



# DR. BUU NYGREN *PRESIDENT*

## RICHELLE MONTOYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

LAKE VALLEY CHAPTER

COPY

Danny Simpson, Council Delegate | Tony Padilla, President | Edison Tso, Vice President | Betty S. Dennison, Secretary/Treasurer  
Janice Padilla, Land Board | Lucinda Begay, Community Service Coordinator | Accounts Maintenance Specialist - Vacant

### MINUTES OF LAKE VALLEY CHAPTER REGULAR MEETING Sunday, MARCH 17, 2024 | 10:00 a.m.

**A. ORDER OF BUSINESS**

1. **Call to Order:** The Chapter President, Tony Padilla, Jr., called the regularly scheduled Chapter meeting to order at 11:25 a.m. with a quorum of fifteen (15) registered voters of Lake Valley Chapter present to constitute an official business meeting.

2. **Invocation:** The invocation was provided by Jean Begay, registered community member.

The following people were present in person for the meeting: Chapter President-Tony Padilla, Jr.; Chapter Vice President-Edison Tso; Secretary/Treasurer-Betsy Dennison; Council Delegate-Danny Simpson; Janice Padilla-Land Board; Lucinda Begay-Community Services Coordinator; Community members-Jenny Padilla Curley, Deborah Tso, Jean Begay, Mary Ann Charley, Demetria Bitsuie, Franklin Begaye, Milanda Yazzie, Bronston Yazzie, Milton Harrison, Flora Gus, Renita Juan, Tabitha Harrison, June Sue Joe, John Sandoval, Jr., Rose Sandoval, Helen S. Yazzie, Venton S. Yazzie, and Evelyn Smith; and visitors-Arlenta Horse-Dickie of San Juan County Clerk's Office.

Registered voters present for the meeting: 22      Non-registered people present: 3      Total present for this meeting: 25

3. **Review/Adoption of Agenda:** Chapter Vice President, Edison Tso, read the meeting agenda for review. **Action of Adoption & Approval:** A motion to adopt & approve the agenda was made by **DEBORAH TSO**; and seconded by **MARY ANN CHARLEY**. CSC Lucinda Begay recommends an add-on to the business items relating to Jemez Mountains Electric Coop (JMEC) requested a client list inside the resolution for the Yellow Point Rock Powerline Project. *A vote of sixteen (16) in favors, none (0) oppose, one (1) abstained; and motion carried for approval of the meeting agenda.*

4. **Reading/Approval of FEBRUARY 18, 2024 REGULAR MEETING:** Chapter Secretary/Treasurer, Betsy Dennison, read the Meeting minutes for review. **Action of Adoption & Approval:** A motion to adopt & approve the meeting minutes was made by **ROSE SANDOVAL**; and seconded by **DEBORAH TSO**. *A vote of eighteen (18) in favors, none (0) oppose, one (1) abstained; and motion carried for approval of the meeting minutes.*

5. **Review & Approval of Financial Statements for Period Ending FEBRUARY 29, 2024:** The Chapter Secretary/Treasurer, Betsy Dennison, provided financial reports as follows:

General Fund	NN General Fund	Land Claims Trust	Supplement Youth Funds	Housing Discretionary	LGA Grant Fund	Chapter Stipend
\$1,886.59	\$1,071.22	\$6,785.80	\$42,456.56	\$12,645.80	\$38,568.96	\$29,274.70
Scholarship General	Scholarship Claims	PEP Fund	Veterans Fund	Emergency Fund	County Fund	NN Sales Tax
\$8,695.00	\$2,409.18	\$71,668.14	\$4,835.18	\$31,599.82	\$2,481.50	\$1,619.23
NN 180,000 CIP	NN 200,000 CIP	Agriculture & Infrastructure	Unhealthy Food	Senior Citizens		<b>TOTAL BAL.</b>
\$424.33	\$111,973.78	\$0.27	\$5,603.96	\$348.89		<b>\$371,348.91</b>

**Action of Adoption & Approval:** A motion to adopt & approve the Financial Statement was made by **JENNY PADILLA CURLEY**; and seconded by **DEBORAH TSO**. *A vote of sixteen (16) in favors, none (0) oppose, two (2) abstained; and motion carried for approval.*

**B. PRESENTERS:**

Arlenta Horse-Dickie, Bilingual Liaison, San Juan County Clerk's Office – Arlenta disseminated information regarding the Candidates & Early Voting for the 2024 Primary Election. The 3-Ways to vote include 1) Absentee-May 7, 2024 mailing absent ballots by the Clerk's office, May 21, 2024 last day for the Clerk's office to mail out absentee ballots, and make sure mailing of ballots reach the Clerk's office on Election Day June 4, 2024; 2) Early Voting-Poll opens May 7-May 17, 2024 at SJC Clerk's Office, and May 18-June 1, 2024 and alternate locations begins May 18-June 1, 2024; and 3) Election Day is June 7, 2024 with 33 voting sites (Lake Valley Navajo School for Lake Valley & White Rock Chapters, and if more information needed, contact San Juan County Clerk's Office 505/3334-9471.

**C. UNFINISHED BUSINESS:** None listed for this meeting.

**D. Full-Quorum Rule:** Effective June 23, 2023, the Commission on Navajo Government Development passed Resolution CEM-20-06-15 which deactivated the State of Emergency declared in CEM-2003-11. This means that CJA-01-22 has also expired. As a result, Chapters are no longer able to exercise any of the authorizations under CJA-01-22. To be clear, this means that there is no more three-quorum rule. All Chapters will need to establish chapter meeting quorums through in-person meetings. Non-LGA certified Chapters can no longer execute contracts under \$50,000.00. Basically, the Chapters will need to begin following the Local Governance Act, the Five Management System, and all relevant policies. Essentially, it is back to normal for all 110 Chapters which also means that all 110 Chapters will need to be fully reopened to the public. Lake Valley Chapter is now back to full-quorum of 15 membership to officially conduct Chapter meetings.

**E. NEW BUSINESS:** Agenda items established from March 3, 2024 Planning meeting are as follows:

- 1. LVC-MAR17-021:** Accept & Approve the Emergency Response Plan (2024-2029) as part of the Emergency Procedural Standard Guidelines established for Lake Valley Chapter Emergency Preparedness Response Relief Effort.

**ACTION OF ADOPTION & APPROVAL:** MILANDA YAZZIE entertained a motion for approval, and seconds by JUNE SUE JOE. *A vote of sixteen (16) in favors, none (0) oppose, one (1) abstained; and motion carried for the record.*

Discussion:

Milanda Yazzie requested to present the Plan back to community membership once it is completed.

Information was provided that only the resolution part of to accept & approve the updated Emergency Response Plan is going forward now and once the plan is all updated, it will present back to community membership.

There is Beacon-Bitsi Regional Emergency Preparedness & Response Team on the emergency operations basic plan meeting going on encouraging all 6 Chapters to update their local emergency response plan. Once the regional response plan is finalized, it will be presented to the RDC for review and approval.

Milanda Yazzie shared information when family were out of state travel, someone broke into their house, vandalized it-broken windows and try to burn inside their living room. It is costly to repair it. She is addressing for assistance but no one is willing to assist her. She is addressing this only to be aware of the emergency situation part to be established in the emergency response plan for the local level here.

- 2. LVC-MAR17-022:** Request to the Navajo Nation Department of Transportation to assist Lake Valley Chapter community with two (2) culverts; and to repair the levee embankment at the Indian Service Road #7000 & #7018 located at the northeast of Lake Valley Navajo School to provide road excess for community members residing within that location; and to provide proper bus routes for student daily transportation.

**ACTION OF ADOPTION & APPROVAL:** ROSE SANDOVAL entertained a motion for approval, and seconds by MILANDA YAZZIE. *A vote of twenty (20) in favors, none (0) oppose, one (1) abstained; and motion carried for the record.*

CSC Lucinda Begay provided information that pipes were not stable enough so it was removed by forced flood water during monsoon season and request to put culverts which is a dire need of those materials. A request is being made by resolution to NDOT for culverts and to assist us with work project to repair the levee embankment.

John Sandoval, Jr. commented that it will cost to repair, however, the main focus is rehabilitating Kinbineola Earthen dam because the way it is now, once the rain storms start during monsoon season, there is also severe flooding throughout the stream down the valley, and that will still damage the levee by the school. It is best to repair the bigger dam first because that is where the problem exists.

Janice Padilla said she contacted the Water Resources letting them now of the earthen dam levee embankment repairs and they will come out to Lake Valley to do assessment of the entire situations we face here.

Chapter Secretary/Treasurer Betsy Dennison provided update since day one of the breaching of Kinbineola Earthen by Gallup Regional Office on September 27, 2013 which is now 11 years with no help provided to rehabilitate the broken dam that used to hold a very stable levee embankment to control water flow down the stream. We have submitted resolutions many times but the NN Water Resources is blaming the BIA for breaching the dam so it is their department to fix the earthen dam. It has been brought up many times, even the Vice President Montoya was provided with copies of those resolutions, but no feedback. There is an ENA Leadership Meeting with NN President/Vice President, NN Division Directors & Key Staff @ Gallup McKinley County Schools Student Support Center on March 26. This is a good time to address the earthen dam situation to the NN President and we hope he can listen and assist this time.

Rose Sandoval commented that since the breaking of Kinbineola dam, it has destroyed roads and earthen dams down the valley about 7 times now and advised the Council Deleat to go out and take photos. The levee by the school was man-made dam by our people. We need to focus on rehabilitating the Kinbineola first.

Helen Yazzie said there is a huge erosions forming by her brother Johnson Sandoval's residence as his little house was flooded that needs repairing up to date.

CSC Lucinda Begay reports that where Johnson resides, she has visited him and saw the how the rain storm created erosions, but he is residing in a flood zone.

3. **LVC-MAR17-023:** Approve the Housing Discretionary Assistance for Mary Ann Charley to purchase lumbers & materials for living room extension to provide an adequate room space to move around inside her house without any difficulties meeting her physical ability as an elder.

**ACTION OF ADOPTION & APPROVAL:** ROSE SANDOVAL entertained a motion for approval, and seconds by JOHN SANDOVAL, JR. A vote of twenty (20) in favors, none (0) oppose, one (1) abstained; and motion carried for the record.

4. **LVC-MAR17-024:** Reaffirm Request to the San Juan County Manager & San Juan County Commissioner to extend business days of operation from one (1) day to three (3) days per week (Thursday-Friday) to provide adequate and proper services to Lake Valley & White Rock community membership.

**ACTION OF ADOPTION & APPROVAL:** JOHN SANDOVAL, JR. entertained a motion for approval, and seconds by MARY ANN CHARLEY. A vote of twenty (20) in favors, none (0) oppose, one (1) abstained; and motion carried for the record.

5. Open for resolutions request or business item to support Chapter Projects for approval by Community Membership. Lucinda Begay recommends an add-on to the business items relating to request by the Jemez Mountains Electric Coop (JMEC) to include the client list inside the resolution for the Yellow Point Rock Powerline Project.

**LVC-MAR17-025:** Entitled resolution is "Accept and Approve the Client List for Lake Valley Yellow Point Rock Power Line Project as requested by the Jemez Mountains Electric Cooperative, Inc. for Lake Valley Chapter.

Chapter Secretary/Treasurer Betsy Dennison reports that she attended March 7 meeting with the SJC Manager and Commissioner. She arrived early so she was asked to provide concerns of extending business days to three days per week. Response from SJC data information is that Lake Valley average utilizing transfer station is 40% average, and SJC pays 60% so this is the reason why the County downsize it to 1 day per week service for trash input. Our Council Delegate recommends to share cost with the County, so he will get together with Division of Community Development (DCD) to provide funding to add one day additional day to the current set up which will allow 2 days per week open to community membership.

Council Delegate Simpson said not many people are using the Transfer Station, and the funding from the NN will put \$4,000 in there to open it for 2 days per week. The County can reimburse the Chapter. A Memorandum of Agreement needs to be in place with Division of Community Development, NN & San Juan County.

**ACTION OF ADOPTION & APPROVAL:** DEBORAH TSO entertained a motion for approval, and seconds by JOHN SANDOVAL, JR. A vote of nineteen (19) in favors, none (0) oppose, one (1) abstained; and motion carried for the record.

- F. **REPORTS:** Council Delegate Danny Simpson provided updates pertaining to the emergence excess funds of 2 billion allocated to the NN during 2021 Covid situation impacted the nation. March 25 there was 1.5M\$ not spent; therefore 2.11M\$ was given to 110 Chapters via the regional Council Delegates; and each CD received 1.8M\$ for their oversight Chapters. There is a deadline to utilize the funds. Requirement by the Federal Government is to report back by 12/31/24 of how those dollars were spent. The ARPA deadline is extended to 12/31/26. The internal deadline for the NN is 6/30/24 to spend the funding. There is a struggle with the oversight by Division of Community Development (DCD) and the Office of the Controller (OOC) which took 3 years to spend those dollars. Under the NN Shihasin budget, the fund was given to the Chapter projects. The Care Act Fund is used. The American Rescue Plan Act (ARPA) has a lot of unspent dollars. The Capital Outlay also have funds in there. Right now, the focus is to fix it. Those offices that have staff to manage budget is small, not enough staff. 1.2M\$ is not use. We have 211M\$ to decide how to spent it and the Council Delegates have been discussing it. There was a lost of revenue during 2020 Covid impact. NN generate fund did not go back in, so there is 488M\$ lost of revenue that the NN lost during Covid. Council Delegates are trying to do is put ARPA money to the NN General Fund. There are a lot of regulations and deadlines to meet to put the fund to the NN General Fund. There is 480M\$ lost to carry over that the NNC approved to put back of \$211M\$. 488M\$ to allow equal distribution for Chapters. 211M\$ is deducted from 488M\$ which will leave 277M\$ left over to give to Council Delegates for Chapter projects. 784M\$ is ARPA dollars. 488M\$ is the lost revenue NN faced during Covid impact. That will have deadlines and fellow the Federal guidelines restriction. Council Delegates are looking at the Chapter projects and not to take it for other projects. \$1.2 billion is unspent. 488M\$ is to give back to the Federal Government if not spent by NN. The remaining balance will go to the Chapter projects. 784M\$ is ARPA obligated funds. It is very complicated to handle.

Agriculture Infrastructure Fund (AIF) that the Land Board questions why year 3 now because Year ½ passed that indicates discussion has been going on for Year 4 now. Bought insurance to pay yearly was another discussion with 19M\$ for insurance. The USDA pay out. There is no fund to pay back to the NN. Year 4, 50M\$ the NN is to get back. There was a meeting with NTUA March 13/14 to discuss issues on the grazing permittees, home owners, etc. There was a meeting on it at San Juan Chapter. There is a deadline March 14 and that is extended to March 29. There is an application portal process through the NN Department of Agriculture. More people need to be informed of this application process including the incentives availability. Council Delegate Simpson is a member of the Resource Development Committee (RDC) and the committee was given directive to provide information to the NN people as the fund will go back to the people. There will be an orientation for the people to vote on the \$500H incentives that are qualify for.

School Board Appointment Plan – The Health, Education, Human Services Committee (HEHS) did not listen to the people based on the public hearings so they approved the regional school board setting. Each school (Grant & BIE) have their own school board is not favored and the reason is why they voted against it. They want have own school board that was addressed during public hearings but was not favored by HEHS Committee. He has been meeting with Dine' Bi'olta School Board Association (DBOSBA) for discussion. Council Delegate George Tolth is really speaking out re Exhibit A – Regional school board setting and Exhibit A-BIE/Grant School have own local school board. They did not get 100%. With this format, Crownpoint & Lake Valley will have 6 regional School Board (2-Crownpoint Chapter, 1-Little Water Chapter, 1-Lake Valley Chapter, 1-at Large Nahodishgish/Becenti Chapters, and 1-at Large with Tse'ii'ahi (Standing Rock)/Coyote Canyon Chapters. George Tolth voted against it but passed with 80% and we fought to go local School Board concept.

Summer Youth Employment Program – 50/50 formula is used for bigger Chapters. There is an allocation of \$25,000 per Chapter discussed during the spring session, which will probably raise to \$35td. During the emergency winter session, George Tolth advocated to raise from \$25td to \$35,000 per chapter for the Summer Youth Employment funding.

Animal Shelter – There are a lot of unwanted dogs roaming around. 450M\$ is set for animal shelters, so 800M\$ was available so they are working on it now.

San Juan Gallup Supply Water Project – Beacon/Bitsi connection from 491 to Coyote Canyon off of San Juan water which will go to Nahodishgish, Crownpoint, Becenti, Lake Valley & White Rock Chapters. Ground water will not be used, and get on San Juan River water. There are two land owners opposing the rights-of-way (ROW) process so that delayed the project but now they found a law that will allow the NN government to overrule it. The Souder, Miller & Associates (SMA) is taking the lead with the 150M\$ project. The Cutter Lateral project is 200M\$ receiving water from the Navajo Dam Lake with dam/treatment plant. BBN9 project that includes Lake Valley have a completion date of 2029.

NM State Funding – There is an agreement of how the fund will be utilized and reimbursement between the NN and the State. Lake Valley do not get fund, the NN pays for the project first, so that is how the NN get reimbursement from the State of NM. Fiscal year 2023, Chapters received funds (3 did not received their fund, 9 was executed, and 74 cannot start the project). For this year 2024, a lot of funds are going to Chapters so we do not want it return to the State again. April 1, there is a meeting with the State of NM. Deputy Secretary Seth Damon will add it for discussion at the State level.

Transfer Station – Appreciates the current resolution just passed.

San Juan County Fund – NN Department of Justice (DOJ) did block the process having non-certified Chapter receiving the County Fund, only the Certified Chapters. There will be a meeting with the NN President & San Juan County to give the money back to non-certified Chapters. San Juan County cannot give the fund to non-certified Chapters based on the NN DOJ directive order. A meeting will take place with the SJC Manager Mike Stark to address that the County cannot use remarks by DOJ.

Breaching of 2013 Earthen Dam – Issues of NN Department of Transportation (NDOT) and NN Water Resources need to come down to the local level to assist Lake Valley Chapter community.

Concerns brought up by community membership:

Rose Sandoval questioned on the Crossing Commission that she brought up three times and there is no feedback provided back yet. The NN made agreement with the State but due to situations in rural area, there is a definite need of police assistance. Discussion at this Chapter was to put up signs but there are no signs. There is a lot of drinking and partying going on at the NHA housing premises and drunk people driving around. We need spot checks be provided by the police; cross commissioning agreement is needed.

Council Delegate responded to assure they have started working on it which is cross-commissioning/deputizing commissioning. It was discussed during the summer meeting with Ethel Branch, NN Attorney, and we are working with her. NN Law & Order Committee gave directive order to work on it so we are hoping they are working on it. Some Chapters have their own police. There are not enough NN police officers, not close to 600, only 257 officers under the NN Law Enforcement. It is because of a very dangerous position being a police officer. The State police assist when help is needed. There are 80% calls on the Navajo Reservation for response. Please keep them in your prayers. Council Delegate oversees 8 Chapters under his district. He will have a meeting going, it might be here at Lake Valley, pertaining to cross commissioning/cross deputizing.

June Joe is requesting to repair her house located in by Chaco wash. She said it has been two years now asking for assistance. She is requesting for approval to help her. She said her house that was built years back has foundation shifted. She was informed that her name is on the list for ARPA assistance program.

Chapter Secretary/Treasurer, Betsy Dennison, questioned why former school board members from the Grant/Contract School are still serving as school board when they did not get elected back in. Now those schools have two set of school board (those that took their oath during January 2023 inauguration & the old school board that did not get elected). The Oath of Office is administered by all elected officials to abide by but they are not carrying out their oath if they are refusing to step down because of pending lawsuit by school board representative Ervin Chavez vs. the NN-HEHS.

