

TsaileWheatfields Farm Board and Dineh Water User Joint Meeting
Sunday, August 7, 2016 @ 12pm
Wheatfields Chapter House, Wheatfields, AZ

AGENDA

I. ORDER OF BUSINESS

- a. Meeting call to order
- b. Invocation
- c. Adopt agenda
- d. Reading Last Meeting Minutes, July 25, 2016
- e. Announcements:

II. OLD BUSINESS

- a. Junk Food Sales Tax
 - Survey update
- b. Audit
- c. Fund Management Plan – Work session
 - Create Budget for 5 million, and include to the packages.
- d. Water Usage Planning – Work session

III. NEW BUSSINESS

- a. Land Use Permit- Transfer, Relinquish, Probate, etc
- b. Financial Report

IV. Reports

- a. Farm Board
 - President
 - Vice President
 - Secretary / Treasurer
- b. Water User
 - President
 - Vice President
 - Secretary / Treasurer
 - Members
- c. Others
 - Farmer & Rancher concerns

V. CONCLUSION

- A. Identify next agenda items
- B. Scheduled next meeting date
- C. Adjournment

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MEETING MINUTES

I. ORDER OF BUSINESS

a. Meeting called to order at 12:40pm

b. Invocation by Lucinda David

c. Adopt agenda

Dorthea reviewed the agenda. No amendments, questions, or comments.

Action: The agenda accepted as read

Motioned by David Tsosie

Seconded by Teresa Chee

Voting: 6 yes; 0 no; 4 abstained

Motion Carried

d. Reading Last Meeting Minutes, July 25, 2016

Dorthea read the last meeting minutes from July 25, 2016. No amendments, questions, or comments.

Action: The meeting minutes was accepted as read.

Motioned by Rita Bahe

Seconded by Teresa Chee

Voting: 11 yes; 0 no; 4 abstained

Motion Carried

e. Announcements:

- Chapter Meeting, Monday, August 15, 2016 at 10am Wheatfields Chapter House, Wheatfields, AZ
- Veteran Meeting, Tuesday, August 9, 2016 at 5pm Wheatfields Chapter House, Wheatfields, AZ
- CLUPC Meeting, Monday, August 8, 2016 at 2 pm Wheatfields Chapter House, Wheatfields, AZ

II. OLD BUSINESS

a. Junk Food Sales Tax

- Survey update

Anelda provided an updated of the survey that she and Amelda collected. She left some at the Chapter House with Paula.

Dorthea stated there are about 20 surveys collected.

Comments, Suggestion, or Questions:

- There is a need to collect more surveys.

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- There is about 1,300 voters, and that is why there are more survey to be collected.

Action: To collect at least 650 survey from the people of the Tsaile / Wheatfields / Blackrock community.

Motioned by Nelson Begaye

Seconded by Anelda Kedelty

Voting: 10 yes; 0 no; 5 abstained

Motion Carried

b. Audit

Lorena explained the audit request is for the Tsaile Wheatfields Dineh Water User. However, this is for an audit review because the organization is very small, and not very big enough to conduct.

Dorthea explained currently she has six auditors listed. Most on the list are from Phoenix area, Flagstaff area, and Albuquerque area. She is planning to write a Request for Proposal (RFP). However, she has never written an RFP.

Lorena commented the process is to submit the RFP to newspaper, website, and other advertisement. The company submit their bid, and the Board will have to open the bid. Then the selection is made.

Dorthea indicated, "I was not thinking about putting it in the newspaper, but I was thinking of faxing it to the six auditors."

Nelson indicated that the audit review will be something necessary for the request that we are trying to make before the Budget and Finance Committee of the Navajo Nation.

Action: To send the RFP to all six auditors.

Motioned by David M. Tsosie

Seconded by Amelda Benally

Voting: 12 yes; 0 no; 3 abstained

Motion Carried

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c. Fund Management Plan – Work session

- Create Budget for 5 million, and include to the packages.

Brycson facilitated the session. The people put the positions over five years, and prioritize the equipment based on what are needed to start the project verses what can wait. In addition, we attached the operating cost.

The operating is as follow:

Utilities

Insurance

Communication:

- Internet
- Telephone

Office Supplies

Maintenance & Repair

Fuel

Farm Materials:

- Seeds
- Fertilizer
- Fence materials
- Pesticide
- Erosion Control
- Diversion Control Box
- Green house Kit

Labor – Contract

Contingency

Action: To accept the budget allocation of how the 5 million is to be spent over five years. This allocation will be put into the Grant Tracker. Add to next agenda Land withdraw for building warehouse on chapter boundary.

Motioned by David Tsosie

Seconded by Bennie Litson

Voting: 11 yes; 0 no; 5 abstained

Motion Carried

d. Water Usage Planning – Work session

Lorena explained that this work session is to work with Dine College Land Grant Office.

Benita explained that this water project is partnership grant with other University, University of Nevada, and University of Arizona. This study is for the community to

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do water study; such as, “How much water do we still have? Identify and collect water data.

Comments, question, and suggestions:

Tsaile Dam – Is Tsaile Dam fixed? Who is responsible for the Dam? Is there a way to bring the water back to the Farm land, so it can be divert to the field.

Safety of Dam is responsible.

Is it possible for the Water User to always have a say so?
How much right do we have to water?

To do an inventory:

- Wind Mill
- Water Well
- Earthen Dam
- Streams
- Water Catchment
- Lakes
- Riparian area

Action: Accept to interview community people on September 17, 2016 & September 24, 2016. Benita will create flyers, poster, etc., so that can be mailed out to all farmers on August 19, 2016. Motioned by Bennie Litson

Secoded by Aaron Begay

Voting: 9 yes; 0 no; 3 abstained

Motion Carried

III. NEW BUSINESS

- a. Land Use Permit- Transfer, Relinquish, Probate, etc

At the start of meeting, there was no one requesting for Land Use transfer; however when talking about here with no action to take. David M. Tsosie expressed that he had a Land Use Permit request to talk about.

As a result, the agenda needed be amended.

Action: The agenda was amended to accept David M. Tsosie to explain his request for a Land Use Permit to be added to the agenda.

Motioned by Anelda Kedelty

Secoded by Aaron Begay

Voting: 9 yes; 0 no; 2 abstained

Motion Carried

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David M. Tsosie explained he is requesting a for a farm land in the Tsaile area located near the lake. This farmland once belong to late Uncle, John Hobbs, son. The late Wilford Hobbs was the oldest son of John Hobbs. Wilford was married to the late Julia Hobbs.

Alberta, Margo, and Larry are the children of Wilford and Julia Hobbs. The children have no interest in the farmland. He has been talking with the Alberta, Margo, and Larry about the request to transfer the farmland into David M. Tsosie name.

Comments, suggestions, and Questions:

Lorena indicated yes it will be doable. The Farm Board is a recommending body of government. They can submit with your request if all documents are there. However, the BIA is hold are the request of transfer for Land Use Permit and Grazing Permit; and it must have a conservation plan attached. In addition, they indicated that they will not renew permit if it is 20 acres or less and 20 sheep unit or less.

Dorthea commented that back in January 2016, the Tsaile / Wheatfields Farm Board requested BIA Chinle office staff to provide us with an update of Land Use Permit. During that time this particular Land Use that Mr. Tsosie is requesting had a name on it as Julia Hobbs. BIA staff had asked to have her pick up her Land Permit at the Chinle office. This Julia Hobbs has an outstanding Operation & Maintenance fee to pay. Please note, I put a stop to her payment due to unable to find her address status.

David M. Tsosie replied, "Julia Hobbs passed away 3 days later from when her husband passed away. She and her husband died."

Dorthea commented, "She was unaware of Julia Hobbs." She suggested to have Mr. David M. Tsosie with children of the late Julia Hobbs and Wilford Hobbs. The children should have access to the Land Use Permit that now sits in Chinle BIA Office. The children will need to write letters with a notary indicated that they are in support of handle their late parents' farmland to David M. Tsosie.

Action: Dorthea needs to provide David with necessary paper work needed to request for transfer. Mr. Tsosie was told his request will be put on next Farm Board Meeting Agenda.

Motioned by Aaron Begay

Seconded by Bennie Litson

Voting: 9 yes; 0 no; 1 abstained

Motion Carried.

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b. Financial Report

Dorthea reported the following:

End of June 24, 2016 – Balance - \$ 25,716.88

Deposits

July 16, 2016 \$ 111.13

Total: \$ 25,828.01

End of July 24, 2016 \$ 25,828.01

Deposit:

August 3, 2016 \$ 123.42

Total: \$ 25,951.43

Expense:

July 30, 2016 (Office & mailing supplies): \$ 334.30

\$ 25,617.13

Ending Balance as of Aug 7, 2016 \$ 25,617.13

Plus she reviewed the outstanding bills of people who have not paid their Operation & Maintenance Fee as follow

| 0 – 30 days | 31 – 60 days | 61 – 90 days | Over 90 days | Amount Due |
|-------------|--------------|--------------|--------------|--------------|
| \$ 540.00 | \$ 540.00 | \$ 550.00 | \$ 18,457.16 | \$ 20,087.16 |

Lorena commented that “if the unpaid O&M fee is subtracted from the current Balance then there is only \$ 5,529.97 in the account.”

Action: The financial report provided accepted as read.

Motioned by Aaron Begay

Seconded by Teresa Chee

Voting: 9 yes; 0 no; 3 abstained

Motion Carried

IV. Reports

a. Farm Board

President – no report

Vice President - no report

Secretary / Treasurer – no report

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- b. Water User
 - President – no report
 - Vice President – no report
 - Secretary / Treasurer – no report
 - Members – no report

- c. Others

- Farmer & Rancher concerns

Farmers & Ranchers shared the following concerns:

For many of the farmers and ranchers land use permit and/or grazing permit has been on hold with BIA for the last 3 years or more. As result, there are several issue that are accumulating:

- People are unable to sell their livestock, so when they are unable to sell they are being told they are over grazing; in some cases the graze member official are not wanting to brand the overgraze permittees animals which leaves the owner animal unbranded
 - People are unable to receive program help from the federal USDA Programs such as Financial Service Agent (FSA) or EQIP with Natural Resources Conservation Districts (NRCS).

When the people attend Grazing meeting, the report has been that BIA will not return any Land Use Permit or Grazing Permit to the owner if it has less than 20 acres or less than 20 sheep units. This is putting many of our people in stress of not knowing the outcome.

The Navajo Department of Agriculture nor the BIA office staff from the Gallup Region Office are not letting the grass root people know of ANY decision being made that is impacting our Navajo People. There are many of People within the Tsaile / Wheatfields / Blackrock Communities and across the Navajo Nation who rely on their animals to make a living. This is what they use to put food on table for their children, pay their bills, etc.

What is the Navajo Nation Government saying about this matter?

What right do the grass root people have? How much right do the people have? We vote for the government body to make the right the decision for us and Dine People!

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If BIA and Navajo Nation Department of Agriculture have been holding permits from the people for this LONG then WHAT solutions are they taking? They really are messing with many people livelihood!

These entities' are requested to report at the monthly permittee meeting, and yet they don't come to the meeting to do a report.

NRCS provided an update with some of the farmers and ranchers of the following:

- NRCS can only function if there is a Board known as Soil & Water Conservation District. They advocate on behalf of the individuals, and develop resources concerns within it agency. That no longer exist for the Chinle office.
- NRCS has provided about \$ 70,000.00 to the Navajo Nation Department of Agriculture to conduct business of large project.
- NRCS still works with individual producers, but will be hard to do if there is NO SWCD Board. Plus, the BIA works in interfering with project from NRCS to proceed. An example, there is group of family establish an RMU. The families' grazing permit combine is about 150 sheep unit, but they cannot move with the EQIP allocated to them. BIA stated, "based on range inventory study they conducted the family is only required to have 35 sheep unit of the 150 sheep unit, as result the project needs to stop." Comments – So based on these families situation, "What does BIA have for a solution? If these people are to work with NRCS then they would have been advised to defer their animal for about 5 years and in the meantime the family would have to develop and implement their conservation practices to improve the land. Furthermore, there is no SWCD to speak on the families behalf."
- NRCS will continue to do surveys, and are only working on old projects.

Lorena explained that the Farm Board and Grazing is only a recommending body of government with the Navajo Nation and to BIA. The Tsaile / Wheatfields Farm Board has provided several recommendations. We have invited Sharron Pinto to attend our meeting, but that has never happen. Likewise, for the Navajo Department of Agriculture.

At the Joint Navajo Nation Farm Board and Grazing meeting, we are provided information by BIA that District II is current be studied for range forage inventory; conservation plan is must for land owners to attached to their land

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permit and as well as their grazing permit. Derc Watchman Moore have spoken about NEPA process.

Anelda Kedelty also provided an update on Nelson James's farmland fence extension in Upper Wheatfields. She was stopped by Mr. James to see if it was okay for him to extend his fence, and "at that time he indicated that he told the Farm Board, Grazing Members, and Chapter, and they all approve his request." In addition he told, "Kee White too, and he approved." She responded, it would be okay if he only goes through the proper protocol. Currently, all his request has been just hear say, now his project is at a stall.

Action: On August 26, 2016, the Tsaile / Wheatfields Farm Board and Grazing Member will be conducting a Permitted Meeting at Wheatfields Chapter House, 10 am to 3pm. At that time, BIA Staff, Navajo Department of Agriculture, NRCS and INCA group will be asked to present information to the people. Plus a letter will be written to Navajo Nation President and Vice President about the Farmers and Ranchers concerns with the hope that they address this topic, even if they present at the Town Hall meeting the community is requesting.

Motioned by Bennie Litson

Seconded by Aaron Begay

Voting: 9 yes; 0 no; 1 abstained

Motion Carried

V. CONCLUSION

A. Identify next agenda items

- Land Use Permit – David M. Tsosie requesting Julia Hobbs farmland.
- Water Study
- Financial Report
- Fund Management Plan
- Junk Food Sale Tax – Survey

B. Scheduled next meeting date

Monday, August 15, 2016 @ 3pm after Chapter Meeting.

C. Adjournment

Action: Meeting adjourned at 5:20 pm

Motioned by Bennie Litson

Seconded by Aaron Begay

Voting: 9 yes; 0 no; 1 abstained

Motion Carried