

Chinle Chapter Government

THE NAVAJO NATION

Myron McLaughlin
PRESIDENT

David Yazzie, Jr.
VICE PRESIDENT

Cynthia Hunter
SECRETARY/TREASURER

Eugene Tso
COUNCIL DELEGATE

Oscar Bia
GRAZING COMMITTEE MEMBER

REGULAR CHAPTER MEETING

December 15, 2019 – 1:00 PM

AGENDA

- I. Call Meeting to Order
- II. Invocation
- III. Review and Approval of Agenda
- IV. Review and Approval of Last Meeting Minutes
- V. Financial Report
- VI. Announcements:
 - a. Chinle Chapter Housing Discretionary Applications will be accepted beginning Monday, December 16, 2019, deadline to submit applications is Friday, January 03, 2020 at 5:00PM.
 - b. Chinle Community Christmas Program will be held at the Chinle High School Gymnasium on Saturday, December 21, 2019 from 10:30 AM.
 - c. Chinle Chapter will be closed Tuesday, December 24 and Wednesday, December 25, 2019 in observance of the Christmas Day Holiday.
 - d. Chinle Land Use Planning Committee is scheduled for Thursday, December 26, 2019 at 9:00 AM.
 - e. Chinle Chapter will be closed Tuesday, December 31, 2019 at 1:00PM.
 - f. Chinle Chapter will be closed Wednesday, January 01, 2020 in observance of the New Year Holiday.
 - g. Chinle Chapter Monthly Planning Meeting is scheduled for Monday, January 07, 2020 at 5:30 PM.
- VII. Old Business: None
- VIII. New Business:
 - a. CHIN-DEC-19-072: Approving and Supporting the Navajoland Nursing Home, Inc. (NNHI) a non-profit organization to have grants (when approved) be accepted, received and administered through the certified Chinle Chapter Government. *Sponsor, Wayne Claw*
 - b. CHIN-DEC-19-073: Supporting an amendment to the Sales Tax at 24 N.N.C. § 605(b) so chapter tax ordinances are approved by a majority of votes cast rather than a majority of registered voters. *Sponsor, Myron McLaughlin*
 - c. CHIN-DEC-19-074: Opposing the Department of Dine' Education's proposed School Board Regionalization plan to contact under Public Law 93-638 to assume control and responsibility for Navajo District Education Operations and Recommending the enforcement of existing laws cited at 11 N.N.C., Subsection (B)(C)(D) and (E) related to school Board Apportionment.
- IX. Reports
 - a. Eula Billie, JMI, Chinle Health Promotion
 - b. Eugene Tso, Council Delegate
 - c. Chapter Officials
 - d. Oscar Bia, Grazing Official
- X. Adjournment

CHINLE CHAPTER MEETING
December 15, 2019 – 1:00 PM
MINUTES

I. CALL MEETING TO ORDER by Chapter President, Myron McLaughlin at 1:43 PM

II. INVOCATION by Oscar Bia, Grazing Official

III. REVIEW AND APPROVAL OF AGENDA

Motion to Accept Agenda by Leo Max Begay, Second by Wayne Claw

Cynthia Hunter, the Agenda I developed did have Ms. Stephanie Wilson under reports, Walton printed his Agenda without her name. Eula text that she would not be present today so I suggest we replace Eula's name with Stephanie to do a report.

Myron McLaughlin, asked motioning parties if it is ok to place Stephanie Wilson, CCIT on Reports in place of Eula Billie who will not be present.

Motioning Parties Agree

Vincent Thomas, questioned the cast votes and registered voters

Myron McLaughlin, the laws contradict under Title 26 and Title 11, we will discuss when we get to New Business

VOTES: 26 in Favor, 0 Opposed and 3 Abstentions

IV. REVIEW AND APPROVAL OF LAST MEETING MINUTES by Cynthia Hunter

Motion to Accept Last Meeting Minutes by Wayne Claw, Second by Francis Draper

VOTES: 26 in Favor, 0 Opposed and 2 Abstentions

V. FINANCIAL REPORT by Myron McLaughlin

Motion to Accept Financial Report by Dorothy Smith, Second by Lorene Yazzie

VOTES: 25 in Favor, 0 Opposed and 4 Abstentions

VI. ANNOUNCEMENTS:

- a. Chinle Chapter will be accepting Housing Discretionary Applications from Monday, December 16, 2019 through Friday, January 03, 2019 at 5:00 PM.
- b. Chinle Community Christmas Program will be held at the Chinle High School Gymnasium on Saturday, December 21, 2019 from 10:30 AM.
- c. Chinle Chapter will be closed Tuesday, December 24 and Wednesday, December 25, 2019 in observance of the Christmas Day Holiday.
- d. Chinle Land Use Planning Committee is scheduled for Thursday, December 26, 2019 at 9:00 AM.
- e. Chinle Chapter will be closed at 12:00 noon on Tuesday, December 31, 2019 and all day Wednesday, January 01, 2020 in observance of the New Year Holiday.
- f. Chinle Chapter Monthly Planning Meeting is scheduled for Monday, January 07, 2020 at 5:30 PM.

VII. OLD BUSINESS: *None*

VIII. NEW BUSINESS:

- a. **CHIN-DEC-19-072: APPROVING AND SUPPORTING THE NAVAJOLAND NURSING HOME, INC. (NNHI) A NON-PROFIT ORGANIZATION TO HAVE GRANTS (WHEN APPROVED) BE ACCEPTED, RECEIVED AND ADMINISTERED THROUGH THE CERTIFIED CHINLE CHAPTER GOVERNMENT.** *Sponsor, Wayne Claw*
Motion by Wayne Claw, Second by Francis Draper
Wayne Claw, motions to amend the resolution to state "any and all Federal and State funding" also changes in Now, and Therefore Be It Resolved to include the same
Eugene Tso, there are already stipulations on state and federal funds, adding this may restrict other funds
Wayne Claw, under Title 26 Section 13 (c),(d) and (e) when a chapter becomes certified the chapter can accept and funnel funds through the Chapter, I withdraw my motion to make amendments to this resolution.

We can hire a unit aide, unit aides do not require a license, an elderly can have a helper six hours a day and can be paid with funds that are funneled through the certified chapter.

VOTES: 24 in Favor, 0 Opposed and 5 Abstentions

- b. **CHIN-DEC-19-073: SUPPORTING AN AMENDMENT TO THE SALES TAX AT 24 N.N.C. §605(B) SO CHAPTER TAX ORDINANCES ARE APPROVED BY A MAJORITY OF VOTES CAST RATHER THAN A MAJORITY OF REGISTERED VOTERS.**

Sponsor, Myron McLaughlin

Motion by Leo Max Begay, Second by Wayne Claw

Myron McLaughlin, the chapter held several public hearings to collect 2.5% sales tax on top of the 6% already collected by the Navajo Nation. This was to help the Chinle community with economic development and other projects. Chinle Chapter held a referendum election on November 05, 2019, 583 people cast their votes and the election with cast votes was in favor of the referendum. The Election Code Title 11 and Title 26 contradict one another, we will request Council to straighten this out at the same time still have our cast votes count.

Tom Mike, if you send a resolution to the Election Board then will they vote in favor of this?

Myron McLaughlin, this is to straighten out the language, personally I say the Election Code should supersede any other code.

Eugene Tso, Chinle Chapter has over 3,000 registered voters. The Election Board states the referendum election is valid IF half of the 3,000 voters could have voted but the law states the cast votes will be the deciding factor causing conflict. There is sufficient and insufficient stated on the Election Board resolution so it is out of order also contradicting. I requested my LDA, Joann Dedman to look into this.

Francis Draper, as constituents we do not know the difference in the laws and language between cast votes and registered voters. Maybe it's best the Chapter Officials go ahead and fill this out the way you want and pass this.

Myron McLaughlin, we need to have this legislation in place for it to move forward, our community needs to support this.

Eugene Tso Motions to amend resolution to include the date the votes were cast, Second by Dorothy Smith

Myron McLaughlin, we will include November 05, 2019, that is when the referendum election happened

VOTES to Amendment: 26 in Favor, 0 Opposed and 4 Abstentions

VOTES ON MAIN MOTION: 25 in Favor, 1 Opposed and 4 Abstentions

- c. **CHIN-DEC-19-074: OPPOSING THE DEPARTMENT OF DINE EDUCATION'S PROPOSED SCHOOL BOARD REGIONALIZATION PLAN TO CONTRACT UNDER PUBLIC LAW 93-638 TO ASSUME CONTROL AND RESPONSIBILITY FOR NAVAJO DISTRICT EDUCATION OPERATIONS AND RECOMMENDING THE ENFORCEMENT OF EXISTING LAWS CITED AT 11 N.N.C., SUBSECTION (B)(C)(D) AND (E) RELATED TO SCHOOL BOARD APPORTIONMENT.** *Sponsor, Maybelle Kelewood*

Motion by Leo Max Begay, Second by Francis Draper

Myron McLaughlin,

Maybelle Kelewood, I have been appointed and working as Nazlini Community School Board President for three years now, other Board Members are Marlieta Begay, JoAnn Dedman and Francis Morgan. Nazlini Community School receives Federal funding along with other schools in Many Farms and Cottonwood. Navajo Nation DODE wants Navajo Nation BIE to fall under them like the State Public Schools. School boards will be removed although we were elected by the people in our communities. Many Farms has their own school board as well, the board will be removed and there is no one relaying this message to the communities that voted us in. We

are opposing this because we want our constituents to have a voice in the education of their children, also because of the mismanagement of \$6M by DODE.

Francis Draper, some of us did not attend school to get educated, back from 1929 to 1935 I realized the people had a say in the approval of certain issues pertaining to their child's school. The way I see, if we keep following in this manner we will get removed and have no say in making decisions on behalf of our child's education. What is the main reason for this happening, did we do something wrong? Seems that this issue arose suddenly, it is true we had a voice in this by electing school board members, who will hear us if school boards are removed?

Myron McLaughlin, that is the truth what Mr. Draper stated. \$6M was mismanaged by the HeadStart Program, we do not want DODE to take over the Community Schools, they do not recognize their fiduciary responsibilities.

Wayne Claw, this has been talked about for about one year, DODE has been looking at the State Funds as well. They are trying to take away the rights, voice of the people. We do get \$29M from the State for our school and DODE wants some of those funds. Seems that the way they are handling things is what we as a community decided for our schools and reflects badly on us, as School Board we know the students and know what their needs are. Let the School Boards remain in place so our schools can operate smoothly.

Leonard Pete, No matter the organization as long as the mind is humble things can work, if the mind has impedance then they are not working smoothly. Many of our students have personal issues causing challenges in their education. The mind is powerful and many have deviated from making wise decisions, seems we just live day by day. Thank you for introducing this resolution.

Leo Max Begay, I've been school board member for 16 years, I am a prodigy of BIA schools. I support the BIA schools because of the fine education I received, I moved forward get higher education from there. Some of us have served the maximum amount of terms as school board members, DODE visits some of the BIA schools, they do want to take over and regionalize the school boards. Direct and administrative costs will be taken off the top and give less funds for the schools, our children and teachers need these funds, there might even be budget cuts. We need to be against DODE taking over, the schools are doing good now and the board members from the community know what is going on, what the students and schools needs are.

VOTES: 28 in Favor, 0 Opposed and 3 Abstentions

Maybelle Kelewood, Thank you for your votes, I would like to say that Nazlini Community School has 109 students, 17 dorm students and 196 staff. Recently \$100,000 was donated and used for students to travel to Disneyland. Our students also had a good experience with Cross Country competition. Other programs are the 50/50 immersion, FACE Program for participants and their parents from birth to school age. The State of Kentucky recognized and acknowledged the exceptional work of our staff, they invited us to Kentucky to be recognized.

Myron McLaughlin, seems that Public Hearings on "regionalization" were held this month, 12/11/2019 at Chinle Agency. Many Council Delegates are against DODE's plan, we will continue to follow this as it gets to the Navajo Nation Council.

IX. REPORTS:

- a. **Stephanie Wilson, Chinle Health Promotion** – Central Community Improvement Team with a support resolution approved by Chinle Chapter. Team include Betty Rose Draper, she has been attending meetings. Officers were appointed, Arthur Tracy, President, Nelson Charley, VP, Betty Rose Draper, Secretary/Treasurer (Chinle), this is a beginning and how far we have come to move forward and request the Chinle Chapter to keep supporting our team and efforts. Next is to do community work as far as community health issues. Health Conference to be held next Spring, World Café also are our future plans. Task Force Committee also looks into the HDNA Goals using the Unhealthy Food Tax.

- b. **Wayne Claw, NNH Inc.** *We have been requesting for funds for 8 years now, we are requesting Congress to change the way funds are distributed. Congressmen made changes to where 2020 to 2024, funds will be set aside. These will be allocated from January 2020, \$38M will be forwarded for this coming year and eight nursing homes will split this funding, we will receive \$48M by 2024. \$11M approved for renovations, \$500,000 approved for technical assistance and training (recurring funds). With our hard work, continuous follow-ups and prayers the documents were accepted by Congress in our favor. This is a blessing for the nursing homes because medication prices are high, our facility is full at this time and we are still receiving applications. Funds will be used for our residents so they do not have to pay any fees, funds will be used to meet their needs.*
Thomas Tsosie, *how many beds are there? With the 110 chapters, are there plans to develop nursing homes in these areas?*
Wayne Claw, *Chinle has 80 beds, the other facility on the south side of the lot will be renovated to provide a 19 bed hospice care. We requested \$21M and \$9M matching funds for our nursing home. I am not sure about other Chapters, that is at their discretion.*
- c. **Eugene Tso, Council Delegate** (See attached report) *The following are other issues I am working on:*
- *Violation of voter rights as far as Standing Committees legislations, I requested Speaker to make changes.*
 - *Veto and Overrides, we will meet on this Thursday.*
 - *Requested Nabik'iiyati' Committee to be changed*
 - *50/50 formula on distribution of funds has moved forward; there is also legislation for 70/30 and another 50/50 I didn't realize the chapter stipends were paid out of the 50/50 formula*
 - *Reverting BIA lands back to Trust Status and developing N27*
 - *Meeting in Tohajiileeh, NM on police officers; their 93-638 funds were audited and was not a good outcome, we have been requesting reports*
 - *Cross-commission/deputizing meeting was held at Twin Arrows Casino, ceremony held last Friday*
 - *\$4.6M to fix roads was also completed*
- d. **Myron McLaughlin, Chapter President**, *\$4.16666 per delegate (Leonard Pete) CPMD funds for Chapter projects, it has been 3 years and funds have not been forwarded to the Chapter. Projects are construction ready, we meet in Albuquerque, NM tomorrow with contractors Rock Gap for the kick-off meeting for Solar Street Lighting for N7.*
Airport is re-opened and in full operation.
I will continue working with Rueben Mike on wording for support Resolution on Panda Express. He will meet with Mike Halona and Elaine Young before presenting this resolution. 56 employees will work at Panda Express once developed.
Employees are working to request funds for the Community Christmas event to be held Saturday, December 21, 2019 so join us in celebrating this years holidays.
- e. **Oscar Bia, Grazing Official** *there are a lot of issues that begin from the top (Window Rock). We are the grassroots and we as Grazing Officials handle a lot pertaining to land, forage and water. We even observe the elderly and how they are cared for. I get telephone calls at all hours pertaining to livestock on right of ways or livestock getting hit on roads, land permits and disputes. The most is District 10 Grazing Committee on land permits and grazing permits for probate. I asked about one individual that received the land permit within four days, it is good to handle these as soon as possible. We met with RDC on issues, so we do attend a lot of meetings with grazing officials being at the bottom of the Agenda like today, the important resolutions do not get approved because people leave once their issues get resolved. I attended*

a Peacemaker Court for a Land Dispute that has been going on for more than eight years, the family settled the issue and made amends in court as I was still speaking. Afterwards I did a follow-up with the family, they were still okay with sharing the land for farming and working together. Another peacemaker court issue between brothers was also settled, I threatened to take the permit so they do not have to have a dispute, they decided to share the land. Many unbranded cattle were also taken in, it now costs \$200 to take unbranded livestock to sale. Reduction in livestock to 10 units is also planned across the board from the Department of the Interior due to disputes between families. I picked up two cattle locally with brands that belonged to a family from near Kayenta. It seems the cattle have been missing for about 20 years, this was taken by Navajo Nation Rangers and no one disputed the removal of the cattle. I am able to research the brands if livestock are lost to see who it belongs to.

I will attend a meeting with Soil and Water Conservation tomorrow.

I do enjoy my job, have met several people and I do not intend to get ahead of anyone but work one on one with people with respect. I signed several homesite leases and two became disputed, the family plots were also talked about. The families were allowed to bury their loved ones at their own land because the community cemetery was filled, now the families continue the burials at their own plots causing concern for others living in the same area. This is still an issue and we continue to look into and discuss them. I also plan to have monthly permittee meetings for constituents. Funds for grazing officials might be given back to chapters to administrate for grazing officials.

Vincent Thomas, if you have a grazing permit, is there a specific area to build your barn and corrals?

Oscar Bia, If you have a homesite lease, that is specifically for your home not your livestock. If you have a land lease then you can fence in your range management unit this is done by having BIA approval. To avoid conflict you have to notify your neighbor before contacting the Grazing Official if you wish to work on land you consider is your area, only because neighbors might dispute this.

Vincent Thomas, the amount spent on building corrals, etc. outside your homesite area how much would it cost.

Oscar Bia, homesite is \$12 annually and the other has not yet been set. This is why people need to attend the permittee meetings that way this information is conveyed.

Francis Draper, the question asked – outside your homesite lease – the corral built there – is that the question? If you own land, and you do not work on it after two years can someone else take that over? Many areas down the canyon have not been worked on for years.

Oscar Bia, I have not heard this from Ben Begay and I do not know if a resolution has been passed to state the two years.

Francis Draper, Chinle boundary line also was established and businesses were allowed two years for construction of their business. Many sites were approved for businesses but so far there is nothing established in those sites so that is my reason for asking the question on the two year development.

Oscar Bia, 260 acres was approved for the "City of Navajo" which is planned to be built by Mexican Water, near Route 160 which is a tourist route.

Francis Draper, NPS superintendent twice has had a meeting with residents and she told certain people of her plans for the Canyon that she would like to take over because of the two year stipulation. At the meeting last week there were very few residents and it seems NPS will eventually take over the canyon because people do not attend these meetings to speak on behalf of their areas. Many times we do not know the laws and cannot speak on this for our families.

Vincent Thomas, HPL/NPL they couldn't get the people to move, a fence was built through areas where the Navajo families worked and lived on for many years by the Hopis causing conflict. The way I see it, the issues that happened there at NPL is the reason for the laws that are subject for changing here.

Oscar Bia, I would like to set a meeting in the near future with concerned residents, Council Delegate Tso, Department of Agriculture, Parks and Recreation on these land issues, so that we may discuss and plan for the future.

Myron McLaughlin, Thank you for your report, we will accept Wayne Claw's report on NNH Inc. as well. It is time for the Holidays, please join us Saturday – Happy Holidays.

X. ADJOURNMENT at 4:45 PM

Adjournment Motioned by Francis Draper, Second by Dorothy Smith

VOTES: Majority Vote

Chinle Chapter Meeting Minutes for Sunday, November 15, 2019 respectfully prepared and submitted by Chinle Chapter Secretary/Treasurer, Cynthia Hunter

Cynthia Hunter
11/15/2019

Chinle Chapter Government
Sign-in Sheet

Date: 12/15/2019

☐ Planning Meeting

☒ Regular Meeting

☐ Special Meeting

- | | |
|---|--------------------------------|
| 1. President: <u>My Myll</u> | 21. <u>Robert</u> |
| 2. Vice President: <u>[Signature]</u> | 22. <u>W. H. H. Inc.</u> |
| 3. Secretary/Treasurer: <u>Rebecca Deuter</u> | 23. <u>Joe Bagg</u> |
| 4. Grazing Official: <u>Bill</u> | 24. <u>Tom Ivin</u> |
| 5. Council Delegate: <u>[Signature]</u> | 25. <u>Stephanie Wilson</u> |
| 6. <u>Catherine Brown</u> | 26. <u>Marl Brim</u> |
| 7. <u>Mary Becenti</u> | 27. <u>Lorene & Yazzie</u> |
| 8. <u>Kauna Bra</u> | 28. <u>Mary Ann Harens</u> |
| 9. <u>Dorothy L Smith</u> | 29. <u>Frank Brown</u> |
| 10. <u>Daniel Carroll</u> | 30. <u>Ella Draper</u> |
| 11. <u>Leonard H. Felt</u> | 31. <u>Michael Francis</u> |
| 12. <u>Tamara Brown</u> | 32. <u>Nancy Lewis</u> |
| 13. <u>Wm Kelwell</u> | 33. <u>Danny</u> |
| 14. <u>Coretta Skye</u> | 34. <u>Ryan Smith</u> |
| 15. <u>Sheena VanWinkle</u> | 35. <u>Marie B. Claw</u> |
| 16. <u>Pamela Ba</u> | 36. _____ |
| 17. <u>Glaunor Yod</u> | 37. _____ |
| 18. <u>Tom Mike</u> | 38. _____ |
| 19. <u>Vincent Thomas</u> | 39. _____ |
| 20. <u>Shirley Thomas</u> | 40. _____ |