2** - record management – Janice is working on this task by cleaning out the records in the red building, adhere to 5 years of record keeping, Helen Brown's team to come back and do another audit, as we move forward one thing may come up is the Land Use Plan and when was the last update, it was either 2016 or 2017, they will look at the check list of the audit, important items – housing and commercial development, transfer station, Byron, can you find the land description, the land around the transfer station the only land?, we're thinking about adding another bin, transfer station only one bringing in the money right now it costs approximately \$1500.00 a month, we depend on our sales tax and will be allocated soon, money that

used to come to the Navajo Nation has decreased, becoming a certified Chapter you can get the sales tax plus get the sales tax from businesses in the area, the towers we have here and where is the money going?, the signs along the highway and who is getting the money?, we can work out an agreement with Work Force and rent the buildings, we need to think about where we can get money from when you're a certified chapter, CLUPC should start thinking about these things, Olive Garden can be here even if we have to drive 25 miles, Highway 491 has lots of traffic, water from Chuska Mountain can be utilize: ***Elvis Bitsilly** – continue to work as a team, the application process on the 5 year plan and I submitted a memorandum to Byron, Grazing Officer and Chapter resolution with maps, Sonny Moore will give information to Land Department, Economic Development wanted a copy of the Land of Operation, Mr. Bitsoie, how long with the land withdrawal take?: ***Byron Bitsoie** – process of Land Withdrawal of the submittal, 1-2 months and fully in 3 months, if you have all documents turned in and all proper documentation, some have trouble with the wording in resolutions, everything is given to you on gldd business site leasing you would contact RBO and DED, a regular land withdrawal through general land department that would be the process, the withdrawal for housing development need coordinates, make sure all documents are correct with all information: ***Elvis Bitsilly** – we can make the corrections, Vice Chair - do we have the coordinates?: ***Larry Rodgers** – look at the meta data, question to Byron – coordinate points, is it okay to list corner points, instead of the in between and straight away?: ***Byron Bitsoie** – need all points, prefer the coordinates of each locations, you can put the number on the points on a spreadsheet with the coordinates, received the documents from Maria: ***Larry Rodgers** – can we be selective of the points?, what is lacking from the proposal has been shared with the chapter and should be shared with the committee, the 5 year withdrawal application for commercial, it's not the same as we approved with the two maps, we're talking about that isolated site for 5 year development, we need to consider another plan to where else can there be land withdrawal for housing, we need to do the commercial separately as a resolution recommending certain land for commercial activity and map it, we might recommend addition to the tracts and add to the resolution, identify all tracts and ask chapter for a resolution and work to complete the clearances, 3 items we're looking at – Tohatchi Boarding School as a redevelopment area, housing, commercial tracts – according to the current Community Land Use Plan, you're respecting the 750 corridor all the way to a certain mile marker and back, it's been approved by the chapter to move forward and accepted by Resources and Development Committee and approved, all 3 items would feed into the plan: ***Byron Bitsoie** – 750 foot buffer and no resolution with approval, 750 buffer might be rescinded according to a Delegate: ***Laris Manuelito** – is there a reason for that: ***Byron Bitsoie** – chapters are landlocking potential businesses for individuals, some may not have a resolution stating they want to acquire it: ***Larry Rodgers** – it doesn't matter if it was acknowledged in the Community Land Use Plan?, some chapters are acting on it, the Community Land Use Plan is approved by the chapter, the RDC accepted the plan: ***Byron Bitsoie** – does it designate the location of where they want to put the 750 buffer: ***Laris Manuelito** – Mile 19 to Buffalo Springs, Naschitti area, this happened with Deon Ben was CLUPC President, Land Use Plan and it was recertified, 23th or 24th Council at the time and if RDC accepted this?: ***Larry Rodgers** – the 2018 Community Land Use Plan is there and it's in a plan: ***Byron Bitsoie** – it could be rescinded according to a Delegate: ***Larry Rodgers** – if they rescind it they should have things grandfathered in, for example – communities that did not act on it should be whitewashed, chapters that have acknowledged it or have a plan in place, it should be respected: ***Elvis Bitsilly** – a Delegate considering dropping the legislation?: ***Byron Bitsoie** – it was done in September of last year, they met with me and Mr. Halona to explain what the benefits could be: ***Sonny Moore** – resolution approved May 16, 2018, Mr. Halona acknowledge this, he read this resolution – Approving the Reaffirming the 1950 Resolution, CM9-50, All constructed on tribal lands: ***Larry Rodgers** – President, does the resolution address the issue of the corridor?: ***Fern Spencer** – Byron – the different documents that come through your office, is there a checklist you have for these projects, Becenti chapter has beautiful Veterans building, projects move slow: ***Byron Bitsoie** - gldd.org has the checklist, it's up to you to add the points, make sure the acreage is correct, gldd.org website has the definition of commercial and industrial business: ***Elvis Bitsilly** – we did talk about this, corner points?: ***Laris Manuelito** – commercial is business, on the checklist, submitting the 4 requirements will allow you to reserve the area for 5 years, it's a temporary land withdrawal, to work on all the clearances,

you need 4 items – cover letter, supporting resolution, grazing permit consent, GPS coordinators, compile and submit.

B. Tohatchi Community Land Use Plan- Shynoke Ortiz/ Planning Consultant update by Sonny Moore

***Sonny Moore** - we met with Shynoke on Saturday, February 17, we went through the contents of the Land Use Plan, sections 1, 2, 7 are what you need to update, CLUPC to have a work session within the next two or three weeks on the Land Use Plan, she gave us dates and times we can talk with her: ***Larry Rodgers** – did she state her cost: ***Sonny Moore** – no she didn't state cost, it didn't seem like she would be available: ***Elvis Bitsilly** – would like a two month notice: ***Larry Rodgers** – it's apparent we have to do this on our own, would be helpful if she shares information with us, we would be adding on: ***Sonny Moore** – advertise CLUPC meetings, I have the electronic information Shynoke used.

Motion: Larry Rodgers 2nd – Fern Spencer Vote: 4-0-1

VIII. New Business:

A. Tohatchi Chapter Add to the Nation Navajo Economic Development Plan - DED

***Elvis Bitsilly** – what do we need to do as a chapter, Mr. Francisco is not on the Navajo Nation Economic Development Plan and we need to get on it: ***Leonard Francisco** - Tohatchi chapter Commercial Development Feasibility Study, Land status book found – I did a memo in 2013 to the Land Office, **1** - 6 acres in the Chuska Land tract survey, **2** - 6 acres of Veterans tract survey, **3** - 0.6 acres in the Trading Post survey, **4** - 10 acres in the old Orchard tract survey, all the surveys and everything were done, that is where your land status is as far as I'm aware since I've worked your guys on, are there any operators who want to come out and take over these businesses, we can't do anything from our part if there are no operators, I gave the example of Olive Garden, Gallup is not getting a Olive Garden because the small businesses will go broke, Gallup bringing in small businesses like Popeyes chicken and 3 Starbucks, Miss Manuelito's business is not in the plan, it is new, the only one on the 4th year plan is the J&V Trading Post for demolish and site cleanup for \$250,000, we will review your list and will need your help to look around and pull some money to where we can help Tohatchi with what needs to happen, where are you in your 5 year plan, how we can put money in there to help, let's work on it and move forward, commercial is requested directly by us to land administration with all the documents, it can be done in Window Rock if you have all the documents and it can take 3 months, 3-6 months if you don't have all your documents, Navajo Petroleum not giving up right now and Red Mesa is looking to lease the station, renewing lease with Speedway, 3 things - **1** - assigning to Miss Muskett, **2** - modifying it to her site and it a BIA lease and work with BIA, **3** - change BIA to Navajo, I'm working on these 3 things and they are ready, we must make sure everything coincides, Flora is taking care of this, complete other projects then work on Laris Manuelito project: ***Fern Spencer** – your jurisdiction is Ft. Defiance Agency?, can we get a copy of the Tohatchi Chapter Commercial Development Feasibility Study?: ***Larry Rodgers** – it's available and it's attached to the 2018 Community Land Use Plan, what is the name of the Trading Post?, was there a lease?, expiration date?, Trading Posts have burned down, this Trading Post should be considered an Historic building and make it nice, tourist activity to go along with it: ***Leonard Francisco** – J&V Trading Post, yes these was a lease, the expiration date was maybe now 10 years, it is listed under the Historic Preservation, can take items out and replace, we cannot take the building down because it has an Historical number, it can be renovated but not demolish it, we would get the Environmental people to clean up the asbestos in the building: ***Larry Rodgers** – do you go through a 5 year grace period regarding withdrawals and planning for these commercial sites?, ***Leonard Francisco** - we will not make a decision without your permission, they can only make a recommendation, Tohatchi has a good sports team, no places to eat after activities associated with school, let's get some business out here: ***Larry Rodgers** – community land use plan will set the stage, where the Public Safety Building Complex is an ideal location for commercial development and not a Public Safety Building, a mini mall along 491: ***Laris Manuelito** – Public Safety Building Complex is not on the list, what happen?, there will be businesses in 10 years: ***Leonard Francisco** – it's an administrative decision and we don't deal with those, it's under the Navajo Nation President's control: ***Sonny Moore** – Post Office is nice, the other

side of Post office, can we make that into a small business?, they say there's a problem with the sewer line and it needs to be replaced, can we revisit the business site?, if we can do an assessment somebody can give us an assessment on the sewer line cost, we would like to renovate our Chapter Kitchen and look for state funds: ***Leonard Francisco** – there's a concern with the roof, we can work with TAOS and make it into a eatery place: ***Elvis Bitsilly** – who owns the building – Tohatchi or Property Management, that is what put the proposal plan on hold,: ***Leonard Francisco** – it was under a business site lease with the Nation, Child Care, they were shut down, chapter needed a post office, it's a business site and work with TAOS on who we want in there to serve: ***Elvis Bitsilly** – TAOS didn't want to invest or have the money to repair, would cost them \$30,000 plus problems with the roofing and sewer, they didn't have any money to work on that section.

B. Review and update on Business site plans from Laris Manuelito

***Laris Manuelito** – li'ni MarketPlace, 4 pillars – Culture, Customer, Continuity, Community, will do public hearings this summer and hear input from communities to what kind of products to put in the store, I'm not a strip mall, independently owned, RBDO and SBC didn't know what to make of it, Navajo Nation cannot help you, Mr. Rodgers asked why over there, why not here?, promote the community, no guidelines working with an entrepreneur on the Navajo Nation, it a big business, a power point presentation, Mission Statement, To buy local is to thrive local, to buy Navajo is to thrive Navajo, Land Withdrawal fulfillments and clearances completed, Permanent land withdrawal is currently going through its final phase of clearance signature at the General Land Department which Mr. Bitsilly has to sign when the time comes, Executive Summary/Business Plan, Vision of li'ni MarketPlace – I want it as a place for people to go relax and enjoy themselves on the second floor which can promote tourism, I have the plan and design, possible builds for homes is a new concept for construction buildings which is a stackable, economical, sound and cheaper, will also use solar, an energy efficient store, has a 5 year plan at RDC now and in its second year, can raise the capital and not use the 5 year plan, Tamara Begay is the architect from Albuquerque, Pauline Joe is the CEO accounting firm and has cost \$120,000, BRIC and LLC about \$25,000 to do the art bio and environmental, contract with attorney and architect, initiate feasibility study, solidify marketing strategy, strengthen capital stack – 5 year plan is \$6 million + \$6 million for fiscal recovery = \$12 million, \$5 million is through RDC, on the entrepreneurial side writing grants with grants.gov, building our grant writing plus private and staying away from loans which has to be paid back with interest, Women Oriented Grants, Veteran Oriented Grants, since it will be solar I can use USDA funds, Farm to Table – work with Red Willow Farm and work with the farmers to sell their products or go co-op, would like to do a co-pilot with some farmers, working with Department of Transportation, request for permanent right of way for easement and deceleration lanes, acre to half acre dedicated to parking – truckers and tourists, parking available with EV chargers, dog park and a trail around the 6 acres, investment is a sole proprietorship for LLC, I recently incorporated Manuelito Corporation and it's still going through New Mexico in getting it established, Manuelito Corporation and li'ni MarketPlace will be a subsidiary of that, I'm looking at another site in Chinle, a new guideline for entrepreneurs who are working on existing business site, a current business site you cannot sub lease, I cannot sub lease to anyone on my 6 acres, I'm determined to change those guidelines through my Delegate to get updated to where we can sub lease: ***Guest** - have something for our younger generation, Navajo Nation to develop through your department, Economic Development to help young people and what is the process for business establishment, my daughter wants to start a business but she gets the run around, a guideline; ***Laris Manuelito** – a good business plan, be clear, concise and have a vision and stick with it, no changes will help, have all documents, tribal infrastructure laws have been revamped, I'm at RBDO: ***Delphine Bitsilly** – where will the road from Highway 491 be, Mile Post 19? and where will the water come from?, how much water will you use for the MarketPlace from the homes that are using the water system?: ***Laris Manuelito** – the deceleration road will come from the south, 3 – choices, 1 – Gallup Water Supply, 2 – Tohatchi water, 3 – my own water system, we sit on a huge underground aquifer that is replenished every year, I will take from one of the 3 water systems.

IX. Resolutions: none

X. Announcements: Tohatchi Chapter Meeting, February 26, 2024, 10 am

Conservation Plan Work Session by First Nations, March 11-13, 2024, 8 am – 4 pm

Farm and Ranch Educational Session Training AIF, March 26, 2024, 9 am to 3 pm

Uranium Film Festival, Navajo Nation Museum, March 7-8, 2024, 8 am – 5 pm

Health Fair at Naschitti, February 22, 2024, 11 am - 2 pm

XI. Next Meeting Date & Time: Tuesday, March 19, 2024 @ 9:00 am

XII. Adjournment/ Time: 12:23 pm

Vote: 4-0-1

Delphine Bitsilly

Recorder