

# TSAILE/WHEATFIELDS/BLACKROCK CHAPTER

## Community Land Use Planning (CLUP) Committee Meeting

Monday, October 07, 2013

### *Meeting Minutes*

#### **1. ORDER OF BUSINESS**

- A. Meeting To Order by Presiding President: Meeting called to order at 3:15 pm, by President, Ms. Lucinda Davis. Roll Call, and gest acknowledgement.

P	Lucinda Davis	A	Kathy John	P	Thomas Litson
P	Marjorie Johnson	P	Lupita McClannahan		

- B. Invocation: Ms. Marjorie Johnson

- C. Adoption of Agenda: Review and adopt, Mr. Thomas Litson, Sec., read the proposed agenda, and there were some additions made to the under 3.New Business, A. Wheatfield Lakeside Store and B. Tsail Junction Incubator. The agenda was also left open for any add on during the course of the meeting. Motion to adopt by , Ms. Lupita McClanahan, Member, seconded by M. Johnson. Vote: 6 in favor, 0 opposed, 1 abstain. The agenda is adopted.

- D. Approval of Meeting Minutes: September 19, 2013. Minutes of the last meeting read by sec, Litson. M. Johnson had one question about her name use in the minutes as if she eas present at that meeting, which was clarified that her name was in the minutes reference to some duties that was to be addressed. There were no other questions or corrections. Motion to approve the minutes of 9-19-13, was made by Ms. McClanahan and seconded by M. Johnson. Vote: 7 in favor, 0 opposed, 1 abstain. The minutes of the last meeting is approved.

- E. Announcements

- a. District 11 Grazing Committee Meeting, October 7, 2013 10:am Lukachukai
- b. Chinle Agency Council Meeting, October 12, 2013, - 10: am Lukachukai Chapter
- c. Wheatfield Chapter meeting, October 20, 2013 10: am
- d. Farm Board/WUA meeting- October 28, 2013- 1:30 pm T/W chapter
- e. Veterans Meeting, October 8, 2013- 6: pm T/W Chapter
- f. Flu Shot, T/W Chapter, October 8, 2013- 9: am thru 3: pm
- g. District 11 Grazing Com. Mtg. November 4, 2013, Wheatfield Chapter, Litson ask for donation for side dishes and other items for lunch at this meeting.

#### **2. Old Business:**

- A. Data Collection- Status: Pres. Davis informed the committee that there was not enough information at this time to take any action. The committee needs at least 4 hours to meet on this subject. Ms. Johnson told the committee and membership present that this meeting was set for a weekday so the Chapter administration could attend and provide some needed information, Paula, CSC, was not present. Identifying and reviewing the E-911 is needed. **A meeting for October 20, 2013 after the Chapter meeting** was determined and a motion made by Litson, seconded by Johnson. Vote; 7 in favor, 0 opposed, 1 abstain. Motion carries.
- B. Housing; Pres. Davis, told the committee that this item is on the proposed housing site for Marble Hill area. Some information was needed at this time. Documentation on the land withdrawal and funds need available was questioned. Johnson ask of what the funding situation was, and what was the outcome of the meeting with NHA at the Scottsdale meeting. Litson was confused on the actual location and was cleared that it is near the proposed cemetery site off highway 12. Darrell Williams, Navajo HMO, NHA, Housing Tech. was recognized to the floor. Williams introduced himself, and went to inform the committee that he has sent out letters to all the chapters, dated 8-20-13 which he handed out to all that was present, (letter is attached). He went on to say, we can work with him for outreach and assist with land withdrawal. He has worked on this at the chapter level in Aneth. He also stated that HMO can help in mapping, etc. Johnson made clear that a meeting with his office is needed. McClanahan agreed. **A meeting was schedule for October 17, 2013- 3: pm in Navajo, NM** to review and go over speculations on housing development. Motion by Johnson and seconded by McClanahan. Vote: 7 in favor, 0 opposed, 1 abstain. Motion carries for above mention meeting date.
- C. Cemetery: Pres. Davis reported that Chapter Service Coordinator, Ms. Paula Begay is working on the clearances and is in communication with Navajo Land Dept., and well get all necessary surveys and studies done. Johnson mentions that she has had this for a year and wants her comment on the record. Pres. Davis said that this project is moving on and we need to work with Ms. Begay to complete it. Davis moved to item C. 1. Plan of Operation; This POO needs to be done and a plan from Chinle Chapter is a good reference to use in aiding our plan. Johnson said that we do need to use our available resources. Davis stated that the chapter needs their input on the plan development as well. Litson inform the committee that Navajo Forestry, M. Yazzie, are very busy taking GPS data of home sites within the forest area and have not done a field visit to the propose site as well as other home site requests. Litson pointed out that this Chapter needs to get a GPS system in place to make things easier since Forestry has a detailed mapping system where they approve or deny any clearances without a physical visit on most requests. Other projects do need GPS work since most departments are going technical. Honorable Nelson Begay stated that the Chapter, Grazing, Farm Board, and other subcommittee need their GPS tool. He also stated that we need written reports form chapter administration, and committees and keep a chronological record of project activities. M. Johnson recommended that the Chapter obtains a GPS system and get written records on a regular basis form all parties for current projects. Johnson made a motion to this effect, seconded by McClanahan. Vote; 7 in favor, 0 opposed, 1 abstain. The motion is carried.

D. Priorities: Pres. Davis made aware to the committee that this item is due to a request by Litson or McClannahan that we need to prioritize our projects so CLUPc can address the needs, concerns and proposed projects in an order that can expedite these issues. Davis also mentioned that we have no written plan on hand. The plans are not worked on. Delegate, Begay Stated that he has always gave concern about the Chapter Strategic Planning, which we spent \$11,000.00 to develop a plan at all levels, yet the chapter is not going forward on this. Litson stated that at the Flagstaff meeting most project goals, short or long term, no one stepped forward to taken on and see though that these goals were moved along, only a few issues an individuals stepped up to some of the goals. **Davis recommended that this committee addresses the continuation of the Strategic Planning process, and that we should put this on the next agenda, for November 10, 2013, Wheatfield Chapter, at 10: am.** A motion was made Johnson to this set date. Second by Litson. Vote: 7 in favor, 0 opposed, 1 abstain. The motion is carried.

### 3. New BUSINESS

A. Wheatfield Lakeside Store, LeVon Thomas: Pres. Davis recognized Mr. Anselm Harvey, Chinle RBDO, to address this item of the agenda. Mr. Harvey introduced himself and thanked the committee for his time. Mr. Harvey handed out a drafted, proposed supporting resolution under CLUPc heading, titled: Supporting and Recommending the Approval of Business Site for LeVon T. Thomas on One (1) Acre of Land at the Former Bessie Yazzie Business Site in Wheatfields, Navajo Nation (Arizona),(propose resolution is attached to the minutes). Harvey went on to inform the committee Mr. Thomas has applied for this lease and that he is working with him to establish a business site lease with him. Harvey gave a brief general outline on the protocol and process of business site leasing. The lease of one acre in this proposed site was viewed by map, provided by RBDO. Harvey also mentioned that this area is within land jurisdiction of Fish and Wildlife, Parks and Recreations which was relinquished by the chapter. Harvey then went on to say that base on the map he showed that some question may arise since some other structures are within and out sided of the lease area. Harvey continued to review to the committee Mr. L. Thomas' lease request process. The 25 year lease is for the 1 acre lease only. BIA use to issue and finalized these leases, but Navajo Nation is now doing the process. M. Johnson questioned Harvey what Chinle RBDO has thus far done with Mr. Thomas' application. Harvey said Thomas has submitted his letter of intent, business plan and all necessary documentation that they at the point now in giving the courtesy to the chapter to address this request. The committee question the expiration date of the late Bessie Yazzie lease. 1991 was the year given by RBDO rep. Harvey. Another question At this time Pres. Davis recognized Mr. LeVon T. Thomas, Junior and son to Mr. and Mrs. Levon Thomas. Mr. Thomas introduced himself and commented on the current family business how he is in the process of acquiring the business site of the former B. Yazzie. He further pointed out how they are a part of the community and assist with community when needed, i.e., winter months help with community with harsh weather conditions, by using their equipment of the trucking business that is mention in the proposal. Also as a store they help with local customers with convenience, due to the isolated area. M.

Johnson questioned, on how or if any the trucking business and the store could or be in conflict with this proposal. Mr. Thomas stated that he is looking for other staging areas for the trucking business but at this time he is focusing on the one acre in question but is disclosing his additional ventures. Mr. Thomas also said that some of the pipes and trailers belong to Navajo Parks and Rec., which they have not any disposition on. Litson questioned on the trucking and store business, in that, is there enough land, is the 1 acre suffice? Some businesses are in limbo due to lack of land. Mr. Thomas responded, yes he is looking elsewhere at this time, Tsaile, Chinle, and other sites. Litson also mention some establishments' have on site living quarters, my concerns is the mobile home and other structures outside the proposed area. Mr. Thomas said yes security issues are a factor.

>at this time the committee and membership present made many additional out of order comments. Mr. Levon Thomas Sr., states the resident area was there as of 1983. As of now the area outside the expired lease area is under Fish and Wildlife. Johnson, Litson, made additional concerns and questions with Harvey the time frame of dates, and is the application proper. Harvey made claim that DOJ has made an order to evict the Thomas family from this area due possible EPA findings, and was given 90 days to clean up and address other issues, (unclear on who the order was directed to). Honorable Nelson Begay was recognized at this time. Begay pointed out that there is more to this and Mr. Harvey, RBDO, did not disclose the breath of this matter. The Chapter Officers and the administration should be here to discuss this with this committee and the Thomas family now. The Chapter wants this area as their own business for certification reasons. Yes, responded Rita Thomas, mother of lease applicant, and went to state that EPA and DOJ come and inform of our eviction but then gave us 90 days to make proper their concerns. She also went to say that have been running this business before power lines and other infrastructures. We used generators and haul water too, said Ms. Thomas. Sec. Litson, as Grazing Rep. ask why the eviction and was there administrative remedies made or exhausted. Nelson Begay said EPA was made involved due oil spills near the lake. The site lease and other leases within this area was touched on by the committee and membership present, which as the Watson site, why is there port-a-johns there without RBDO knowledge or is there an agreement. Other possible sites and or modification were discussed by the committee. One question is who initiated this eviction. Who is sponsoring this eviction? Johnson made point on this and second was the home there next to the site, is this grandfathered. Third, is there a chapter resolution to evict a Navajo family from Navajo Land with or without due process? More discussion were made i.e. EPA, findings and Harvey said documented responds states potential spills is possible but not confirmed. A Ms. Begay (of EPA?), directed to clean up and apply for a business site lease within 90 days, and so for this is and or is being met. BSL with letter of intent has been received and RBBDO ready to move forward with this. Food safety issues were also addressed and were cleared stated RBDO rep., and the Thomas family. Lupita McClanahan stated that a meeting was set and CLUPC did make some recommendations, and she is going research and obtain those documents. Johnson pointed out that proper representation from all parties should be at meetings of this nature, due to, Levon Sr. making a meeting via a Navajo dept. rep informing of a meeting that day.(date unknown but acknowledge by Lupita McClanahan, CLUPC member at that time). Davis questioned RBDO if Watson lease is still their Department? Answer, yes. **Motion by Johnson, 1. Litson**

**to find current home of Thomas family to have grandfather status or not, 2. Research Fish and Wildlife jurisdiction on this issues and all other Business site leases round Wheatfield Lake, i.e. the port-a-johns on Watson lease. 3. Lupita, acquire all previous documentation pertinent to this matter. 4. Inform all parties of interest to attend the next CLUPc meeting of 11-10-13. Seconded by McClanahan. Vote: 7 in favor, 0 opposed, 2 abstain. This motion is carried.**

B. Tsaile Junction Incubator- RBDO- Status; Davis with respect and much opportune timing remand with this meeting and help address this topic. Davis asked Harvey an update if any on the Tsaile Junction Business Site leasing and funds available. Harvey funds for new business on Navajo are pending. Cross Roads Convenient Store has a lease at the old Wilkinson store, are within the 3 year development and bond financing list. The former Vernel Oliver, 1.5 acre, Sam and Delbert Yazzie, and Ned Benally both 1.5 acres as well are available. Johnson made reference to CLUPc plan zoning various businesses in certain areas but Harvey, RBDO, did not make a clear responds on this question. Some of the site are not ready or have proper infrastructures to bring in business. Levon Thomas Sr. told the committee that the cost to bring in sewer, water and other needed plans should be done now and worked on in concert with the upcoming Hwy 12 road improvement. N. Begay agreed that NECA can work with us on projects are ready with funds and cleared. He also mentioned that Cross Roads has no startup capital now. But Harvey and Hubbard of RBDO are at the door to assist with bond financing. NABI has table some funds but it well still go to the council, maybe this fall session. Oct. 21 - ?, 2013. Some more discussion were made by the committee and membership present such quality products and services. Motion by Johnson that Mr. Harvey, RBDO-Chinle gives a report and plan for Tsaile Junction Business site, infrastructures, water, sewer, pre-planning of lagoons and roads to the committee as soon as possible. Second by McClanahan. Vote: 6 in favor, 0 opposed, 3 abstain. Motion carries.

#### **4. Reports**

A. Request by Johnson for a report on the Horse Round-UP, Litson, G. C. M. D-11: Litson took to floor and made a brief report on the horse round up. August was the initial announced round up, and up to Oct 31, 2013 have an unannounced round up every month until then. So far the chapter is working very close with him on this and Litson gives thanks. 87 horses have been processed and is waiting on NN Dept. of Ag and Dept. Resource Enforcement to honor the chapter incentive. NNDOA is schedule for Chinle agency the last week of October so we look forward to work with them again. Litson questioned the cost of NNDOA round up and would like a detailed report on their efforts. There were no questions. Litson concluded his report. Motion to accept the report by Johnson, second by McClanahan. Vote: 3 in favor, 0 opposed, 2 abstain. The report is accepted.

#### **5. Items for NEXT MEETING; Items for the next meeting are in the minutes. No action taken**

#### **6. NEXT MEETING: Set for November 10, 2013, at 10:00 am Wheatfield Chapter**

- 7. ADJOURNMENT: Motion by McClanahan to adjourn the meeting, seconded by Johnson. All in favor, meeting adjourns at 6:30 pm.**

Minutes compiled by Thomas Litson, CLUPc sec.