

TSAILE/WHEATFIELDS CHAPTER
COMMUNITY LAND USE PLANNING COMMITTEE MEETING
Sunday, May 13, 2018
9:00 a.m.

M I N U T E S

PRESENT: Lucinda Davis, President
Thomacita White, Vice President
Marjorie Johnson, Secretary
Charles Chee, Grazing Official
Michael Bahe, Jr. Community Member
Micalson Bahe, Community Member
Doreen Nez, Community Member
Mike Bahe, Community Membe

ABSENT: Margie S. Begay, Member

RECEIVED

MAY 25 2018

Tsaile/Wheatfields

Chapter

BY: psb

MAY 25 9:19AM

1. ORDER OF BUSINESS

A. Call to Order/Welcomes:

The Community Land Use Planning Committee (CLUPC) was called to order at 9:39 a.m., by the CLUPC President. A quorum was declared to conduct official business of the Tsaile/Wheatfields CLUPC.

B. Invocation:

The invocation was offered by Michael Bahe, Jr., Community Member.

C. Adoption of Agenda

The Agenda for the CLUPC meeting was read into the record by the CLUPC Secretary. A motion was made by Charles Chee, Grazing Official, to accept the agenda as read, seconded by Thomacita White. The motion passed by a vote of 5 in favor, 0 opposed and 1 abstention.

D. Approval of Minutes

- April 8, 2018: The minutes of the April 8, 2018 CLUPC Meeting were read into the record by the CLUPC Secretary.
- April 22, 2018: The minutes of the April 22, 2018 CLUPC Special Meeting were read into the record by the CLUPC Secretary.

A motion was made by Charles Chee, Grazing Official, to accept the minutes as read, seconded by Thomacita White. The motion passed by a vote of 6 in favor, 0 opposed and 1 abstention.

E. Announcements: The following announcements were read.

- 5/14/2018, Chuska Regional Council Meeting at Round Rock Chapter, 9:00 a.m.
- 5/21/2018, Tsaile/Wheatfields Chapter Meeting, 10:00 a.m.
- 5/22/2018, Land Use/Grazing Permittee Meeting, W/F Chapter. 1:00 p.m.
- 5/24/2018, Head Start Promotion, W/F Chapter
- 5/28/2018, Memorial Holiday (Office Closed)

2. REPORTS

- A.** There were no reports from the President, Vice President or Secretary. The Grazing Official: Charles Chee, Grazing Official (GO) reported on his activities. The horse round-up was conducted with 57 horses rounded up, only 13 were branded. The GO went to Dine' College, just to observe and asked questions. He will report on this under Old Business.

3. OLD BUSINESS:

A. Dine' College 25 Year Land Lease

The CLUPC President reported she and the CLUPC Vice President attended a meeting held at Dine' College on April 24, 2018.

- She stated her concern for the community people and asked they be listened to and their concerns be considered in their (D.C.) plan. The concerns stated by community members are being disregarded, by the College Administration, as they continue development, without a valid lease.
- The archaeological clearance has not been completed; the College is in non-compliance with Historic Preservation Department policies and Navajo Nation laws. They are clearing the area where numerous archaeological sites were identified.
- The Tsaile/Wheatfields Chapter Secretary states he is caught in the middle; he is employed by the College but serves as a Chapter Official. He was reminded the Tsaile/Wheatfields community members voted for him to represent their interests. I informed him that Allan Begay stated the land withdrawal resolution is flawed, as he did not second the resolution. The Chapter Secretary stated nobody has complained about it, it's been put out there (disseminated); there's nothing wrong with the resolution. He stated there is nothing we (CLUPC) can do about it. Michael Bahe, community member, asked where it is written that the resolution can't be rescinded. He was informed Allan Begay said he would write a letter to the Chapter saying he didn't second the resolution, therefore the resolution is not valid.

The Grazing Official stated Lindsey Benally with Shiprock HPD resigned or was transferred to another position, because of this conflict. Iris Shirley-Begay was hired by HPD. Michael Bahe stated Lindsey Benally was the one who came to see him initially.

- After the grazing meeting, the GO went to HPD to ask Iris Begay if any money was offered to her, she refused to tell him. She agreed to visit the site; she came with her father and the three went to the water tank and snake pit area. She stated a Ha'taalii said a prayer for her. The GO took them to other traditional archaeological sites. A deer passed by while they were in the area. The GO informed her, "those are who you're doing harm to." They went to the area where the College is clearing the area. They went back to the ride. There her father stopped and turned off the vehicle. He said to her, "When we left I told you this would be dangerous. It's a good thing you're being informed of these sites. Why are you doing this?" Her father is more traditional. She asked for more information on the area. She asked for GPS data that was not available. Lindsey Benally's report was submitted to Tamara Begay and provided to Iris Shirley-Begay to complete a Class III Survey. She called the GO to again ask for GPS data. Iris Begay will be turning in her report.
- The GO saw Mr. Paquin at the College and wanted to talk with him but he turned away. He talked to another maintenance guy to ask him questions on activities and the \$1.6M grant. He stated James McKenzie would know. The College cleared the area by the snake pit; there was a little hole marking where the snake pit was located, he'll tried to find it. Shil naaki sili. Friday, the GO went to the graduation at the College. The graduation program listed James McKenzie as the Commencement Speaker. Mr. McKenzie is talking to students, if he knows cultural teachings, why is he pursuing the language immersion institute at that site. He will continue trying to contact Mr. McKenzie.

It was clarified for Michael Bahe and Micalson Bahe the College has not had a lease since 1969. The CLUPC President was informed Iris Shirley-Begay was warned by Dine' College staff that Wheatfields Chapter was difficult to work with. At the last meeting with Dine' College at Dine' College, the CLUPC President mentioned to Dr Roessel his staff or whomever is working with Iris Shirley-Begay should not be saying things like that about the Chapter. This is a concern for CLUPC.

Micalson Bahe confirmed what the GO reported. He walked the area where the clearing is taking place. He took pictures of Kee Chee's gravesites. His educational background is in environmental science and he is familiar with the environmental survey procedures. The area has 50 foot petrified logs, arrowheads, pottery shards and other artifacts. There is an old sweat house and ferrets identified as endangered species are impacted, something the College is overlooking. He stated, "What Charles is saying, I'm concern with that. When I saw the boundary outline, they boxed my family in. There are people who are afraid to ask. I figured I would do my part for my family."

Michael Bahe stated Lindsey Benally came to him when this first came about. Allan Begay called him a month prior to this whole thing being started saying he was doing a petition. Those who live there know you learn from him traditionally, he knows things from around the surrounding area. Lindsey Benally came to his work site (Elementary School). She took out a map and asked for his side of the story of the area and to draw archaeological sites. He noted the grave site of Kee Chee. Marie Bahe-Chee, my niece and Betty Gray, use to live there where's he's buried. When this came about, they were chased from there and moved to where they now reside. This was shared with her. Although it was 50 feet, but she put 400 feet, as the area they are not to disturb. He provided his Nali's information, CIB, birthdate, etc. Other people said he approved it. I said "No I didn't approve it. All I did was provide information on the gravesite. I don't want it to be disturbed. I'm a medicine man, I respect my community, and this is how and why I identified burial sites, snake pits, roads and places where offerings are made." She noted all the information on paper. I tried calling her back and was told she was no longer there.

The GO confirmed the report submitted only identifies one grave site. The GO informed HPD there were five grave sites, and many other cultural sites, i.e. awee doo haasihi, snake pit, where offerings are made, the homes that were there, they are not included on the report. Michael Bahe confirmed it was all included, he initialed it. The map does not include the sites drawn by Michael Bahe. The CLUPC President stated there is a lot of fraud with this report. The GO stated there were also arrowheads in the area they moved/cleared.

When he learned they were clearing the area, Michael Bahe told them "No, it's a grave site. I remember she put 400 feet on that; I told them, please, I don't want that disturbed. I recommended they make the road from the other side." The next day, one of the students passed away in the dorm. Two students died in one week. After that the same evening, a girl was raped. They were told no, but they continue with their clearing. Michael Bahe informed the group he was offered a position with Dine' College as a Cultural Resources Specialist last October 2017 to assist with development of the

Language Immersion Institute. He declined the position as he is committed to his employment with the Chinle Unified School District and the students he works with.

Referencing Robert's Rules of Order, the CLUPC Secretary states the minutes of the December 28, 2017 Special Chapter Meeting must be amended. The resolution may also be rescinded. Larraine Johnson-Sorrell reported on action taken at the May 2018 Chapter Planning Meeting. Amendments to the meeting minutes were approved; the Chapter CSC stated the resolution would need to be corrected with the correct name seconding the resolution. It was voted not to forward the amendment to the full Chapter Meeting on May 21, 2018. The CLUPC Secretary will do additional research on the validity of the amendment to the minutes and correction of the resolution. She believes the amendment needs to be done in an official Chapter meeting, not a Planning Meeting, and a separate amendment needs to be done on the resolution. This will be questioned during the May 21st Chapter Meeting when the minutes are provided.

With the continued concerns expressed by community members and the non-compliance by the College, the CLUPC President restate CLUPC's responsibility to make decisions regarding the land in a manner conducive to the Chapter membership. Discussion was held on a plan action to rescind the land withdrawal resolution. Should members of the Navajo Nation Council Resources Committee be contacted regarding Dine' College's non-compliance with the General Leasing Act and Navajo Nation laws. The Navajo Nation Vice President was previously notified of the situation. CLUPC Vice President will contact Office of the President and Vice President's Office to request guidance.

Discussion was held on Dine' College/NHC's perilous asbestos contamination. It was shared that Kelly Harvey, Jr. was exposed to asbestos in the Ned Hatathli Center boiler room and developed health problems that lead to his death. He was removed from his position by the College due to declining health. Additional information will be gathered to support CLUPC's recommendation to rescind the Chapter resolution.

A plan of actions was outlined to be discussed at a CLUPC Special Meeting. A motion was made by Marjorie Johnson to approve discussion and recommendations on A. Dine College 25 Year Lease, second by Larraine Johnson-Sorrell. The motion passed by a vote of 6 in favor, 0 opposed and 1 abstention.

- B. CLUPC 5 Year Revisions: CLUPC President talked to Marlene Hoskie. She stated she can meet with CLUPC to assist with revisions. Ms. Hoskie was going to provide a packet to CLUPC President of what they are asking for in 5 year plan. She will pick up the packet from Marlene tomorrow and have it available for CLUPC to begin working on the revisions.
- C. Rural Addressing: Larraine Johnson-Sorrell reported on statements made by the Chapter CSC at a Tsaile/Wheatfields Chapter meeting approximately three months ago that they were going to complete the rural addressing themselves. CLUPC President reported on her discussion with the Chapter CSC to provide all GPS information to CLUPC for its use in working on the rural addressing. CLUPC President will contact the Chapter CSC to get clarification on this issue and report back to CLUPC.

A motion was made by Marjorie Johnson to accept discussion and recommendations on B and C, seconded by Thomacita White. The Motion was passed by a vote of 7 in favor, 0 opposed and 1 abstention.

4. NEW BUSINESS: None

5. SCHEDULE SPECIAL CLUPC MEETING

A motion was made by Marjorie Johnson to schedule a Special CLUPC Meeting to discuss the Committee's Plan of Action on the Dine' College 25 Year Lease, on May 21, 2018, following the Tsaille/Wheatfields Chapter Meeting. The motion was seconded by Larraine Johnson-Sorrell and passed by a vote of 7 in favor, 0 opposed and 1 abstention.

6. NEXT REGULAR CLUPC MEETING

The next regular CLUPC Meeting will be held on Sunday, June 10, 2018 at 10:00 a.m.

7. ADJOURNMENT

A motion was made by Charles Chee to adjourn the CLUPC Meeting, seconded by Thomacita White. The motion was passed by acclamation. The motion adjourned at 1:02 p.m.