



TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

POST OFFICE BOX 1288, SHIPROCK, NEW MEXICO 87420

T: (505) 368-1599 • F: (505) 368-1598 • E: tseadaakaan@navajochapters.org



MINUTES

September 15, 2024 • Regular Meeting • 12:00 p.m. (In-Person)

Google Meet/Video call link: <https://meet.google.com/zgr-okej-bjp>

Or dial: (US) +1 256-907-0295 PIN: 347 805 959#

More phone numbers: <https://tel.meet/zgr-okej-bjp?pin=5499963795360>

I. MEETING CALLED TO ORDER

President Robert Lapahie, Jr. called the meeting to order 12:34 p.m.

II. ROLL CALL

President Lapahie call upon Secretary/Treasurer Laura J. Benally to do roll call. S/T Benally, there are 17 community members which constitutes a quorum to start the meeting and one presenter.

III. INVOCATION

Invocation is provided by Delegate Rickie Nez.

IV. REVIEW AND APPROVAL OF AGENDA

President Lapahie did the review the agenda, VP Matthew Tso was busy putting up the agenda and items on the screen.

Motion by Elliot Jim, to approved the agenda seconded by Ruby Johnson.

Discussion:

Secretary/Treasurer Benally request to change the resolution to add on the following:

Resolution TDK-2409-01 to add on the amount for the Full-time and Part-time into the Chapter Scholarship Policy and Procedures, this is based on the scholarship amount that we incorporated into the General Budget. Also, for the Resolution TDK-2409-02, the base amount was incorporated into the General Budget in each category in the Chapter housing Discretionary Policy and Procedures. Then on Resolution TDK-2409-03 to change it to Approving the TseDaaKaan Chapter Fiscal Year 2025 Budget in the amount of \$343,514 for General Fund/Claim Funds/Scholarship as a batch. And for Resolution#2409-04 to change to Approving and Authorizing the Navajo nation Personnel and Navajo nation Retirement Department to keep the Personnel Salary of the TseDaaKaan Certified Chapter for retirement purpose of its employees.

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

Robert Lapahie, Jr., **President** • Matthew D. Tso, **Vice President** • Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** • Lavone Garnenez, **Farm Board** • Larry Johnson, **Grazing Representative**
Chapter Manager Vacant

Mr. Lavone Garnenez stated that a meeting has already taken place at IX. Announcement that the Farmer's Permit Meeting was held on 9/15/24, so strike out the date.

Mr. Larry Johnson requests to add resolution VII. New Business, due to the recent rainfall, there was flooding in the northside of Highway 64 across from the Fleet Management Office. He read a letter from the concerned citizens of that area of what has happened and their concern about the flooding area which affected 17 homes within that area. A need to urgently repair the main canal within that area, and to collaborate with us to implement an effective solution to this questioning matter. This happens when there is rain, and we need to maintain the canal system, resident in the area has suffered substantial damage to their homes and livestock enclosures posing a significant spread to a human and animals safety due to the downpour, compromising the structures and integrity of our homes and livestock enclosures, however, the swift and selfless action of our community member who risk their own lives to ensure the homes and livestock safety during the flooding, we trust that you recognize our neighbor situation that promptly risk the canal system to avert future flooding, written by the Red Goat Clan family. How are we going to take this matter into action, and we will give this letter to the Irrigation Department as well. President Lapahie stated that Mr. Garnenez, Farm Board Member will address this issue as well as Mr. Marlon Saggboy, Irrigation Department to meet and get this resolution started to resolve this issue. Mr. Garnenez stated that he did receive a notice from BIA, Vince Tsosie, to ask about the flooding area within the Hogback area, I am aware of one, and didn't know about this happen, so contact me or contact the Chapter. Right now, its Irrigation Department responsibility, the only thing we can do with Dineh Water Users and to see what kind of help they can give us. And future reference, we need to clear the weeds, and to have the Irrigation Department to have the courtesy to shut the water off to prevent another breakage. It has happened at two places, one for the Michell Family and that I took it to Department of Transportation. My recommendation is to have a meeting with the Irrigation Department with Mr. Saggboy before we put the resolution on this. Mr. Johnson stated that he did mention this to San Juan River Dine Water Users, Inc., and we can meet with the Irrigation Department, we did give a letter to Mr. Saggboy. Delegate Nez stated that he recommends this resolution be put on the agenda and address it to the Department of Emergency Management, as well as BIA, Vince Tsosie, and Water Resources, Irrigation Department to come out and tour the area and meet with the Red Goat Family. Requesting the Department of Emergency Management, Department of Interior Bureau of Indian Affairs, and Navajo Nation Water Resources-Irrigation Department from Shiprock. President Lapahie stated that we can't just do it for one area, we need to ask for the whole area along the canals. Delegate Nez to state in the resolution address flooding and property damage. Carmelita Nelson spoke and stated that she lives below the canal on the west side, there is trash that went down the arroyo, and it went down the road. Who maintains this area of canal, we need someone to take care of this as well. This

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

Overflow, who take care of this; the highway department doesn't take care of the area inside the fence area. We need the people to haul their trash to the transfer station, it costs \$1.00. Somebody to announce at KNDN to state not to dump trash in the area, people drink back there, and I've seen beer bottles, diapers and debris. President Lapahie stated that this is an issue, it also happens at Monkey's bend and along the irrigation canal area. When this meeting takes place, come and address the issue. Mr. Johnson stated that the issue was also mentioned, and the drainage is filled up and not cleaned out, this happened in three areas, and it's not safe, we need to discuss this issue. President Lapahie states how did or why it happen, if we plant vegetation maybe this won't happen. Ms. Nelson stated that the cattle guard is filled with dirt, and I did call the Highway Department, and they can't do anything about it.

VP Tso stated that Delegate Nez wants to do his report early because he wants to attend another meeting. Delegate Nez stated that he will stay here and listen to the concerns. Vote took place. So, resolution is added as such: TDK-2409-05 Requesting of the Navajo Department of Emergency Management, Department of Interior (BIA), Department of Water Resource, New Mexico Department of Transportation, Navajo Department of Transportation (NDOT) to meet with the TseDaaKaan Chapter to address flooding and property damage and other concerns.

Vote: Favor: 17 Oppose: 00 Abstain: 01

**V. READING AND APPROVAL OF THE LAST MEETINGS MINUTES OF:
Moted by Gerald Tsosie to approve the Last Meetings Minutes stated below, second by Elliot Jim.**

1. August 18, 2024 Regular Meeting
2. September 06, 2024, Planning Meeting

Vote: Favor: 16 Oppose: 00 Abstain: 01

VI. OLD BUSINESS

VII. NEW BUSINESS

1. [TDK Resolution: TDK-2409-01](#) - Approving and Amending the Tse Dáá K'áán Chapter Scholarship Policy and Procedures; Amending the Chapter's Five Management System Policies and Procedures to Increase the Amount for Full-Time and Part-Time Recipients. [Amendments](#)

Motion by Ruby Johnson approve this resolution, seconded by Lavone Garnenez.

Discussion:

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

S/T Benally did a presentation on this resolution, we want to change and make an amendment to include the Full-Time amount from \$500 to \$700, Part-Time from \$250.00 to \$450.00, and to put this in the Chapter Scholarship Policy and Procedures based on the General Budget that we worked on.

Vote: Favor: 15 Oppose: 00 Abstain: 02

2. [TDK Resolution: TDK-2409-02](#) - Approving and Amending The Tse Dáá K'áán Chapter Housing Discretionary Policy Funding and Procedures, Amending the Chapter's Five Management System Policies and Procedures to include the Dollar Amount for Categories A, B, C, E and F. [Amendments](#)
Motion by Lavone Garnenez to approve this resolution, seconded by Carmelita Nelson.

Discussion:

S/T Benally presented this resolution in reference to the amount to put in each category, Category A will be \$750.00, Category B will be \$1,250.00, Category C is \$2,000, this is Self-Help so if the amount goes over, you will come up with the remaining balance, Category E will be \$750.00, and Category F is \$750.00, under Category D is new construction, we don't have funds for new construction so we leave this out. We need to put this in the Housing Discretionary Fund Policy and Procedures, so that it's set in stone. President Lapahie stated that in Category E, we need to include the Septic Tank Cleaning, so that \$200 will be assistance, the difference, the homeowners will take care of it which is under Category C. Mr. Johnson stated that he wants clarification on A, B and F which each as \$750, why is this. S/T Benally explained the categories for the Categories A, B, E, and F and reason behind this, also this is self-help so if the amount is over \$750.00 the requestor will be responsible for the difference. And Category F is for weatherization, we put in assistance for Wood/Coal Stove, Pellets stove, air condition units, and water heater due to the high cost of appliances. Frances Kiefert asks if you applied for CHID, can you still apply? S/T Benally stated no under the new rule, and if you are approved, we will be notified by the program. President Lapahie stated that we should consider Furnace to be include, this is part of Home Heating. Based on the Home heating, we include the Air Conditioner, because some of the elders can't afford AC unit, and in winter, some elders can't afford propane so we should include the furnace. President Lapahie stated that some elders use oxygen, and I'm thinking on their behalf. This is up to you to approve this. So, under Category F, we will include furnace as part of the home heating purposes. Also, the other portion is to limited the assistance to five years, from the ASC Office, Ms. Washburn doesn't want us to assistance yearly. S/T Benally stated that with the assistance we provide, we had an individual that came in and ask for another assistance and was approved last year, and they still have the materials and have not use it. They are requesting for more materials, however, for materials they deteriorate over

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

time and not used which is not in accordance to our policy and procedures. VP Tso showed the police and procedures on the screen, S/T Benally stated that the materials are supposed to be used right away. The Chapter Manager does the assessment part to ensure that the materials are used. President Lapahie stated that this is our fault in not doing the assessment, you have one year to use the materials, and if not used, then we need to let the recipients know that they should use it. Mrs. Peters asks if the recipients will be given a time frame to reapply for assistance, and what you want to do is assist everyone and not the same one repeatedly. Mr. Paul George stated that why can't the chapter get Work Force Development to make an agreement to work on the repairs and equipment needed, they do have some people coming to Work Force Development to find work. That way we can ensure that the materials are being used so the project can be done. S/T Benally thanked Mr. George for his recommendation, however, we have put funds in the PEP Line Item to hire professional people such as electricians and carpenters to do the work so that we can help the recipients to complete their project and do a work schedule. Mr. George stated that the funds under Workforce is already there and the people are already employed. S/T Benally stated that Workforce only give outs so much people to be employed, and Mr. George interrupted and stated that they can replace the windows. President Lapahie stated that we do have two Work Force workers currently working here at the Chapter. Ms. Charlene Dodge, Administrative Assistant, in regards to Work Force Development, workers are on the job training, they are not skill carpenters or electrician, and we can't ask Work Force to send us a skill carpenters or electrician, and we can't train them because we are not skilled or certified in that area. Mr. George stated that there was a guy, he is an electrician and plumber and looking for work, he was looking for a job, and he did some work in the Shiprock Chapter area. Mr. Johnson stated that Workforce is a training that they do, they are trainees, he stated the chapter should hire a certified chapter or electrician for that purpose. What Mr. George is day is correct. President Lapahie stated that last year, we did put funds for a carpenter, however no one applied for this when it was advertised. Mr. Johnson stated it, probably because of the pay they didn't apply. President Lapahie stated that this individual can make \$14 or \$15 an hour, we pay for workmen's compensation, FICA and other applicable deductions, however, we have to pay, and they will make approximately \$18 or \$19 per hour, this is how our budget looks. VP Tso called for point of order. S/T Benally stated to reapply every three years or leave it as is. VP Tso stated maybe two years to reapply or 24 months to reapply which was incorporated into the policy. R. Johnson stated that the consideration is for those that are in need, like for the elderly, they might need it more than other. President Lapahie stated that we have a CHR who can do an assessment, and we will revert it to our CHR. Delegate Nez stated that we should also include for flooding for emergency, you need to add for emergency situation for special consideration prior to prior years or in between. So, this was added

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

as: Special consideration to these people may be made to expedite the processing of Housing Discretionary Assistance funding to people who have suffered property damage arising from flooding, burnout or other natural disasters, or declared emergencies. Approvals shall be made on a case-to-case basis. President Lapahie also stated to include 30 days after assistance has been approved, that the materials need to be use, so it was included stated: The chapter administration shall ensure that any materials obtained shall be used within 90 days upon the award of housing discretionary funds. If these materials are not used within such a timeframe, the chapter reserves the right to pick up the materials. Ms. Dodge stated that we should put in a clause to state that if the materials are not used, the chapter has a right to pick up the materials. VP Tso read the changes in the policy and procedures.

Vote: **Favor:** 17 **Oppose:** 00 **Abstain:** 01

3. [TDK Resolution: TDK-2409-03](#) - Approving the Tse Dáá K'áán Chapter Fiscal Year 2025 Budget In The Amount of \$343,514; Regarding General Funds, Land Claims Trust and Scholarships Fund. [Fiscal Year 2025 Proposed Budget](#)
Motion by Eltiott Jims to approve this resolution, seconded by Ruby Johnson.

Discussion:

S/T presented the FY 2025 Budget has how it was discussed and proposed, we got some provision to insert into the budget which was given to us on Friday. VT Tso put the budget on the screen for all to see. Budget is attached to the resolution. S/T Benally stated that this budget is based on the actual expenditures for the past years, in some areas, we can't change the budget, it is set up for that purpose. S/T Benally did each line item in accordance to the budget that is attached, and she stated that we did not do the Scholarship Assistance for the students due to the changes that needed to be made, we will do that in October's meetings. We included the Equipment Operator which we also added on Maintenance, so this position will be Equipment Operator/Maintenance Man. Also, she stated that Land Claims is for administrative use for the chapter office, and Scholarship Assistance is separated by full-time and part-time. There will be one full-time scholarship being paid at \$624.00 will be paid through this, however, the difference will be paid by the carry-over. Mr. Jim asked about the CLUPC's meeting, is it going to be monthly and not quarterly? S/T Benally stated that yes, CLUPC will be paid monthly. There is a deduction like Workmen Compensation and Fringe Benefit, so the stipend they don't get the full amount. VT Tso asked why it can't be a 1099 like the chapter. S/T Benally stated that that is what it is, however, the Chapter Officials stipend is different. VT Tso stated that we did get an updated report that the Navajo Nation Council will do the continuing Resolution, however, we still need to approve this in accordance with the timeline establish in the BIM, and

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

we will get only 50% of the budget, this was given to use at the Agency Council. President Lapahie stated that last year, our staff didn't get paid until a month later due to the budget. Mr. Johnson stated that in the future, maybe we could set aside funds for Probate Services to those that need assistance, perhaps for five people where chapter can assist some funds like self-help program. They need to pay for the difference themselves. Such as Mrs. A. Lee, who has a deteriorated trailer and needs assistance. President Lapahie stated that we will go to a vote now, however, Mr. George stated that he has a question for Delegate Nez regarding the continuing resolution, this will impact the chapter's budget. He asked Delegate Nez, the Navajo Nation Council will have a special session on continuing resolution, what impact will it have on the General Funds? And most of the funds will be discussed on the ARPA Funds, what is the impact on this. Delegate Nez stated that he would like to report this on his time when he makes his report. President Lapahie stated that Delegate Nez will discuss this at his report. Delegate Nez just stated that Mr. George, there is a lot of impact, when you were a delegate, there was a lot of funds by the Council, at that time there were 88 Delegates, and today we have 24 Delegates. But the money is lower, the power plant in Fruitland will be shut down in 2031, in six years, a decision must be made before 2026 by NTEC to buy the power plant and to modify the funds, which 39% funds will be given to the Navajo Nation. So, if the mine closes in 2031, this was part of my report at the Agency Council. During your tenure as a Delegate, there were Discretionary Funds given to people for their use, we don't have that, and it was foreseen for the future. We understand yesterday is gone, we are in today, tomorrow is the future, what did we learn. Will we have a Tribal Government, will the Federal Government say do away with the tribal nation and let them blend with the rest of the country, will they say that. There are so many people, they will say the Treaty is no longer effective. Today, our children have degrees, and you say you are a Sovereign Nation and yet, we still provide for you, you are not self-sufficient, this is what they will say. Our Indian reservation become for sale, and have real estate sign up. So, you see where we are going, at some point there will be a one world government, we already have a world health organization and summit. There are two senators that are already saying that we need to reconsider in what we are doing with the Indian nation, we need to take a good look at it and dissolve it. We need to continue to pray, tell our children to go to school and depend on the work that they do. Don't depend on me as a leader to resolved your problems for you, somewhere, somehow, people really need to look at this, if the power plant does shut down in 2031, the Navajo Nation Council will not be the same, so of the Council Delegates is environmentalist, that is how we just down NGS in Kayenta Mine, we are minus \$50 Million. If we can modify the power plant and do something with it, we can continue. Yesterday, we had two meetings after the meeting, one of that is from here asking for funds, Tse Daa Kaan Economic Development, and

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

we told them they have to follow the Navajo Nation Law. I will report more during my report.

Vote: **Favor: 16 Oppose: 00 Abstain: 01**

4. TDK Resolution: TDK-2409-04 - Approving and Authorizing the Navajo Nation Personnel Department, and NN Retirement Services to keep the Personnel Salary of the Tse Dáá K'áán Certified Chapter for retirement purpose of its employees.

Motion by Elliot Jim to approve this resolution, seconded by Carmelita Nelson.

Discussion:

S/T Benally explain that the staff here, the funds under Personnel, we will give the funds of the 401K, Annual Leave and Pension, we will give back to Navajo Nation Retirement office. Since the inception of being certified in 2007, the employees were given the option to pay into the Retirement Services but they opt not to. So, the retirement services will not be included, they lose out for their retirement services, and we want to implement this for the new chapter manager and administrative assistant. Which will include the employee's contribution into the retirement services. Mr. Jim ask is that the only reason we are doing that for employees under the Certified Chapter to save money, I guess. We are the only chapter that we don't pay into the Retirement Services, so the employee lost out in the years of services. Delegate Nez stated that his other certified chapter, we pay out from our Sales Tax fund. Certified Chapter are not Navajo Nation Employees, they are chapter employees, they don't follow the NN Personnel Policy, that is why we have FMS Personnel Policies. Whereas, non-certified chapter, they are under the supervision of Agency Service Center. President Lapahie stated that, presently, they don't have the years of services for retirement, they lost out. S/T Benally stated that once this resolution is approved, we will work with Retirement Services and Personnel Department, and if approve, the employees will pay their contribution as well.

Vote: **Favor: 16 Oppose: 00 Abstain: 01**

5. TDK Resolution: TDK-2409-05 Requesting of the Navajo Department of Emergency Management, Department of Interior (BIA), Department of Water Resource, New Mexico Department of Transportation, Navajo Department of Transportation (NDOT) to meet with the TseDaaKaan Chapter to address flooding and property damage and other concerns.

Motion by Lavone Garnenez to approve this resolution, seconded by Elliot Jim.

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

VP Tso stated that in the resolution, it states The Tse Daa Kaan Chapter received numerous concerns and complaints regarding substantial flooding and property damage that has occurred as a result to significant rainfall and flooding, the Irrigation Canal are not being properly maintained, cleaned, or water stopped in a timely manner. When the rainfall comes, the water overruns the canals waiting for flooding and property damage. Then, he read the therefore in the resolution. President Lapahie stated that we need to include the drainage and the culvert pipes that goes under the highway to be clean as well. VP Tso included in the Now, therefore be it resolved that has two statements reflecting the above resolution request. See attached resolution.

Vote: Favor: 16 **Oppose:** 00 **Abstain:** 01

VIII. REPORTS

Below is what the members will report at the Regular Chapter Meeting.

1. Chapter Manager's Report – Robert Lapahie, Jr.

President Lapahie reported that we will be hiring for our Wood Haulers, we will get with the Administrative Assistant and hired them on a quarterly basis. We also have a community member; Mrs. Mitchell has a rain out with her pipe. We did contact Tom Platero, there was a lot of wash out. We also had our Northern Agency Council Meeting yesterday. We only have the Administrative Assistant, and the office aid, however, the office aid position on the last day will be 9/20/24. VP Tso stated the only thing is that Delegate Nez will report on the Personnel, however, it was reported that the Certified Chapters will receive only 50 percent of the budget. Or we might have a government shutdown, due to the budding heads of the executive and legislative branch, I hope our leaders, President Nygren, and the Council can come to some sort of agreement. S/T Benally stated that the recipients that applied in August, we will put them our agenda on October 06, 2024. The students that are within the 50 miles radius, they must be present, or if they are out of 50 miles, they can attend via google meet. A student, Braeden Atcitty, was present and asked if he was on the listing for the scholarship, Mrs. Benally stated that we don't have the listing, however, we will get it sometimes this week and we will notify the students before our Planning Meeting which is scheduled for October 06, 2024.

2. San Juan County Clerk – Arlenta Horse-Dickie

Mrs. Horse-Dickie stated that she wanted to give a report, but she is on the side of the road.

3. Senior Center Activity Report – Elliott Jim

Mr. Jim stated that she didn't get a report, however, his mother gave a quick update on the activity. He started his report about his work not the center, S/T Benally stated that point of order, you need to report on the Senior Center Activity. He stated that the elders are thankful about the field trip that they went on using the San Juan County Funds, the

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

Program Supervisor Donovan Andy is stressing that the elders do exercise daily. He hasn't heard anything about the train ride in Durango, CO, from Alberta Begay, and I don't want to keep bugging her regarding this trip. This was his report. S/T Benally stated that we won't disburse any checks due to the budget closing.

4. Navajo Power - Ceceilia Tso-No report, she is usually here.

5. CHR Report - Rosita Attakai-No report

6. Grazing Committee Member Report - Larry Johnson

Mr. Johnson reported on the tally count report due at the end of this month, I have been contacted by permittees which I will work on this week. Also, I want to purchase more hay for the livestock owners, but it will probably be in the carry-over. We had a meeting on Thursday at Teec Nos Pos, there was a presenter from Texas, and he presented to use regarding Ear Tag sensors to locate your livestock, however the cost for this \$4,900 to set up this process. It was nice to hear, but for the reservation, we don't have that kind of fund. There is a lot of new to tell, however, a man by the name of Tony Robinson, he gives a real good report on the history of livestock permits. I wished the permittees would listen to his presentation regarding the red book, Taylor Grazing Act, Indian Grazing Act and the Navajo Grazing Act, and I would like to request for his presence, and I need to ask in advance. We will have the Grazing Permittee Meeting on September 18, 2024, to do a quick presentation, and I would like you all to attend these meetings, it's very informative. We need to educate a lot to our younger generation, and understand the policies that are in place, which is good for future reference. Also, Greenview will do a presentation, and it is sometime this month, this is my report.

7. San Juan River Dine Water User's, Inc. Member Report - Larry Johnson

Mr. Johnson stated that they do have their meeting behind Shiprock Fleet Management, we did receive funds of \$179,000 per quarter. We did have some people hired, D. Mesa, T. Reed, they work on the equipment and a construction manager, and Katherine Ji, she is our CEO. We will redo our organization, however, a gentlemen came in and stated that he can be contracted to do this, the board stated that they are already in the process. With the funds, we will work on Phase 1 in the Shiprock area, and in Upper Fruitland, we will continue with the project. We will work on the Irrigation canal, and if the water can continue be running. So, we will continue to meet with the board on some of the projects monthly. This is my report.

8. Farm Board River Farm Board Member Report - Lavone Garnenez

Mr. Garnenez reported on the following: Inventory Crop Report due at the end of the month, some of you need to complete the forms. We had a joint Farm Board meeting last week, some of the people got their AIF monies, and same as Grazing, so long as you submit your tally count in. I had the permittee meeting due to the timeline for the end of the year closure. We were asked about the A and B Construction, what is the status on it. So, it was passed through the Resource Development Committee, now it must be

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

approved by the Navajo Nation Council. The Irrigation Department will shut down before the Northern Navajo Fair for one week, then will be turned in for another two weeks afterwards. I will be going around, I'm done with A and B Canal for Crop Inventory Report, I will be going out down this way on the main canal. The next Permittee Meeting will be October 17, 2024, we will have our Regular Meeting October 01 in Shiprock, and October 15 at Upper Fruitland. Other than that, the report on the Irrigation System, hopefully, we get volunteers to cut down the trees along the canals, because the Irrigation Department will not do it. We need to start cleaning out the canals this winter. Also, don't forget to get a burn permit when you are cleaning on the canal. One of the things is that they are canceling Farm Permits due to non-usage of the farm. I had one farmer that wants a homesite lease, but I can't do anything, it must go through probate. The Agricultural Department is asking to transfer permits to younger generations due to age. Due to farmers passing away, the permit must go through probate, this also goes for two people's name on the permit, and if one dies, it still must go through Probate and the permit will be valid for five years. On the Farm Board side, there will be cancellation, documents were sent to Resource Development Office, and I was pulled aside regarding the farmers that had HEMP, I just told them it was going through litigation. Whatever they have on the farm, it should stay due to litigation. This is his report. Water turns off on October 01, 2024, then turn back on 10/07/ or 10/14. Complete his report.

9. TDK Veteran's Committee Member Report – Commander Michael Warren-No report.

10. Council Delegate Report - Honorable Rickie Nez

Delegate Nez reported on Legislation 0138-24 Hogback Pump Station \$4.9 Million has been approved by RDC, and Nabikiyati, now it will go through the Navajo Nation Council for the next three days. I will address this at the Navajo Nation Council tomorrow and to see if I can address this then. There was other legislation that was controversial, and I didn't bring it up. It has taken so long for this project, it is that the King Gold Mine was given the funds, \$13 Million is unrestricted, and it's taken time with the Department of Justice, also the unrestricted is being discussed. The Gold King Mine Spill Mitigation Fund, I introduce this and funds were approved, and I need to do the expenditure plan. Under the UUFb funds, we can use these funds, and the Gold King Mine Spill Mitigation Fund can be reimbursed in the UUFb. Under the and A and B Line, we will replace the pipes that have rusted, and be replaced, and we will do the scope of work. The second item that I want to discuss is the APS Power Plant to renew their lease, part of that legislation that is written by prior delegate G. Arthur, E. Keeswood and L. Bates, they created a Four Corners Power Plant Lease Advisory Committee, and one person from the President's office, speaker of the Navajo Nation, and one other member from Four Corners Power Plant; so for the past four years, Seth Damon appointed me to be part of the committee. Then I talked to Speaker Curley on this committee, this Power Plant within District 13 which is in the middle part of the area. I asked if she wanted to be on the committee, however, Speaker Curley reappointed me to stay on the committee. This is my second meeting, NTEC was there, they were asked a question. This agreement expires in 2031, will NTEC will acquire this power plant. They said yes, we will acquire the Four Corners Power Plant and modify the Power Plant to fit the environmental needs. And the funds

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

will continue to go to the Navajo Nation. The APS asks when you plan on having this legislation before the Navajo Nation Council, NTEC said the first quarter of 2026. That's the last year of the 25th Council, APS stated that we like to start talking about this, get the agreements in place, then I ask NTEC to bring this legislation before the Council in 2025. NTEC agree that they will work on this and bring it before the Council. The third report is that a request was made to amend the agenda regarding 192 candidates where disqualified, and other delegates started calling me after the disqualification letter they received. What can Council do to help us, it says that the expenditure report can be submitted for the primary and general election, it made it look like we can return in the expenditure report after the General Election and that was the reason why I didn't turn in the report. Some of the people hired an attorney, Burnham Chapter, passed a resolution asking for an extension for these people that were disqualified. I ask Doctor Andy Nez if HESS is the oversight committee over the election, and he said no it must be Nabikeyatii at some point, it will be brought before the people of why 192 people were disqualified. Was it neglected? Some are saying that the Election Office didn't clearly state to us about this, I don't know what happened there, but we need to address it. The Fiscal Year 2025 Budget, during the 24th Council we did the continuing resolution, what it is to continue the operation of the government. A letter was sent out by the Office of the President and Vice President, in this Legislation 0206-24, there was several dates in the Legislation. In March, the Controller stated that the projection is for 2025, we all received the memo, then in May, the Budget and Finance Committee met, based on the Budget Instruction Manual, there was a work session. The Controller reported the revenue project, it's up for deliberation. June 17, 2024, the office of legislative counsel stated that each branch has their counsel and attorney general, our counsel stated that the Branch Chief are the President of the Navajo Nation, Speaker of the Navajo Nation Council, and Chief Justice, each budget was agreed. Budget and Finance Committee, that the Attorney stated that the agreement is not statutory prerequisite for establishing the base planning amount. A day later, the Budget and Finance approved a base planning amount, then June 24, 2024, Branch Chiefs agreement all agreed on this planning. We asked the Speaker of NNC, why didn't you review the budget, what happened. The Budget and Finance Committee stated that the planning budget was not valid. Eight days later, the B & F Committee rescinded the resolution to revise the BIM. Then Ethel Branch, Attorney General, produces a legal opinion, she stated that this was invalid and advises you, which includes all the committee, to put this on hold and don't bother with the budget. We haven't passed or worked on the budget, along with the B & F Committee, they discussed the budget. This was a concern to avoid any governmental operations before October 01, 2024, when we include the Council, that means the 24 delegates. The prophet Daniel stated that we have all sinned, and I'm not going stand before you and think that I am perfect. Being the older person that I am, why did you get the Chief of Staff. What does politic means in Navajo? The Chapter Officials are public servants, Politicians are deceivers of what needs to be done. I said to my son, what you are doing, you are a politician, as well as a Public Servant. There are no laws that say that you don't have to attend the Chapter Meetings. That can't be right, the people voted me into this,

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*

there is a law, in Title 26 under the duties of the president, it says, to create an agenda includes the chapter officials and the delegates for our chapter planning and regular meetings. It's up to the chapter officers and it's not up to you. If I ask for a supporting resolution, I need the votes.

Delegate Nez just gave examples of why we voted for people in office. That was his report.

IX. ANNOUNCEMENTS

The announcements will be open at the Regular Chapter Meeting for any announcements.

- 1) Chapter Administration is open to the public, you may call (505) 368-1599 for services.
- 2) San Juan River Farm Board Meeting, September 03, 2024 @ 08 a.m. Virtual Meeting ID 810 792 2894 Passcode: 87420 (Location: Gadii'ahi Chapter)
- 3) Tse Dáá K'áán CLUPC Public Meeting, September 10, 2024 at 9:30 p.m. (TDK Chap)
- 4) Tse Dáá K'áán Chapter Regular Meeting Sunday, Sept. 15, 2024 @ 12 p.m. – 4 p.m.
- 5) Tse Dáá K'áán Veterans Meeting, September 17, 2024 @ TDK Adm. @ 5 p.m.
- 6) Tse Dáá K'áán Farmer's Permittee Meeting, Sept. 17 TDK Admin. Bldg. @ 10 a.m.
- 7) Tse Dáá K'áán Grazing Permittee Meeting, Sept. 18, 2024, TDK Admin Building 1 p.m.
- 8) Tse Dáá K'áán CLUPC Meeting, September 19, 2024, at 5:30 p.m.
- 9) Tse Dáá K'áán Chapter Planning Meeting Sunday, Oct. 06, 2024 @ 10 a.m. – 12 p.m.
- 10) Tse Dáá K'áán Chapter Regular Meeting Sunday, Oct. 20, 2024 @ 12 p.m. – 4 p.m.

X. ADJOURNMENT

President Lapahie request for an adjournment.

Motioned by Lavone Garnenez to approve to adjourn the meeting, seconded by Ruby Johnson.

Vote: Favor 16 Oppose: 00 Abstain: 01

Meeting adjourned at 4 p.m.

Respectfully submitted by: Laura J. Benally_____

Laura J. Benally, Secretary/Treasurer

TSE DÁÁ K'ÁÁN CHAPTER GOVERNMENT

*Robert Lapahie, Jr., **President** · Matthew D. Tso, **Vice President** · Laura J. Benally, **Secretary/Treasurer**
Rickie Nez, **Council Delegate** · Lavone Garnenez, **Farm Board** · Larry Johnson, **Grazing Representative**
Chapter Manager Vacant*