

Black Mesa Chapter
Chapter Meeting Minutes
February 14, 2023

- I. Meeting Called to Order by Larry Biltah @ 4:11 pm. (call-in and zoom meeting)
Participants: Albert Lee, Marlene Biltah, Lynn Dean, Larry Biltah, Francis Honie, Nadine Narindrankura, Samantha T Ranger, Marlinde Bede, Lorraine Yazzie, Marie Rose, Irene Joe, Roger Bahe, Lakeisha T James, Erin Benally, Emery Mose, Ruby Todechine, Emma Dixon, Jane Baloo, Brenda Folsomito, Maxine Todecheenie, Derek Yazzie, Jolynn Yellowhorse, Nathaniel Yellowhorse, Louise WWhitehair, Jocelynn Yellowhorse, Richard Claw, Harvey Rose and Rosemary White.
- A. Invocation provided by Lynn Dean.
- B. Reading & Approval of Meeting Minutes of December 12, 2022 & January 19, 2023:
Motioned: Albert Lee 2nd: Lorraine Yazzie VOTE: 17-00-06
- C. Adoption of Agenda
Motioned: Albert Lee 2nd: Lorraine Yazzie VOTE: 18-00-06
- D. Announcements:
1. COVID-19 vaccinations continue at I.H.S. Clinics
 2. 2/22/2023 – Black Mesa CLUPC Meeting @ Pinon, 10am
 3. 2/20/2023 – President’s Day Holiday
- II. Reports:
- A. Council Delegate, Germaine Simonson – LDA Nadine Narindrankura made a brief report.
1. Delegate Simonson is attending HIS Apportionment meeting at Washington DC this week.
 2. Top Priorities:
 - a. is to revisited road projects: N8066/8065 and N8031 road construction projects.
 - b. ARPA Chapter Projects – mainly to worked on budget forms and Appendix J of the proposal packets; three projects by Pinon and Forest Lake chapters have been submitted to DOJ for review. Check on chapter project status, go to DCD website and fnf @ nsn.gov website.
 3. A recommendation for develop regional emergency response plan for all chapters. EOC and counties have assisted during emergency declaration. Chapters need to take leadership during this time.
 4. Chapter officials are encouraged to attend Roads to Chaco event at Twin Arrows. A scholarship to assist with registration fees.
 5. Information to community: Delegate Simonson will be serving as Vice Chair for HEHS Committee.
 6. When asked if Council Delegate is planning more regional services, she said only with emergency management.
 7. When questioned on NN School Board Reapportionment Plan 6A, more information to acquired at work sessions scheduled on Thursday, the 6th, from 9am to 5pm.
 8. She needs more clarifications on Homesite lease since she is finally getting familiar with some issues.

Comments by Community Members:

1. Transparency needs to continue with all chapters meaning emailing meetings of standing committees and others to all chapter officials and C LUPC like the previous LDA did.
2. Since Delegate Simonson's priority includes roads improvement, N8066 road constructions needs to be push forward.
3. Based on information given on being HEHSC Vice Chair, where does Delegate Simonson stands regarding NN School Board Reapportionment Plan 6A. There were reports that she has been telling chapter presidents not to the item on their meeting agendas. She is elected to advocate and represent the people of the five chapters.
4. Questions on: a. home site lease waiver b. certifying all chapters

B. Grazing Official, Francis Honie

1. Recommending to start on road improvement projects when spring comes. Each sides of the road are getting more deeper and should be refill with dirt.
2. Round up of feral horses/donkeys and wild cattle is scheduled for summer.
3. Applications for redistribution of grazing permits need to be completed by each applicant (notary document)
4. His request for earthen dams restoration will be taken care of by BIA NPL office.
5. To do GPS for home site lease applications, to work with him on schedules.
6. Expressed his appreciation for more moisture locally. It's means more vegetation and water for livestock this summer.

Community members expressed their concerns on how Dept. of Agriculture lost or misplaced their heirship applications and nothing is being done about it. The folders contained original signed documents and some are impossible to get signature from elders that have passed due to COVID-19 or other diseases. The employees of Dept. of Agriculture should be held liable for negligence of handling the important documents.

C. CSC, Albert Lee

1. Reported that BM Chapter assisted with food, fire woods, and hay distributions, including coal. 25 more boxes of food are being given out now (2 boxes are missing from the weekend meeting by BM Veterans Org.) More hay to be delivered this week if weather permits.
2. Mechanic of RDO repaired/service on Front End Loader but tires need to be fix; Empire service man came yesterday, and worked on motor grader. Hopefully, backhoe will also be service by next week.
3. After the reviewed by DCD, he resubmitted budget forms and Appendix J for ARPA chapter project.
4. Chinle ASC is still working with Chapter Administration on all financial transactions.
5. Alta Warner of Apache County is recommending to the Chapter for cost sharing on proposed low water crossing at Todechine's Crossing off of Route N8088. Cost estimate is \$128,000 and Chapter to contributed at least \$64,000. The Chapter Officials advised to CSC to schedule a joint meeting with Apache County and NDOT for clarification and more information on proposed low water crossing.

Marlene Biltah and Larry Biltah explained the purposes of home site lease applications and the process of payment. Historic Preservation Form can be obtained from OEH/HIS for existing houses constructed with powerline and waterline in placed of home site lease. There are LGA certified chapters that are doing a little bit differently with their ARPA chapter funds. The projects of Non-LGA chapters are being process by DCD in Window Rock.

D. BM Veteran's Organization, Richard Claw

1. The organization held their meeting on Sunday.
 - LDA Nadine Narindrankura attended and briefly told them about the priorities of Delegate Simonson (road improvement and ARPA chapter projects).
 - They talked about snow storm, regional response team, and snow mobile recommendations.
2. Very thankful for the moisture even though the community is experiencing hardship.
3. Talk briefly on BM Veterans Building Project; archeological and engineering estimated cost is \$500,000, with engineer designing, the cost will be up to \$5 million. Chapter needs to check into lagoon for waste.
4. A guard dance was being planned for this spring or summer.
5. Bobbie Ann Baldwin of Ft. Defiance is newly appointed Executive Director for Dept. of NN Veterans. She replaced with former executive director.

E. CLUPC, Dorothy R Yazzie – Absent.

F. Chapter Officers – participated in reports and chapter resolutions approval processing; gave advisement on home site lease applications which are needed for chapter projects, including future projects.

G. Others:

- 1) Fern Benally, Navajo County Supervisor – Absent.
- 2) Marie Rose of Black Mesa Community School and Lorraine Yazzie of Pinon Community School, briefly explained the purpose of resolution regarding the School Board Reapportionment Plan 6A.
 - a. The Plan 6A was not approved by the NN President, NNC and NN Board of Education.
 - b. It combined 27 grant school and created five regional school boards from each Agency and take away the local control of each community school and take over the operation of the educational programs.
 - c. The newly five created regional school boards are not established or recognized as a governing board and do not have their own Articles of Incorporation in place and do not have a grant agreement in place with the Federal Government to receive school operating funds.
 - d. HEHS Committee and DODE did not develop a transition plan or operating plan for newly created five regional school boards and there is confusion and unanswered questions with the implementation of Plan 6A.
 - e. NN Election Laws was not followed; HEHSC and NN DODE rushed it to be voted on.
 - f. The resolution is requesting the current HEHS Committee and NN Council to rescind the 2020-24 NN School Board Reapportionment Plan 6A.

- g. The schools are requesting that legal procedures are followed before regional school board puts in placed.
- h. Each school supports local control grant school. School Board worked appropriately with their administrators on school operations.

III. Updates on Chapter Ongoing Chapter Projects: Information only.

A. N8066 Road Construction Phase III & Permanent Bridges – Dibble Engineering is working on 100% plans and documents, including coordination with NTUA on waterline relocation design for the five waterline crossings and will need NTUA's review and approval to finalize the 100% plans. Additional archaeology field work was completed, and cultural resources report is also completed. NDOT has completed their review and prepared a letter for FHWA to review, sign, and submit along with the revised report to Navajo HHPD for their review and compliance. NDOT will complete a separate EA report for new bridge and addendum to original EA report. NDOT will submit EA report to BIA Regional Office once an addendum to CRCF (cultural report) is completed. Dibble Engineering draft ROW documents and needs completed EA and FONSI before submitting ROW package to BIA and Navajo Nation for approval.

Dept. of Project Management of NDOT conducted a cultural resources survey for 28 temporary construction easements, five staging areas, chapter area, chapter access road and N8065 bridge. Cultural Resources Narrative Report was submitted to Navajo HHPD in March 2022 and waiting to receive compliance by May 2022.

The N8065 road and bridge, chapter house turnout, and parking lot will need additional funding of \$7.75 million. Two bridges and chapter access road might become stand-alone projects if no additional funds are secured.

- B. Black Mesa East Valley-Yale Point Waterline Extension – The Chapter needs to work on bathroom additions for some homes as priority.
- C. Black Mesa North Valley Waterline Extension – Same Information from Item B.
- D. N8065 Low Water Crossing – NDOT requested additional Road Funds (Fuel Excise Tax) of \$1,360,000, which was approved by the Resources and Development Committee on August 3, 2021. The Business Unit was set up by NN Office of Management and Budget on November 15, 2021. The total construction funds available is \$1,793,515.23. Unfortunately, the Contractor was unable to hold their original bid of \$1,045,668.43 and submitted a revised cost of \$1,693,478.20. NDOT followed up with NN Business Regulatory and they advise to rebid the project. The project was advertised twice for re-bid.
- E. Black Mesa Veterans Building – Approved allocations of \$144,000 from Sihasin Funds for Planning/ Predesigning, groundwork, and Architecture/Engineering and \$480,000 for construction. Still need additional \$1,400,000 for construction.
- F. N8065 Crossing (S-Curve) – NDOT has discussed with Navajo County on the possibility of the County funding both drainage study, including obtaining 401/404 permits and the purchase of recommended culverts. A partnership meeting between NDOT, Navajo County, BIA and the Black Mesa Chapter is pending to discuss the project.

IV. Resolutions:

Emery Mose motioned to add on Resolution #038, and 2nd by Albert Lee. VOTE: 17-00-03

A. BMC-23-02-035: Approve and Authorize Emergency Funds of \$19,952.28.

Motioned: Lorraine Yazzie 2nd: Emma Dixon VOTE: 17-00-03

B. BMC-23-02-036: Support and urges NN HEHSC and NNC to rescind 2020-2024 NN School Board Reapportionment Plan 6A. (BMCS)

Motioned: Emery Mose 2nd: Louise Whitehair VOTE: 17-00-03

C. BMC-23-02-037: Support and urges NN HEHSC and NNC to rescind 2020-2024 NN School Board Reapportionment Plan 6A. (PCS)

Motioned: Lorraine Yazzie 2nd: Louise Whitehair VOTE: 17-00-03

D. BMC-23-02-038: Expressing dissatisfaction with the NN Department of Agricultural for mishandling and loosing Navajo partition Land (NPL) eligibility verification form and documents and further requesting the RDC of the 25th Navajo Nation Council in behave of the Navajo Department of Agricultural to make amends and provide solutions to assist the applicant for the lost their documents.

Motioned: Emma Dixon 2nd: Emery Mose VOTE: 17-00-03

V. The meeting adjourned at 6:41 pm. Motioned: Marlene Biltah 2nd: Lorraine Yazzie
VOTE: 17-00-03

TENTATIVE: Next Planning Meeting: Monday, March 06 2023 @ 3:00 pm

Next Chapter Meeting: Monday, March 13, 2023 @ 3:00 pm



Marlene Biltah, Chapter Secretary/Treasurer