

Black Mesa Chapter  
Planning Meeting Minutes  
July 08, 2016

- I. Meeting Called to Order by Larry Biltah @ 1:17 pm.
  - A. Invocation provided by Victor Yellowhair.
  - B. Reading & Approval of Meeting Minutes of June 05, 2016  
Motioned by: Caroline Bemore  
Seconded by: Marlene Biltah  
VOTE: 03-00-00
  - C. Adoption of Agenda  
Motioned by: Marlene Biltah  
Seconded by: Caroline Bemore  
VOTE: 03-00-00
  - D. Announcements
    1. 7/9/16 – Chinle Agency Council Meeting @ Rough Rock, 9am
    2. 7/11/16 – I.H.S. Hearing on 638 Contract @ Pinon
    3. 7/13/16 – LCRWCA Steering Committee Meetin
    4. 7/13/16 – Sih Ha Sin Bike Riding arrive @ BM Chapter
    5. 7/13-14/16 – NDOT Nationwide Conference @ Window Rock
    6. 7/18/16 – Permittee Meeting with Navajo Dept. of Agriculture @ BM Chapter, 9am
    7. 7/19/16 – Precinct I-III Grazing Committee Meeting @ Pinon NPL, 9am
    8. 8/3/16 – Grazing Committee Meeting with NHLC and Navajo Dept. of Agriculture @ Hardrock Chapter, 9am
- II. Brief Reports/Introduction of Resolutions:
  - A. Leonard Pete, Council Delegate/RDC Member and Sherry Yazzie
    1. BMCS Property – met with Principal and School Board on July 6<sup>th</sup> and discussed relinquish property for ROW and grant of entry for construction. They provided available maps.
    2. They are working on scheduled a meeting with Harold Riley of Navajo Area Office in Gallup. He is recommending to BMCS Principal, School Board members, chapter officials and other interested individuals to attend.
    3. BM Chapter Land Tract, 10 acres
      - a. Need Cultural Compliance Form for Archeological Clearances
      - b. Biological Evaluation needs to be renewed and continue for every two years.
      - c. There is no environmental assessment with FONSI
      - d. Need to include chapter parking lot and access road
      - e. Request for entire pavement on N8066/N8065
    4. Both NDOT and ASC Planners should be involved including BIA Roads Dept. All should be actively involved and conduct follow-ups consistently.
    5. NDOT supposed to do surveys in 2014 on both crossing for proposed bridge.
    6. NDOT make decisions and assign funds for road projects with an assistance of BIA Roads Dept of Gallup. Then it comes before the RDC for approval. RDC does not check the proposal thoroughly.

Sherry Yazzie, Legislative Admin. Assistant to Leonard Pete:

1. She provided information on two meetings with two chapter officials; Chapter President signed Letters of Authorization to collect documents from NN departments pertaining to BM Chapter and road construction project.
2. Need to put chapter parking lot and N8066 Road Construction on NNTTIP and put on Road Priority List for 2017.
3. She met with NN Fish & Wildlife on biological evaluation. The chapter administration can retrieve a template from their website or update the current completed form. BM Chapter can hire a consultant or NN Fish & Wildlife can conduct it themselves.
4. ADT counts have been decreasing from 202 to 96 (2014).
5. Road Inventory List deadline is in March of each year. Long Range Transportation Plan by NDOT is developed.
  - a. Must meet certain criteria and chapter need to follow the NDOT procedures.
  - b. There are procedures for FET funds and Federal Highway Funds
  - c. The finalized copy is submitted to RDS for approval of Inventory

LBiltah explained about the ADT counts conducted at N41 turn-off was 202, at End-of-Pavement was 132 and at midway to turn-off to chapter was 108. Recent was in 2014 and it was only 96. 250 ADT count is needed to have the road eligible for pavement.

MBiltah explained that Marco Sells of NDOT told them ADT is usually conducted towards the end of May. It should be done during the school year when there are more buses and workers on the road to school and work. The next ADT might be conducted in September 2016.

RGilmore, DRYazzie and Chapter Officials expressed their gratitude for assistance. As community members of BM Chapter, a strong support must be demonstrated and participate in every discussions, plans and meetings. Encouragement to community people to travel more on installed line to increase ADT. All chapter officers and CLUPC members expressed interest and involvement in meetings.

B. CSC, Albert Lee

1. Funds for heavy equipment yard
2. Check for chapter officers stipend has been deposited
3. Monthly Financial Report is completed
4. Homeowner Training for recipients of East Valley (Yale Point Valley) on July 18, 2016
5. A brief update on BM Head Start Building
6. Still having problems with NN Account Payable on payment for chapter's utilities utilizing NN Gaming Revenues; RFP has been submitted for NTUA invoice and still not paid yet
7. SYETP will start Monday – There are 17 high school students and 6 college students
8. Bathroom Addition Projects – There are four applicants with OEH on cistern systems
9. Funds for Solar Energy System - \$29,152.18 revenue
10. Wells Fargo Services recommended by NN Auditor General to 110 chapters for online banking services to include payroll services due to high cost of IRS tax penalties. Maintenance fees for MIP Accounting System for 104 chapters are costly, too.

M Biltah explained the IRS tax penalties and interest fees. Based on three years, NM Chapter has a total of \$63,000+ and Black Mesa Chapter has \$375.96 for FY 2014. This will include PEP employees, chapter

officers and CLUPC members. She disagreed on SUTA (state unemployment tax) that all chapters are to sign up and start making payments for the plan.

It was recommended to invite Elizabeth Begay, NN Auditor General, to a chapter meeting for more information and clarifications on tax and FICA withheld on stipend payments.

C. LCRWCA, Shannon Begay (Supervisor for Dzilyijiin Region)

1. He will start with BIA as water technician on July 11<sup>th</sup> and will return to continue with watershed projects in August 2016.
2. A 4-day workshop was held recently
3. Site visit for watershed projects was conducted.

RGilmore recommend working with Navajo Dept. of Agriculture on watershed projects. There are no funds to tap into N-Aquifer locally. There is water available below San Francisco Peak in Flagstaff and Dilcon Chapter community has a huge proposed water project.

D. Call to the Public

1. Victor Yellowhair requesting for road improvement on routes N8088, N8066 (downhill to RR) and N8028. A request by chapter resolution needs to be made to Apache County Roads Dept. including earthen dam restoration. The red dog gravel should be place on these routes.

MBiltah explained that the current red dog gravel project is joint efforts and partnership of 10 chapters, Peabody Coal Mine, NDOT and Navajo County. She explained that Apache County was involved from the beginning of the projects and pulled out. Navajo County took on with the projects. Funds for this projects are allocated by NDOT (\$250,000), 10 chapters (\$15,000 each) and Navajo County (\$500,000). Peabody Coal Mine contributed red dog gravel. A request to include roads outside Navajo County will be made at the next Red Dog Gravel Meeting.

E. CLUPC

1. Ray Gilmore talked about proposed housing units at Oak Ridge and Yale Point areas. The Committee is requesting to NHA to site visits, surveys and conduct preliminaries using their own resources. Young people are expected to return and will need housing. He expressed his disagreement that any suggestions about combining BM Chapter with Pinon Chapter.
2. VYellowhair indicated the site at Yale Point is not included because the residents have refused the housing project. Young people graduate with degrees and then what? Reward them with one acre of land but who is willing to give a land? He suggested to use the Chapter land tract for housing and built more offices.
3. MBiltah explained the issues on limited space on chapter land tract because there are some findings of biological (rare vegetation) sites on the west side of the Chapter House. Local residents do not want anymore NHA housing within Kitsillie area due to landfill and other litter within their grazing areas. She also explained about the proposed scattered housing site at Oak Ridge. The residents had briefly discussed on the location and it's mainly to benefit the young family members. The housing units will stay within the family/relatives of the location.

4. DRYazzie talked about the local landfill and who's responsible for clean up. The Committee's next task is to develop local regulations. She explained there are discrepancies on Rural Addressing list, and needs to be corrected and submitted it to Window Rock by August 2<sup>nd</sup>.
5. RGilmore recommended to work as a team and everyone involved should be in Window Rock.

F. Council Delegate, Dwight Witherspoon

1. Briefly went over his monthly report and distributed to the people.
2. He explained about the tribal ranch failing the corrective action review and got sanctioned.
3. Sih Hasin Bike Riding event to start from Twin Arrows and ending in Window Rock. He encouraged people to participate.
4. He distributed LCRWCA funds and budget information.

G. Grazing Committee Member, Francis Honie

1. He came in late due to conducting tally count and branding at Aspen Grove Valley.
2. He agreed with DRYazzie on Mr. Castillo's unprofessional attitude when providing NPL presentations.
3. He will submit his request for windmill services. Natural breakdown will be fixed as soon as possible, but if it's been vandalized, it will take longer.
4. He explained that NN President is against feral horse round up, but NN Vice President support the round up.

RGilmore talked about Big Bo Ranch and should be open to be used by BM Chapter community for any excessive cattles. Proposed Cattle Association should be resurrected.

VYellowhair, DWitherspoon and LBiltah brought up the issues on relocatee's benefits on grazing areas within NPL area. The relocatees have been double penalized because of limited livestock units and limited space of grazing lands.

DRYazzie talked about the mitigation plan in Legislation. Is there any extra land or any land available for purchase? She asked about available acres of land that NHLC can purchase?

DWitherspoon explained there is no land available and 9000 acres to select but no funds. He suggested on incentives for selling livestock.

H. CHR – Vacant.

I. BM Veterans Organization, Richard Claw – Absent.

J. BM Review Board, Andrew Benallie - Absent.

K. Dzilyijiin Regional Community Development Commission, Jimmy Yellowhair – Absent.

L. Chapter Officers – All three officers participated in discussions on officials' reports, chapter resolutions and chapter project updates.

M. BMCS and RRCS School Board – None.

N. Others – None.

III. Updates on Chapter On-going Projects:

A. N8066 Road Construction, Phase III & Permanent Bridge – updates provided by Delegate Leonard Pete and his assistant, Sherry Yazzie.

B. N8065 Low Water Crossing Project

C. North Valley Power Line Extension Project

D. Black Mesa Head Start Building

1. CBemore explained that the SAS process is very slow and everyone is getting frustrated.

2. NN Head Start Program is allocating \$207,000 but can't be used for construction.

3. BM Chapter is contributing \$190,000 towards the projects.

4. MBiltah talked about the timeline of construction.

E. Frontier Telecommunications

IV. Resolutions:

A. BLAC-16-07-110: Requesting the RDC of 23<sup>rd</sup> NN Council and NDOT to Include into the N8066/N8065 Project Scope of Work of the Existing Project, the Following: 1) Preliminary Engineering Activities for BM Chapter Parking Lot and Access Road, 2) Paving of BM Chapter Parking Lot and Access Road, 3) and Entire Paving of N8066 and N8065 into the NN Tribal Transportation Improvement Program (NNTTIP) in Fiscal Year 2017.

B. BLAC-16-07-111: Approve Medical Assistance for Priscilla Yellowhair

C. BLAC-16-07-112: Authorize and Approve the Transfer of Funds of \$5,000.00 for Chapter Equipment Yard, 100'x90'

D. BLAC-16-07-113: Request to Apache County and BIA Natural Water Resource to conduct Earth Dam Cleanup and to Replace Water Tanks at Windmills located in Yale Point Valley.

E. BLAC-16-07-114: Request to Apache County to Conduct Road Improvement with Red Dog Gravel on N8066, N8088 and N8028

F. BLAC-16-07-115: Approve Travel Authorization and Work Session Meeting Stipend for CLUPC Members at Navajo County Complex in Holbrook AZ in July 2016 to Finalized Revised CLUP Manual.

G. BLAC-16-07-116: Request to NHA NAHASDA to Allocate Funds for Housing Projects at BM Chapter Community

H. BLAC-16-07-117: Climate Change Information

- I. BLAC-16-07-118: Request to Rescind BMC Resolution #BMC-16-04-074 (Supporting and Approving the Amendment to District Proposed Range Units 309, 310 and 311 Boundary Lines)
- J. BLAC-16-07-119: Approving Watershed Projects by LCRWCA
- K. BLAC-16-07-120: Proposing to Law and Order Committee of 23<sup>rd</sup> NN Council, NN President and Vice President to Identify the Navajo Police District for Dzilyijiin Region and for the Establishment of the Dzilyijiin Public Safety and Police District.

Motioned to Forward All Resolutions to Regular Chapter Meeting by: Caroline Bemore

Seconded by: Marlene Biltah

VOTE: 03-00-01

V. The Meeting Adjourned at 6:48 pm.

Motioned by: Caroline Bemore

Seconded by: Marlene Biltah

VOTE: 03-00-01

Next Chapter Meeting: Friday, July 15, 2016 @ 1:00 pm

Next Planning Meeting: Friday, August 05, 2016 @ 1:00 pm



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Marlene Biltah, chapter Secretary/Treasurer