

## CHINLE CHAPTER MEETING

September 29, 2019– 1:00 PM

### MINUTES (DPM 0131)

- I. **CALL MEETING TO ORDER** by Chapter President, Myron McLaughlin at 2:01 PM
- II. **INVOCATION** by David Yazzie, Chapter Vice-President
- III. **REVIEW AND APPROVAL OF AGENDA**  
*Motion to Accept Agenda by Leo Max Begay, Second by Oscar Bia*  
*VOTES: 22 in Favor, 0 Opposed and 6 Abstentions*
- IV. **REVIEW AND APPROVAL OF LAST MEETING MINUTES**  
*Motion to Accept Last Meeting Minutes by Wayne Claw, Second by Francis Draper*  
*VOTES: 23 in Favor, 0 Opposed and 6 Abstentions*
- V. **FINANCIAL REPORT** by David Yazzie  
*Motion to Accept Financial Report by Leo Max Begay, Second by Dorothy Smith*  
*VOTES: 26 in Favor, 0 Opposed and 6 Abstentions*
- VI. **ANNOUNCEMENTS:**
  - a. Chinle Chapters Monthly Planning Meeting is scheduled Monday, October 07, 2019 at 5:30 PM.
  - b. AmeriCorps is looking for eight (8) part-time members, applications are being accepted with the closing date September 30, 2019 (tomorrow).
  - c. Chinle Chapter Community Land Use Planning Committee has been abolished due to unavailability of funds, the final meeting was held this past month  
*Dwayne Billsie, when the planning committee was selected it was done by resolution, why was CLUPC abolished and where is the resolution to abolish this. You stated due to unavailability of funds, CLUPC was never placed to get stipends, it was always volunteer services. Abolish means we are doing away with this, maybe change this word to "suspended". If you are going to abolish then get the resolution to remove this committee.*  
*Myron McLaughlin, steering committee were selected as volunteers and Apache County granted funds for this group to work with, funds are depleted, the committee has few members and are not necessarily going by the intent they were established for.*  
*CLUPC is appointed by Chinle Chapter President and meeting stipends were at \$125 per meeting, under LGA certification there is really no requirements to have a CLUPC. President has the authority to keep the committee going, I did ask the Steering Committee to change their name due to funds that were depleted and their priorities have changed. Initially Steering Committee was established of members not required to be registered voters but as long as they were part of the working community they could be part of the Steering Committee. Later, during the amendment of the Plan of Operation it was voted by community members that the requirement for membership be registered voters.*  
*Ballot language for the Local Tax Ordinance was recently approved, if this gets approved by Chinle Chapter Community it will open the door for infrastructure and allocation, we will then need a zoning committee. We are hoping to transfer from CLUPC to a Zoning and Ordinance Committee for Chinle, this is a plan for the future. Our budget shortfall is \$80,000 for this chapter so right now, we want to do away with CLUPC and keep Steering Committee with a different name.*  
*Dwayne Billsie, you talk about infrastructure and business sites, how is economic development involved with the chapter?*  
*Myron McLaughlin, there is really no involvement, funds with RBDO need approval from Window Rock before it can be used. \$2.5 sales tax however has 15% going directly to infrastructure for Chinle community. As you are aware, land has to be raised 4 ft in order to build here, with the 15% we can complete infrastructure ahead of time before a business sets up shop. We will need to separate this business site leasing from the chapter, segregation of duties and we were told it cannot be political. Business Site Leasing has to have an approving committee, hopefully CLUPC can be the approving committee, every month or every quarter they will meet to approve business leases.*  
*Dwayne Billsie, this sounds fine and dandy but I believe you are putting the cart before the horse. You need to involve Economic Development, we need to step back a little, yes it might be within your authority to make decisions as Chapter President, but it is up to the people (gap), instead of abolishing perhaps*



change that to suspension until you are ready to make the changes. People still have a say so, you can't make decisions on your own.

**Myron McLaughlin**, under LGA certification we have not experienced everything that is listed that we can do. We don't automatically take over all business site leasing, RBDO still oversees the businesses. The lessee has authority to choose who they will be under RBDO or Chinle Chapter. We can change the word abolish to "suspend"

**Dwayne Billsie**, one more thing, does everyone understand what is happening here? How is the chapter government going to recoup funding if the land needs to be built up (raised up four feet) – the chapter is not ready for development.

**Myron McLaughlin**, this will be moved for further discussion to the planning meeting. We will use the word "suspension" for the CLUPC organization for now

**VII. OLD BUSINESS: None**

**VIII. NEW BUSINESS:**

- a. **CHIN-SEP-19-054: APPROVING BUDGET CHANGES TO THE FISCAL YEAR 2019 BUDGETS FOR THE CHINLE CHAPTER GOVERNMENT.** Sponsor, Walton Yazzie

*Motion by Wayne Claw, Second by Leo Max Begay*

*VOTES: 26 in Favor, 0 Opposed and 6 Abstentions*

- b. **CHIN-SEP-19-055: APPROVING THE FISCAL YEAR 2020 CARRYOVER BUDGET IN AMOUNT OF \$164,683.59 PLUS REVENUE RECEIVED ON SEPTEMBER 30, 2019.** Sponsor, Walton Yazzie

*Motion by Wayne Claw, Second by Francis Draper*

*Walton Yazzie, explained the carryover budget (attached)*

*Myron McLaughlin, please thank Quincy Natay for the turf they donated to complete the community softball field.*

*VOTES: 25 in Favor, 0 Opposed and 6 Abstentions*

- c. **CHIN-SEP-19-056: REQUESTING AND APPROVING \$114,724.40 CHINLE NAVAJO NATION DEPARTMENT OF SELF RELIANCE (NNSDR) FUNDS TO RECRUIT FORTY (40) ELIGIBLE DSR YOUTH CUSTOMERS TO PARTICIPANT IN THE SUBSIDIZED YOUTH EMPLOYMENT (SAE) INITIATIVE TO BE PLACED AT CHINLE CHAPTER FOR EMPLOYMENT BEGINNING JUNE 01, 2020 TO JULY 31, 2020.** Sponsor, Walton Yazzie

*Motion by Wayne Claw, Second by Leo Max Begay*

*VOTES: in Favor, 0 Opposed and Abstentions*

**\*\* Resolution numbers need correction CHIN-SEP-19-057 should be the appointment of Oscar Bia to Soil and Water Conservation District and CHIN-SEP-19-059 should be to support the Arizona House Representative for CNH, Inc. on the Agenda**

*Myron McLaughlin, motioning parties – are you in favor of the changes?*

*Okay with Francis Draper, Betty Rose Draper – Motioning Parties to correct the Resolution Numbers*

- d. **CHIN-SEP-19-057: APPOINTING OSCAR BIA TO THE CHINLE SOIL AND WATER CONSERVATION DISTRICT, BOARD OF DIRECTORS TO REPRESENT THE CHINLE CHAPTER.** Sponsor, Myron McLaughlin

*Motion by Francis Draper, Second by Betty Rose Draper*

*Eugene Tso, for your information CF-11-80 does have a new Plan of Operation. New MOA states they will work closely with elected official with funding from USCD so this might change. 10% cost share is usually what they work with.*

*VOTES: 26 in Favor, 0 Opposed and 6 Abstentions*

- e. **CHIN-SEP-19-058: SUPPORTING AND RECOMMENDING BIA, BRANCH OF WILDLAND FIRE & AVIATION MANAGEMENT TO CONDUCT HAZARDOUS FUEL REDUCTION AND RX BURN, WILD LAND URBAN INTERFACE PROJECTS NEAR THE COMMUNITIES OF FLUTED ROCK AREA.** Sponsor, Myron McLaughlin

*Motion by Dorothy Smith, Second by Ryan Smith*

*VOTES: 26 in Favor, 0 Opposed and 7 Abstentions*



- f. **CHIN-SEP-19-059: SUPPORTING THE ARIZONA HOUSE OF REPRESENTATIVE MEMBER, DISTRICT 7, ARLANDO S. TELLER'S AND THE ARIZONA HOUSE OF REPRESENTATIVES LEGISLATION BILL FOR NAVAJOLAND NURSING HOME, INC., REQUEST FOR NINE MILLION DOLLARS (\$9,000,000.00), 30% MATCHING FUNDS TO DESIGN AND CONSTRUCT A TRIBAL VETERANS NURSING HOME IN CHINLE, ARIZONA.** *Sponsor, Wayne Claw*  
*Motion by Leo Max Begay, Second by Wayne Claw*  
*Wayne Claw, Eight years ago Ann Kirkpatrick, Albert Hale and myself worked on House Bill 2716. Until recently it was dropped in the House Senate, we did meet in Washington on this. 30% matching funds lies with District 7 Representatives Arlando Teller and Myron Tsosie whom we have been meeting with about four times. This grant will be given to the Navajo Nation. Tuesday last week we had a meeting with Kenny Marks on 638 for veterans. There is a law in place CFR 26-2207 a and b. There has not been any funds for Nursing homes in the past until now and I have been updating the Veterans program. Also, Starbucks revenue of \$200 will be given to the Chinle Veterans Organization*  
**VOTES: 27 in Favor, 0 Opposed and 7 Abstentions**
- g. **CHIN-SEP-19-060: SUPPORTING THE NOMINATION OF EARL TULLEY TO REPRESENT CHINLE AGENCY ON THE NAVAJO NATION WATER RIGHTS COMMISSION AND REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL TO EXPEDITE HIS CONFIRMATION.** *Sponsor, Joann Dedman*  
*Motion by Leo Max Begay, Second by Dorothy Smith*  
*Earl Tulley, introduced himself that he is from Blue Gap and closely related to people from Blackwater Springs here in Chinle*  
*JoAnn Dedman, from Nazlini. This position has been vacant for 3 years vacated by former Judge Gilmore. We need your support to put Mr. Tulley in to speak on our behalf on water rights.*  
**VOTES: 28 in Favor, 0 Opposed and 7 Abstentions**
- h. **CHIN-SEP-19-061: APPROVING THE CHINLE CHAPTER GOVERNMENTS' FISCAL YEAR 2020 PROJECT PRIORITY LIST.** *Sponsor, Myron McLaughlin*  
*Motion by Wayne Claw, Second by Dorothy Smith*  
*Myron McLaughlin, Updated the projects listed on the Priority List.*  
**VOTES: 27 in Favor, 0 Opposed and 7 Abstentions**
- i. **CHIN-SEP-19-062: APPROVING AND AMENDING THE IN-HOUSE POLICIES AND PROCEDURES AND THE PLAN OF OPERATION OF THE CHINLE CHAPTER GOVERNMENT.** *Sponsor, Myron McLaughlin*  
*Motion by Wayne Claw, Second by Francis Draper*  
*Changes in policies in SYEP to include written statement for release of payroll*  
*Americorps change "payroll" to living stipend*  
*Student Financial Assistance under Enrichment, student must be working towards a scholarship or trade*  
*Scholarship changed - writing check to "educational institution" and replaced with writing check to "student"*  
*Housing Discretionary#5. took out "Chapter Administration" and replaced with "applicant" will be responsible for transporting materials from vendor*  
*Burial Assistance A. added "upon availability of funds"*  
*Recreational Complex was a new item added to the Plan of Operation*  
*Payments, cash "basis only" is taken out and replaced with "or credit card with a fee of .35 per transaction" on all revenues received written in the Plan of Operation*  
*Wellness Center Daily Operations from 7:00 am to "7:00" pm*  
*#10 Dispose of trash "correctly" taken out and replaced with "properly"*  
*Recreational Complex is the only new item added to Plan of Operation, we recently received a \$5,000 grant from NAPI to improve this recreational complex*  
**VOTES: 28 in Favor, 0 Opposed and 8 Abstentions**



- j. **CHIN-SEP-19-063: RESCINDING RESOLUTION CHIN-JUL-17-042: APPROVING THE REQUEST OF PASTOR, DANNY HALWOOD, SR, OF TSEYI' BIDAA PRESBYTERIAN CHURCH TO RELINQUISH THE DEL MUERTO COMMUNITY CEMETERY TO CHINLE CHAPTER GOVERNMENT.** Sponsor, Myron McLaughlin

**Motion by Francis Draper, Second by Arlando Teller**

**Myron McLaughlin**, DelMuerto community requested assistance and the Chapter had helped with fencing the community cemetery. Our operator has gone out there to dig burial plots but has been approached by community members with aggression, we try to help but grieving families are not nice about decisions made by the chapter. This is not good for the chapter and personnel to receive negativity so we would like to rescind this resolution.

**Eugene Tso**, add CHIN-JUL-17-042 as an Exhibit

**Betty Rose Draper**, will Del Muerto Presbyterian Church be able to afford the improvement?

**Wanda Clark**, has the community been confronted with rescinding this resolution?

**Myron McLaughlin**, no, we had drafted a Plan of Operation it was not approved or used

**Cynthia Hunter**, Chinle Chapter through the Del Muerto meeting approved the resolution to develop and manage the cemetery. A Plan of Operation was drafted, a new fence was installed and the area was improved. Since then some community members have express that they are not in favor of Chinle Chapter managing the cemetery. Our office clerks and administration are not familiar with the community members and when it comes to burial they get a lot of negative backlash because they go by the policy which states that non-registered voters pay a fee. This cemetery does not have any land withdrawal documents, it is very different from the Chinle Community Cemetery where the family that gave land for that cemetery already had plans of what they wanted.

**Arlando Teller**, I request to withdraw my motion to second because there was no community discussion on this.

**Francis Draper**, this is our own fault the Del Muerto community. We have too many family plots that have taken over, in previous years it was by approval of the Grazing Official but now it seems families bury where they want and we do not plan for our children and grandchildren's future. What if they need a place to live, where will the livestock graze? In Del Muerto, we have some burials that are right outside our door, where do we go to get approval for that?

**Myron McLaughlin**, we cannot continue to discuss this issue because Arlando withdrew his motion to Second, unless we get someone to second the item

**Motion by Francis Draper, Second by Betty Rose Draper**

**Oscar Bia**, as grazing official we have a say in the cemetery issues because we take care of water, land and forage. Chinle Community does have a cemetery, families need to bury their loved ones there instead of family plots. This will be on our Grazing Agenda next month, we will discuss whether the family can withdraw land for burial sites. We need to work closely with the funeral homes and sign the approval for family plots, these need to be taken care of and yes it is the Grazing Officials responsibility.

**Myron McLaughlin**, the way I see this it is a liability and we are accused of doing wrong. Because of all the issues from 2016 onto this day we are backing out.

**Arlando Teller**, I still believe as residents of Chinle Chapter, the chapters role should consider at least maintenance of the facility. Chinle already replaced the fence and just the maintenance of facility I would be favorable of that.

**Francis Draper**, my question is if there is a cemetery, can there be a private burial plot? Is there a law, a federal law where this is not allowed? We are told we are on Trust Lands, perhaps we are breaking the law.

**Myron McLaughlin**, because of these issues RDC passed a resolution in 1999 urging communities to establish their own cemeteries. We are not paying attention to these laws, my personal issue is that we approved one plot for my grandmother, now the place holds many burial plot and now people are asking where the Spider Rock Cemetery is located. Us people, we don't want to change when there are changes made, the \$350 that is collected is not for the Chinle Chapter but is set aside for cemetery improvement. When you try to make changes for the better there is always opposition.

**Arlando Teller**, how are the chapters being responsible to respond to bury loved ones, churches have to be responsible for burials.



**Myron McLaughlin**, there is no church influence. It is us that do not want to follow any rules  
**Wanda Clark**, my suggestion is that you have to really look into that. You have to consider the family themselves to with respect, how much you know their loved ones. Everyone in here has different nationalities in their blood, the clan their carrying gives our children a different nationality, you have to consider and respect the family.

**Glenn Davis**, we all will go sometime. I hear in come places couples can be buried on top of one another. Then my in-laws have a home in Blanding, they already bought their burial plot even though it is against our tradition. Although you withdraw yourself from this, will you still help with the burial digging?

**Myron McLaughlin**, trying not to get too involved in what everyone is talking about but my wife is a different nationality, she wanted to complete a living will. Del Muerto has no land withdrawal and we were getting involved in the approval of the burials. We are not completely withdrawing, we will still get the sign and keep the fencing.

**Francis Draper**, I have not get a direct answer on my question. If there is a cemetery is it right to bury a person at a nearby family plot? Now, we will give the leaders an assignment to look into this and find out what the law is on burying someone on their family plot.

**Myron McLaughlin**, there is a law that says this but it is us that do not obey the law because the law has no teeth, there is no enforcement. To avoid paying for burial plots, people refer to their family land. I will look further into this law and I will give you an answer – 13 NNC 1901 states - residence of birth or place of death may be buried in the Navajo Nation Cemetery.

**Francis Draper**, we cannot keep saying that we are not obeying the laws, we need to put our foot down and obey the laws. Burials were sacred at one time and now we are being told that we do not obey the laws.

**Myron McLaughlin**, to Mr. Davis' question on burial on top of one another, that is included in our plan of operation for Chinle cemetery. What if we allow this? I will be responsible. Nobody wants to address this resolution so perhaps if it is up to me to say no.

**Oscar Bia**, there is a burial at Round Rock/Rough Rock area where a burial was not approved. Grazing Officials are responsible for approving the family plots, perhaps every chapter will need to get out resolutions to enforce burials, this will be coming up soon.

**Myron McLaughlin**, I was asked where the Spider Rock cemetery was, so this gave me thought to establish a plan of operation, land withdrawal for the family cemetery. I requested to only approve plots if my uncle allows. Some funeral homes do not follow protocol on going through the grazing official, I do know that Silver Creek does but not Tse Bonito Mortuary and Summit.

**Eugene Tso**, the way I see this is the laws, Arizona Revised Statutes (ARS), New Mexico and Utah were brought in and approved due to resources that were in the area. Sovereignty covers us, but we are governed by the ARS that we approved. Laws are not strong and are growing too fast for us to catch up. Those born in the 50's, 60's and 70's are traditional but our children are with the western world. If there is an argument, the laws state to not bury outside the cemetery. Fundamental law states that you cannot have two graves dug, this is asking for another death but it still happens. We will be working on this.

**Myron McLaughlin**, we have gone over and beyond the intent of the resolution, we will continue services however, we cannot manage the cemetery.

**VOTES: 16 in Favor, 1 Opposed and 8 Abstentions**

## **IX. REPORTS:**

### **a. Eugene Tso, Council Delegate (attached report)**

We are looking into Businesses – DES, Rueben Mike on Panda Express, Mike Nelson, Romero Brown, DCI Shopping Center

Animal Control Laws

Homesite lease audits were completed and found conflicting laws with CFR – I will table this at the RDC meeting

Fish & Wildlife to restore the canyon wash (watershed)

American Natives, Alaskan Natives Conference in Albuquerque, NM

Letter to BIA Regional Director to relinquish BIA lands back to Trust Lands to clean up the lands

**\*\* Lack of Quorum \*\***

b. Chapter Officials - None

c. Oscar Bia, Grazing Official -None

**X. ADJOURNMENT at 542 PM**

*Adjournment Motioned by Dorothy Smith, Second by Ryan Smith*

*VOTES: Majority Vote*

*September 29, 2019 Chapter Meeting Minutes completed and submitted by Cynthia Hunter, Chapter Secretary/Treasurer*

*Cynthia Hunter*  
*09/29/2019*



# Chinle Chapter Government Sign-in Sheet

Date: 09/29/2019

☐ Planning Meeting

☒ Regular Meeting

☐ Special Meeting

- |  |                               |
|--|-------------------------------|
| 1. President: <u>Myself</u>                | 21. <u>W. La Clate</u>        |
| 2. Vice President: <u>[Signature]</u>      | 22. <u>[Signature]</u>        |
| 3. Secretary/Treasurer: <u>[Signature]</u> | 23. <u>Paula Ben</u>          |
| 4. Grazing Official: <u>[Signature]</u>    | 24. <u>Wayne Brisco</u>       |
| 5. Council Delegate: <u>[Signature]</u>    | 25. <u>Laurie VanWinkle</u>   |
| 6. <u>Earl Tulley</u>                      | 26. <u>Bryant VanWinkle</u>   |
| 7. <u>Mary Beckett</u>                     | 27. <u>Mark I. John</u>       |
| 8. <u>Clarell</u>                          | 28. <u>Dorothy L. Smith</u>   |
| 9. <u>[Signature]</u>                      | 29. <u>Betty Ann Draper</u>   |
| 10. <u>Sylvia Hadley</u>                   | 30. <u>Walter Yazzie</u>      |
| 11. <u>Shan Hadley</u>                     | 31. <u>Salatrisha Sanchez</u> |
| 12. <u>Benjamin Jones</u>                  | 32. <u>Lafey L Lewis</u>      |
| 13. <u>Ryan Smith</u>                      | 33. <u>Hope Whitehair</u>     |
| 14. <u>Frankie Cooper Sr</u>               | 34. <u>Michelle Francis</u>   |
| 15. <u>Loretta Draper</u>                  | 35. <u>Deene Laurence</u>     |
| 16. <u>Lorane E. Yazzie</u>                | 36. <u>GLD</u>                |
| 17. <u>W. Clow</u>                         | 37. <u>Polly Katsui</u>       |
| 18. <u>[Signature]</u>                     | 38. <u>Berite Yazzie</u>      |
| 19. <u>Rosemary Yazzie</u>                 | 39. <u>Sylvia Watchman</u>    |
| 20. <u>Tom Ivers</u>                       | 40. <u>Charlotte T. Bayne</u> |
| <u>Rokuta Draper</u>                       |                               |

41. Arlando Teller

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