

Black Mesa Chapter
Chapter Meeting Minutes
March 13, 2015

- I. Meeting Called to Order by Larry Biltah @ 5:43 pm.
 - A. Invocation provided by Navajo County Sheriff Clark.
 - B. Reading and Approval of Meeting Minutes of February 13, 2015 – Deferred to next regular chapter meeting.

Motioned by: Amos Johnson
Seconded by: Daisy Kiyaani
VOTE: 17-00-04
 - C. Adoption of Agenda with Add-ons under Resolutions

Motioned by: Amos Johnson
Seconded by: Victor Yellowhair
VOTE: 16-00-04

Victor Yellowhair motioned to suspend the rules to act on items “Old Business” and Resolutions” before the Announcements.
Seconded by: Daisy Kiyaani
VOTE: 17-00-02
- II. Old Business:
 - A. BMC-15-02-079: Request and Approve Reimbursement of \$29.00 to Albert Lee to purchase of 2014 W2's Forms.

Motioned by: Amos Johnson
Seconded by: Victor Yellowhair
VOTE: 18-00-01
- III. Resolutions:
 - A. BMC-15-03-084: Affirmed the Chapter Official and Chapter Administration's Action on Declaration of Emergency for BM Chapter Community

Motioned by: Amos Johnson
Seconded by: Victor Yellowhair
VOTE: 18-00-01
 - B. BMC -15-03-085: Approve Medical Assistance for Cassandra Nez and Priscilla Elthie (add-on).

Motioned by: Amos Johnson
Seconded by: Victor Yellowhair
VOTE: 18-00-01
 - C. BMC-15-03-086: Illegal Cutting of Pine Trees in Thorn Valley

Motioned by: Amos Johnson
Seconded by: Victor Yellowhair
VOTE: 18-00-01

- D. BMC-15-03-087: Approve Travel Authorization for Chapter Officers and CLUPC Member to attend NN Division of Community Development's NN Community Project Planning @ Twin Arrows, AZ on 3/10-12/15.

Motioned by: Amos Johnson

Seconded by: Victor Yellowhair

VOTE: 18-00-01

(Add-on Items)

- E. BMC-15-03-088: Request Law and Order Committee and NNC to fill the Navajo Supreme Court Positions with qualification of Jurist Doctorate Degree and be elected.

Motioned by: Ella Tallis

Seconded by: Annie Remiro

VOTE: 19-00-00

Comments and Concerns Expressed by Community Members:

1. The current chief justice has violated the Navajo Bill of Rights and Voter's Rights.
2. He made decisions unfairly with negligence in carrying out the law of Navajo Sovereignty Immunity Act.
3. Majority have expressed support of the resolution.

- F. BMC-15-03-089: Request Law and Order and NNC to Remove Chief Justice Herb Yazzie for violations of Navajo Bill of Rights, Civil Rights and Voter's Rights.

Motioned by: Daisy Kiyaani

Seconded by: Annie Remiro

VOTE: 18-00-01

Concerns Expressed by Community Members:

1. Chief Justice Herb Yazzie has violated the Fundamental Law, Navajo Common Law and Navajo Bill Rights and Civil Rights.
2. Several requests have been made about the outcome of the votes in Primary Elections of 2014 but no reports.
3. Approved resolutions by NN Council on election issues and pardon of Board of Election Supervisors were invalid by Chief Justice Herb Yazzie.
4. The actions by Chief Justice Herb Yazzie created more confusion among Navajo people.
5. It is believed that NN Council did follow the Navajo Nation Code (statutory law). In 2010, The NN Council approved that Navajo Fundamental Law will not be use with other laws and Navajo President Joe Shirley veto the legislation.

- G. BMC-15-03-090: Approve Travel Authorization for Chapter's AMS to attend Navajo Chapter Website Training at Farmington NM on March 19, 2015.

Motioned by: Amos Johnson

Seconded by: Victor Yellowhair

VOTE: 18-00-01

IV. Announcements:

1. 3/17/15 – LCRWSCA Meeting @ PUSD, 10am
2. 3/30/15 – CLUPC Meeting @ BM Chapter
3. 4/1/15 – District 4 Grazing Committee Meeting @ Black Mesa Chapter, 9am
4. 4/2/15 – Dzilyjiin Regional Council Meeting @ Blue Gap Chapter, 9am
5. 4/10/15 – Red Dog Gravel Meeting @ Holbrook AZ, 10am
6. 4/11/15 – Chinle Agency Council Meeting @ Round Rock, 9am
7. Ray Gilmore announced that he submitted his application for Board of Election Supervisor and request for community support.

V. Reports:

A. Other – Navajo County Sheriff “KC” Clark

1. Medicine Green Box – deposit box for unused prescription medicine for safety; they are located at Pinon Chapter House, Holbrook and Show low; no needles.
2. He is seeking grants for local deputy positions. He is requesting for support letters and/or chapter resolutions.
3. A counseling program is starting in July of 2015 for veterans on PTSD and alcoholism problems.
4. He expressed appreciation to BM Community School for contributing to Navajo County 2015 calendars which are available to all.
5. State Highway Revenue Funds
 - Road improvement within Navajo County
 - Project proposals
 - Partnership with Navajo Nation, Chapters, and Navajo County
6. CERT & Emergency Response Team Training
 - Need 20 people to schedule a training
 - Advice to get local school and surrounding chapters to join.
7. Right to Bear Arms (carry concealed weapons with permits)
 - He can provide training for safety reasons with ATF
 - He was informed the Navajo Nation does not have gun laws and he will check on it.
8. Some questions by chapter officers regarding statistics on arrests and citations given to Natives within Navajo County. He will bring some stats to the next chapter meeting.
9. He was asked why there are no police incident reports for Navajo County premises. Being in Navajo County, he advised to look in Holbrook Tribunal Newspapers.

B. Council Delegate, Dwight Witherspoon – Absent.

C. Grazing Committee Member, Francis Honie – Absent.

D. CSC, Albert Lee

1. The Administration picked up the food donations from Flagstaff AZ on Monday and distributed to elderlies living further off the main routes. 15 boxes of food donated from NNC Speaker’s Office were picked up on Saturday and distributed too.
2. A truck load of hay will be delivered on Monday and another load on Tuesday. Livestock owners will receive 8 bales of hay at no charge and determination will be based on 2014 Tally Counts conducted by Grazing Official of BM Chapter.

3. He took several pictures of local during snowy and muddy weather and sent them to Phoenix Channel 12 News and they are aired during their news report.
4. The Administration received and deposited 2015 Sales Tax Fund of \$61,635. He mentioned a budget has been made for consultant for CLUP Manual update.
5. Financial audit was conducted on January 30th and have not received the final report from REDW Auditors.
6. Robert Jumbo of NN Auditor Office reviewed the BM Chapter's FMS implementations of Fiscal, Personnel, Property, and Recordkeeping (no findings). Procurement had three finding, mainly there were no labels for attachments on NN Business Opportunity, NN access to Information and Privacy Act.
7. He made a brief update on BM Solar Energy Project.
8. Using Emergency Funds, he purchased a battery for chapter road grader. Hopefully, next week when all roads are dry, the Heavy Equipment Operator will blade the roads to the residents including the turn-outs. A budget in Sales Tax Fund has been made for repairs and services for chapter heavy equipment.
9. When asked about the FEMA reimbursement, he informed the community members that the threshold requirement is \$1 million for Navajo Nation.
10. He informed everyone to check on BM Chapter's website and provided an email address.

Comments and Concerns Expressed by Community Members:

1. The road in Yale Point area, passed Wind Rock, is not bladed. NDOT told them that N8088 ends at that point and the rest from there is considered resident road. BIA has always bladed up to the last house on that route.
2. A small student was dropped off by Wind Rock and walked all the way back to the Yellowhair's resident which is 1 mile during the inclement cold weather. Due to snowy road, the PUSD bus did not go to the student's resident.
3. A request by the residents for chapter support for road improvements, especially during winter months.
4. A need of funds for CLUPC travel to attend important meetings and workshops that pertains to the CLUP's responsibilities is requested.

Responses by CSC and Chapter Officers:

1. Explanation was made on NDOT's responsibilities on maintaining the roads of 15 miles per chapter on quarterly basis.
 2. A letter of safety concern will be developed and sent to NDOT in regards to N8088 route.
 3. NDOT informed the chapter officers that required 401 permit for Aspen Grove Wash Crossing has been received and BIA Force Account will work on it soon. Some items for culverts are stolen from the site and might delay the work. The culverts and bands were purchased by Navajo County four years ago.
 4. Approve chapter resolution requesting to Navajo County for \$40,000 has been submitted and waiting for a response. The \$40,000 is budget for CLUPC travel and consultant fee.
- E. CHR, Lynn Dean – Absent. She went to Window Rock to pick up assigned tribal vehicle.
- F. BM Veteran's Organization, Richard Claw – Absent.

G. CLUPC, Ray Gilmore

1. He looks forward for the betterment of the community. There is need for infrastructures such as power line and waterline extensions, road improvements, and other community developments.
2. CLUPC needs to collaborations with Chapter Officials.
3. Ke' should be acknowledged by all.
4. He is requesting for youth involvement at their meetings because they will carry the leadership of the community to next generations.
5. From the meeting on March 30th, the committee will start the work of updating the manual themselves if possible. Resurvey on current waterlines, power lines and roads will be conducted.

H. BM Review Board, Andrew Benally – Absent.

I. Dzilyjiin Regional Community Development Corp. Commission, Ray Gilmore – No reports.

J. Chapter Officers:

1. Marlene Biltah

- a) Chapter financial report is not ready but the Administration always update posted the financial reports. Reconciliation of the bank statement has not been conducted yet.
- b) She made a brief updates on North Valley Power Line Extension Project and Aspen Grove Wash Crossing.

2. Larry Biltah

- a) He shared extra information on Aspen Grove Wash Crossing, North Valley Power Line Extension Project and BM Head Start Building.
- b) He made an update on BM solar Energy Phase II project.

3. Caroline Bemore

- a) She made a brief updates on BM Head Start Building

K. Others – Nathaniel Tom, Senior Planner, of LCRWSCA waited (since 3 pm) and left before the meeting started.

VI. Updates on Chapter Projects:

A. N8066 Road Construction/Permanent Bridge Project

B. N8065 Low Water Crossing

C. East Valley Waterline Extension Project (Yale Point

D. BM Head Start Building

1. The funds of \$350,000 are still in account for the construction. NN CIP office misinformed the chapter officials about the funding being taken out for another construction in NM.
2. Mr. Ben Shelley denied when asked about his approval to transfer the \$350,000 to correctional facility in Ramah NM.
3. Arviso Construction will be the company to do head start building construction.
4. Early childhood aged children will be using the head start building.

5. Re-modification of the building design will take place.
6. According to DES, the construction should start this summer.
7. First Things First do have funds for Early Childhood Programs and to assist the Chapter.

E. BM Solar Energy Phase II

1. 35 units have been installed and 13 more will follow.
2. The USDA funds were approved mainly for Black Mesa and Pinon Chapter but Chinle DCI has gone beyond and approved extra units to be installed in Forest Lake and Hard Rock chapter areas.
3. The chapter Officials disagreeing with the decision made by DCI.

F. North Valley Power Line Extension Project

1. The resolution and updated list of participants have submitted to the NTUA.
2. In order to be eligible to participate, home site lease is required for all homes.
3. Encouragement made to the participants to start working on their home site lease.
4. BM Chapter received \$250,000 funds from Peabody Western Coal Company for this project.
5. These funds should be able to make the project be construction-ready meaning all the feasibility studies should be completed.

G. Telecommunication – Frontier

VII. The meeting adjourned at 8:04pm

Motioned by: Ray Gilmore

Seconded by: Daisy Kiyaani

VOTE: 19-00-00

Next Planning Meeting: Friday, April 03, 2015 @ 3:00 pm

Next Chapter Meeting: Friday, April 10, 2015 @ 3:00 pm



Marlene Biltah, Chapter Secretary/Treasurer