

**TSAILE/WHEATFIELDS CHAPTER
COMMUNITY LAND USE PLANNING COMMITTEE MEETING
Sunday, September 10, 2017
9:00 a.m.**

A G E N D A

PRESENT: Lucinda Davis, President
Margie S. Begay, Vice President
Marjorie Johnson, Secretary
Charles Chee, Grazing Official/CLUPC member
Thomacita Davis, CLUPC Member
Wesley Begay
Charlotte Begay
Larraine Johnson-Sorrell
Victoria Notah
Paul Yoe
Emma Yoe

RECEIVED

SEP 12 2017

Tsaile/Wheatfields
Chapter BY: psb

1. ORDER OF BUSINESS

- A. Call to order/Welcome
The meeting was called to order by Lucinda Davis, CLUPC President at ????
- B. Invocation
The invocation was offered by Charles Chee, Grazing Official/CLUPC Member.
- C. Adoption of Agenda
The agenda was read into the record by the CLUPC President. A motion was made by ??? to accept the agenda as presented, seconded by ??? and passed by a vote of ____ in favor, ____ opposed and 1 abstention.
- D. Announcements
 - Tsaile/Wheatfields Veterans Meeting, Tuesday, Sep 12, 2017 @ 5:00 p.m.
 - Tsaile/Wheatfields Chapter Meeting, Sunday, Sep 17, 2017 @ 1:00 p.m.
 - Joint Farm Board/Water Users Meeting, Sep 17, 2017 @ 8:00 a.m.
 - FY 2017 Agency Monthly Grazing Committee Meeting, Chinle Chapter @ 9:00 a.m.
 - Grazing Committee Meeting, Tsaile/Wheatfields Chapter @ 3:00 p.m.
 - Voter's Registration Closes, September 25, 2017

2. REPORTS: A motion was made by ??? to defer reports to the next CLUPC Meeting, seconded by ???; and passed by a vote of ____ in favor, 0 opposed and 1 abstention.

- A. President
- B. Vice President
- C. Secretary
- D. Grazing Committee Member
- E. Staff/Others

A motion was made by Marjorie Johnson to amend the agenda to add F. Amend CLUPC Policies and Procedures to agenda, seconded by Margie S. Begay and passed by a vote of 6 in favor, 0 opposed and 1 abstention.

3. OLD BUSINESS:

- A. CLUPC Budget Request: Marjorie Johnson referenced the CLUPC Policies and Procedures, stating she believes the Policies and Procedures allows for two CLUPC meetings per month. With the numerous projects and issues facing CLUPC she recommended the Chapter CSC be requested to budget for two CLUPC meetings per month within the Tsaile/Wheatfields Chapter FY 2018 budget. A motion was made by Marjorie Johnson to submit CLUPC request for budgeting of two CLUPC meetings per month within the Chapter FY 2018 budget, seconded by Margie S. Begay and passed by a vote of 6 in favor, 0 opposed and 1 abstention.
- B. Illegally Parked Trailer Issue – Request Land Department attend CLUPC meeting: Mike Halona, Manager for the Navajo Nation Land Department was requested and confirmed attendance at the CLUPC Work session but did not show. Discussion was held on the continued need for guidance from the Land Department on the issue of illegally parked trailers. Relative to specific issue, the party does not have a homesite lease for the illegally parked trailer. Charles Chee stated one Resource Officer per agency to enforce Homesite Lease policies was not sufficient. First violation/citation is warning costing \$200.00; fines continue going up. A motion was made by Margie S. Begay to have the grazing official continue to resolve the issue and for CLUPC to write another letter to Mike Halona to attend a future CLUPC meeting, seconded by Thomacita Davis. Motion passed by a vote of 6 in favor, 0 opposed and 2 abstentions.
- C. Request Navajo Nation CDMP Attend CLUPC Meeting: CDMP was invited to attend the CLUPC Work Session but no representative was present. Providing background on this agenda item, Marjorie Johnson stated CDMP was to provide technical assistance on how CLUPC could amend the completed survey for the Tsaile/Wheatfields community cemetery site to include the access road. If this is possible, it would save money allocated for clearances and survey for access road. A motion was made by Marjorie Johnson for CLUPC to write another letter to Sharylynn Yazzie, CDMP Manager to attend the next CLUP meeting, seconded by Margie S. Begay, passed by a vote of 6 in favor, 0 opposed and 2 abstentions.

4. NEW BUSINESS

- A. NTUA Natural Gas Proposal: Lucinda Davis provided background on the Natural Gas Proposal presented to CLUPC at the September 6, 2017 work session, stating she believed the proposal carried a high price. Lorraine Johnson-Sorrell, community member, stated the proposal was already presented to NHA tenants and a lot of people did not support it. Charles Chee stated NTUA piggy-backs on other ROWS and he questioned the \$12 million cost requesting additional research. Margie Begay recommended CLUPC exercise due diligence and meet with Chapters listed as stakeholders to determine interest, and meet with Chapter CLUPC groups. Additional comments include will NTUA bore the Chinle Wash, Chapters would be required to hire certified plumbers, need for public hearings, possible renewable energy projects, other options and will cost be passed onto utility users via NTUA bills and/or to the Dine' College students. A motion

was made by Margie Begay to meet with Tsaile/Wheatfields Chapter officials immediately after the Tsaile/Wheatfields Chapter Meeting on Sunday, September 17, 2017 to discuss the issue, seconded by Thomacita White and passed by a vote of 6 in favor, 0 opposed and 2 abstentions.

- B. Dine' College 25 Year Land Lease: CLUPC Vice President provided background on presentation by Dean Gamble on their request for Tsaile/Wheatfields Chapter support for Dine' College's proposal for a 25 year land lease; although the land was withdrawn almost 50 years ago, the College never pursued official land withdrawal, documents are not signed, the proposed map is not correct and includes areas where people have existing homes/leases and is disputed by many community members. It was noted the compliance reports show only 173 acres of the entire land withdrawal was inspected. Alfred James supported the presentation on the fenced area but CLUPC recognize flaws in his presentation. There are land owners with permits that never gave consent. Mr. Gamble was informed the issue would be discussed by CLUPC before any recommendation was forwarded to the Tsaile/Wheatfields Chapter.

Wesley Begay voiced his interest on the proposed Land Lease stating the proposed designation includes areas where homes/cabins, graves and approved homesite leases exist. There were many complaints on the original boundaries. He asked what will happen to those houses?

Larraine Johnson-Sorrell provided history on the land withdrawal stating many had their homes on the land long before the College was built, the withdrawal was based on a number (acreage) arbitrarily thrown out by BLO employee. She opposes the proposed 25 year Land Lease. Ron Beloli, Dine' College employee, fenced in the circle stating that was the only area the College could adequately handle, security, etc. One summer, a study was done by College Interns and Thelma Johnson, Dine College employee, who walked the area to identify where markers were located. The minutes of prior meetings should be available at the College. The proposed boundary overlaps approved homesite leases held by Rex Johnson and Geoffrey Johnson.

Margie Begay stated CLUPC discussion should be on what plans will be initiated from CLUPC to determine who has concerns in this area before any action is taken on a resolution. CLUPC is in the situation to outline plan of action. The information will be stated in the minutes, many of the Elders who were involved in the original land withdrawal have passed on, other family members have their homes in the area. CLUPC must invite all affected individuals to the meetings, CLUPC needs all documents and maps. It was confirmed information was emailed to CLUPC members by Dean Gamble. Instructions were for him to leave the complete proposal and copy of the map with the Chapter CSC, adherence could not be confirmed.

Charles Chee, grazing official, stated all affected individuals were informed of the Dine' College 25 Year Land Lease proposal and invited to the CLUPC meeting. (It is noted at this point in the meeting, only Wesley Begay was present.) The presentation stated the water pump belongs to the College; No, it doesn't belong to the College. Charles Chee drew a map (to be attached as exhibit to the minutes) showing the proposed boundaries of the 25 Year Land Lease, showing areas and dates specific areas were fenced in, existing homesites, graves, sweatlodges, gardens, etc. A 2007 Chapter meeting was held because of the fencing and proposal was discussed to realign boundaries. He is aware of a meeting between Dean Gamble and the Chapter President back in April 2017 at which time he disputed the map and boundaries and stated he would not approve the lease for Dine' College.

Marjorie Johnson stated her presence at the Dine' College Board of Regents meeting held in Window Rock on Friday, September 8, 2017; although she didn't remain in the meeting, Dean Gamble was present and she believes a presentation was provided to the Board.

Charles Chee stated the resolution is dated 1958 and the College actually opened in 1968 in Many Farms. There is a 1973 Resolution on the fencing. There was a 10 days project to fence the area in 1974, and a 20 day project in 1984. At a meeting in 2007, the College met to realign the College boundaries that would include land across NR 64, areas where Thomas Begay and homes all the way to the junction with proposal to remove all homes to conduct buildings. This was not approved.

Marjorie Johnson recommended CLUPC request the minutes of the Dine' College Board of Regents meeting held on Friday, September 8, 2017.

Margie Begay requested a list of all residents as of September 2017 so they can be made aware of the proposal; CLUP needs a complete set of the lease documents and maps; CLUPC to request Dine' College meeting minutes, CLUPC should have been informed of the Dine' College's intent and invited to the meeting; and CLUPC members need to walk the area to view the fencing, markings, etc. There are complaints of the College dumping trash within the College areas and should be noted. Ms. Begay recommends CLUPC schedule meeting with all people to educate them on the proposal and receive input of all individuals. This will help CLUPC determine plan of action before a final resolution is forwarded to the Tsaille/Wheatfields Chapter.

Larraine Johnson-Sorrell stated prior efforts by Frank Begay, NHA employee, to obtain land South of the College through imminent domain were not successful.

A motion was made by Margie Begay for approve a CLUPC Resolution to the Tsaille/Wheatfields Chapter recommending the Tsaille/Wheatfields Chapter issue a Cease and Desist Order to Dine' College to cease and desist all activity on the Tsaille Dine' College 25 Year Land Lease until all concerns are addressed by the Chapter, seconded by Marjorie Johnson and passed by a vote of 9 in favor, 0 opposed and 1 abstention. (TWCLUPC-17-007 to be developed)

Victoria Notah made comments on the intent of the original land withdrawal for Dine College only and approval of 1 acre for pre-school; other areas have since been added on. They also said they wouldn't fence again but at the elementary school, two fences have been constructed. Why are they continuing to take land? When proposal was supported by Clauschee sani and Charlie Benally, they were told to move the proposed site to their own area. This is stolen land. At a meeting held in Window Rock, comments were made about the Tsaille people being drunks and had no say. That may be true about one person but others are not like that; they should have respect for our people; they were asked by Nelson Begay to stop making those comments.

Efforts are made to include all comments made by community members.

- C. Resolution: CLUPC resolution TWCLUPC-17-004 was read into the record, Recommending the Tsaille/Wheatfields Chapter Allocate Available Funds Within the Fiscal Year 2017 Chapter Budget Line Item XXX in an Amount Not to Exceed 34,000 for the Purpose of Fencing the Tsaille/Wheatfields Community Cemetery. A motion was made by ??? to approve Resolution

TWCLUPC-1-004, seconded by ????? and passed by a vote of ____ in favor, ____ opposed and ____ abstentions. (PAULA – LINE ITEM NEEDED).

- D. Resolution: CLUPC resolution TWCLUPC-17-005 was read into the record, Recommending the Tsaille/Wheatfields Chapter Support the Navajo Nation Fish & Wildlife Initiative to Complete the Wheatfields Lake Development Through Request(s) for Sihasin Funds. A motion was made by Marjorie Johnson to approve the resolution as read, seconded by Margie S. Begay and passed by a vote of 7 in favor, 0 opposed and 4 abstentions.
- E. Resolution: CLUPC resolution TWCLUPC-17-006 was read into the record, Recommending the Tsaille/Wheatfields Chapter Support and Approve the Tsaille/Wheatfields Chapter FY 2018 Infrastructure Capital Improvement Plan for Navajo Nation FY 2018 Funding. Charlotte Begay requested consideration of 3.5 mile Ram Pasture to NR 64 road project. She requested a joint effort between Tsaille and Many Farms Chapters to complete the project. Justification includes redirecting traffic from Tsaille to Chinle to Many Farms. Margie S. Begay asked about required clearances for the project; Ms. Begay stated archaeological, biological and environment assessment have been completed.

A directive was made by Margie S. Begay to add the project to the Tsaille/Wheatfields Chapter FY 2018 ICIP, approved by consensus of CLUPC members. Ms. Begay was requested to obtain a support resolution from Chinle Chapter. Historical information includes regarding appropriation by Congressman Renzi was presented. A motion was made by Marjorie Johnson, seconded by Charlotte Begay to approve the resolution with amended Tsaille/Wheatfields Infrastructure Capital Improvement Plan 2018 – 2023, to include 3.5 Ram Pasture road project. Motion passed by a vote of 11 in favor, 0 opposed and 2 abstentions.

- F. CLUPC resolution (TCLUPC-17-008) amending the Tsaille/Wheatfields CLUPC Policies and Procedures to confirm two (2) CLUPC meetings per month and request Tsaille/Wheatfields CSC to include meetings within the FY 2018 Chapter Budget. Justification for the two meetings include completion of existing projects and new issues presented for CLUPC consideration. A motion was made by Marjorie Johnson, seconded by Charlotte Begay to approve CLUPC resolution as proposed, passed by a vote of 11 in favor, 0 opposed and 2 abstentions.

5. **SCHEDULING CLUPC MEETING/WORK SESSION:** Discussion of the NTUA Natural Gas proposal resulted in a motion was by Margie Begay to meet with Tsaille/Wheatfields Chapter officials immediately after the Tsaille/Wheatfields Chapter Meeting on Sunday, September 17, 2017 to discuss the issue and previously approved. The Tsaille/Wheatfields will meet in an official CLUPC Special Meeting with Chapter officials as stated above.
6. **CLUPC ANNUAL MEETING:**
- A. The CLUPC Annual Meeting will be held on October 8, 2017 to elect officers for FY 2018.
7. **ADJOURNMENT:** A motion was made by Thomacita White, seconded by Margie S. Begay to adjourn the meeting, approved by acclamation. The CLUPC meeting adjourned at 1:00 p.m.