

TOLIKAN CHAPTER

Planning Meeting Regular Meeting Special Meeting

MINUTES

December 10, 2017

CALL MEETING TO ORDER:

Carolynn Begay, Navajo Nation Fish & Wildlife, gave a power point presentation on the present condition of the land compared to how it looked years back. Wanda Burton, Principal at Red Mesa Unified District 27 School and John Bloom, Principal at Immanuel Mission School also presented their report waiting for a quorum to start the meeting (see reports attached).

President Clark called the meeting to order at 1:28 p.m. with a quorum present.

INVOCATION: Harry Roy

REVIEW AND APPROVE AGENDA:

President Clark gave the floor to Lovena Lee to present the agenda. Mrs. Lee read and reviewed the agenda.

Motioned: Woody Lee
Vote: 18-00-05

Seconded: Rosalinda Nelson

Christopher Bahe, Office of Navajo Nation Vice-President, was introduced by President Clark. Mr. Bahe got the floor for introduction. He reported Jonathon Nez, Navajo Nation Vice-President, is at Four Corners Monument and may be stopping by.

REVIEW AND APPROVE MINUTES:

Louise Scott read the minutes for November 12, 2017 regular chapter meeting.

Motioned: Mary Jane Betonie

Seconded: Arnold Slowman

ACTION: An inquiry was made on the PEP job description, projects, etc. written in the minutes. President Clark stated Mr. Slowman is available today to give us a report later on the agenda.

Vote: 17-00-11

ANNOUNCEMENTS/VISITORS: 1. Fran Pahe, Eve's Place Community Services, 2. Kim Pierce, Superintendent, Red Mesa School, 3. Elsa Johnson, Environmental Protection Agency, 4. Carl Holiday, Environmental Protection Agency, 5. Carolynn Begay, NN Fish & Wildlife, 6. John Bloom, Principal, Immanuel Mission School

Mary Jane Betonie:

Local Senior Council is selling food today—Steam Corn Stew or Roast Mutton with Fry Bread for \$6.00 Fry Bread is \$1.50. Fund raising for Local Senior Council.

Lovena Lee:

-Senior Center serves breakfast at 8:30 to 9:30 and lunch at 12:00 to 1:00 daily. All seniors are invited to eat daily.

12/13/17: Upper Fruitland Senior Council meeting

12/25/17: Closed for Christmas Day.

12/12/17: Local Senior Council meeting at 9:00 a.m.

-The center is doing 12 days of Christmas activities.

-Mrs. Lee reported 554 seniors ate at the center in November 2017, etc. The number of seniors utilizing the center is important because they get funding; therefore, Mrs. Lee encouraged all seniors to eat at the center.

12/21/17: December birthday dinner. They all get small gifts.

Rosalinda Nelson:

-No veterans meeting this month.

OLD BUSINESS:

1. **Resolution # TC-089:** Approving Tolikan Chapter Administration revised Plan of Operation for the Tolikan Chapter Truck. President Clark presented the resolution and called on Arnold Slowman to explain. The truck is a chapter property and a Plan of Operation is already in place. It is revised. We also have a goose neck trailer and it is included in the Plan of Operation.

Motioned: Harry Roy

Seconded: Wilfred Yazzie

ACTION: Arnold Slowman presented the revised Plan of Operation (copy attached). Chapter Administration will present a monthly report during the chapter planning and regular chapter meetings. The truck and gooseneck trailer are parked at the Chapter Manager's residence. The Plan of Operation and the policy on the truck and the trailer will be adhered to. A Navajo Nation Driving Permit is required to drive the chapter truck.

Vote: 24-00-07

2. **Resolution # TC-095:** Approving and supporting the efforts of the Four Corners Regional Health Center (FCRHS-Red Mesa) to establish and explore the possibility of becoming a PL 93-638 entity and requesting signature approval from the Health Education Human Services Committee of the 23rd Navajo Nation Council, Nabikiyati Committee to support and fulfill the intent of this resolution. President Clark presented the resolution.

Motioned: Woody Lee

Seconded: Harry Roy

ACTION: Harry Roy mentioned how the Four Corners Regional Health Center was started and asked how it is supposed to be set up. He reported people are complaining about the present services provided, doctors leaving, people walk out of the clinic with bags of medication like they are coming out of Walmart with grocery. He asked, "What is wrong with the clinic? And that it will be good to have a strong clinic."

President Clark gave the floor to Woody Lee to explain the intent of the resolution. Mr. Lee willingly and briefly elaborated on the story of the clinic before explaining the intent of the resolution. The clinic was built to benefit the people traveling a long ways to Shiprock, etc. for health care. Planning took place and funds were recognized to build the facility for the clinic. Doctors and other personnel were hired and the clinic grew so much. The clinic was planned to include a nursing home, but it is only the clinic this far along. It started with about eight doctors, etc. It grew for a while, now there is only one nurse.

Tolikan Chapter was contacted by Utah Navajo Health Service to take over the clinic under Public Law 93-638. We opposed that to research and learn about 638 for five years. The five years past and nothing happened. Indian health Services Headquarters and Northern Navajo Medical Service started talking about 638 operations for the clinics. There were health board members representing the chapters serving as liaisons from chapter communities to the Indian Health Services; but that health board has been eliminated. The health board members listened to chapter membership complaints and recommendations to improve the health services, but they are not there now. Because of these actions, 638 is being considered for Four Corners Regional Health Center. It is also being offered to Dzith-na-o-dith-hle Health Center and Northern Navajo Medical Center. People complain about the long wait for dental, eye care, etc. Our people wanted a 24 hours health service, a hospital with so many beds, emergency medical service, etc. There is no kitchen built within the facility. People have a lot of complaints.

Mr. Lee stated that we say and want local governance. This Public Law 93-638 was approved by United States Congress and signed by United States President Ford 1975 in Washington, D. C. It is described and interpreted as Indian Self-Determination. The Treaty of 1868 is still in tact and still being recognized by United States Congress. And the 638 is similar to our Local Governance Act (LGA). We got our chapter LGA certified. We held some hearings on the 638 and gave reports here and there.

Mr. Lee explained how the present board for the 638 was formed and that all legal documents are filed. The Tolikan Community Development Committee (TCDC) was informed. This same resolution was presented

and approved by the Northern Agency Council (NAC) in September 2017 at Montezuma Creek, Utah.

We are comparing Indian Health Services (IHS) with the P.L. 93-638 operation. The funding process is better for the 638. IHS get funded from Washington, D. C, the funds go to San Francisco where deductions are made, then it goes to Window Rock to Navajo Nation where some more deductions are made then it goes to Shiprock Northern Navajo Medical Center some more funds are taken out and it finally gets to FCRHC. That is why our clinic is not progressing. The third party money (the money from health insurance including Medicare and Medicaid) is the same. Not all of it stays at Four Corners. The 638 organization can apply and get grant monies.

The hospital and clinics at Fort Defiance, Utah Navajo Health Center and Tuba City are operating as 638. The present employees at Four Corners Regional Health Center will remain the same with their benefits and pay. We will have the clinic improved with retention of doctors, etc. Sage Memorial Hospital employees are assisting us gathering information and learning about 638. We will have a health board for the clinic. We will keep all our funding. Dzith-na-o-dith-lhe Health Center is also in the process of starting the 638 as well as the Northern Navajo Medical Center. Northern Navajo Medical Center formed a board to start the 638.

Irene Begay inquired on the meaning of exploring the possibility of becoming a 638. She stated that we are saying that we are not receiving good health services. Has the chapter asked IHS to meet with us on these issues? She attended a meeting where some IHS employees were present and she was listening for them to mention when they are coming to Tolikan. But her main question is on exploring. Irene mentioned the Treaty of 1868 if we are leaving the services offered. She made a recommendation to all the board members to learn and explore the meaning of P.L. 93-638 operation. And that she is missing presentations from IHS representatives on the 638 process. She worked for IHS and retired from there and knows that improvements are possible by request.

Woody Lee repeated his explanation on the comparison between IHS and 638 and that we are not leaving the Treaty of 1868. Tolikan Chapter officials wrote a letter to the CEO at Northern Navajo Medical Center with an invitation to meet to discuss certain issues and complaints on the health services at FCRHC. A resolution was also adopted and approved by chapter membership to improve a list of health services and concerns. There was no action taken on the letter and the resolution.

Lee C. Begay briefly elaborated on the history of the FCRHC. How our elders discussed and planned to have a local hospital and nursing home. The operations exist, Indian Health Services and 638. Which one do we want? He coded, "Ask not what your country can do for you, but do what you can do for your country". He strongly emphasized "doing things yourself". And expressed his opinion on 638 is okay. He was serving as a council delegate when Tuba City Health Center became 638. There is nothing wrong with it. Lee told a story about himself how he got his tooth pulled at Utah Navajo Health Center. He was relieved but he got a bill later which he had to pay. He got well so he paid for the bill. Lee is aware of how the FCRHC was built—how much effort was put into getting the land consigned, etc. It is just being improved today.

Wilfred Yazzie inquired on when 638 was borne.

Woody Lee explained PL stands for Public Law, 93 is 93rd congress and 638 is 638th law that congress passed. It was signed into law by United States President Gerald Ford on January 4, 1975.

Sarah Lee spoke on her opinion about 638. Navajo Nation has several organizations operating as 638. It is the managerial style—if we do wrong as management, we will be investigated, etc. The 638 is contracted with the government and they are serious with their programs. Tolikan Chapter is a certified chapter. Our officials should be researching various items like 638 when it is brought to their attention. Our elders had vision. They knew what they wanted. This clinic at Red Mesa was started by a steering committee that was formed from the chapter. Members of the steering committee were selected. Sarah was one of those selected. She questioned why the board for this 638 was not brought or formed by the Tolikan Chapter, because the clinic is under the Tolikan Chapter. And the meetings and hearings held on the 638, the minutes should also be taken by our chapter officials. The comparison of the Indian Health Services and 638 operations has to be done. We have a lot of concerned people with a lot of questions. We are being told Tolikan Chapter is the only chapter

that has not voted on the 638. It takes time for some of us to understand certain issues. We need to all understand. If Northern Navajo Medical Center is interested in 638, then we cannot complain. All five local chapters identified as the central location for the clinic should have representatives on the board to make official decision on 638.

Betty Yazzie spoke informing everyone that she has participated in many chapter meetings when discussions were held on improving roads, improvements here and there for our children, etc. The issue here is to improve our health services. If it is good, we will be thankful for it.

Vote: 19-09-11

NEW BUSINESS:

1. **Resolution # TC-096:** Approving to authorize Tolikan Chapter Administration to transfer funds within the Land Claims Trust Account, from Diesel Fuel \$2,000.00, Other Communication Expense \$1,000.00, Repair/Maintenance Building \$300.00 and Buildings \$1,500.00 to Office Equipment \$4,800.00 to purchase a Xerox Copier Machine for Chapter Administration. President Clark presented the resolution explaining this is a transfer of funds within one account.

Motioned: Mary Jane Betonie
Vote: 18-00-06

Seconded: Harry Roy

2. **Resolution # TC-097:** Approving the Tolikan Chapter meeting schedule for planning meeting, regular chapter meeting, Tolikan Community Development Committee (TCDC) meeting and Veterans Committee meeting. President Clark presented the resolution. The schedule is to make it more convenient to give accurate financial report and to have the meetings when the Chapter Administration Office is open.

Motioned: Sarah Lee

Seconded: Irene Begay

ACTION: An inquiry was made and President Clark explained if the schedule does not work, it will be discussed and changes can be made.

Vote: 28-00-03

3. **Resolution # TC-098:** Approving to support Mexican Water Chapter in the *Seven-Chapter Regional Geo Design Land Use and Development Plan* working with the Arizona State University School of Geo Science and Urban Planning Johnathan Davis, PhD Candidate, and Professor David Pijawka. President Clark presented the resolution and explained this is just a research. The representative, Theo Shorty, did not show up.

Motioned: Sarah Lee
Vote: 24-01-05

Seconded: Woody Lee

4. **Resolution # TC-099:** Approving to support Mexican Water Chapter in the *Seven-Chapter Region Market & Economic Feasibility Study* working with the Northern Arizona University Arizona Hospitality Research & Resource Center. President Clark presented resolution. This is another research.

Motioned: Arnold Slowman
Vote: 16-02-07

Seconded: Fern Shepherd

5. **Resolution # TC-100:** Approving resolution to cease the intent of the board organized to establish and explore the possibility of Four Corners Regional Health Center (FCRHS- Red Mesa) to become a P.L. 93-638 now and in the future. No further Action to be taken by the board. Respect the Treaty of 1868. President Clark gave the floor to Lovena Lee to present the resolution. Mrs. Lee presented the resolution. She asked for a motion and second to discuss the resolution. Nobody responded; therefore, the resolution died on the floor.

6. **Resolution # TC-100:** Recommending Navajo Nation Department of Community Development to provide training for the Agency Service Centers and the 110 Navajo Nation chapters. Lovena Lee presented the resolution and explained this training is for all 110 Navajo Nation Chapters to be put on by the Navajo Nation Department of Community Development. They oversee the chapter operations. *(The resolution number is corrected since the resolution listed # 5 died out.)*

Motioned: Woody Lee
Vote: 14-00-07

Seconded: Rosalinda Nelson

REPORTS:

- | | | |
|-------------------------|---------------------------|---------------------------------|
| 1. Chapter Officials | 5. Chapter Administration | 9. DNA Representative |
| 2. Grazing Committee | 6. TCDC | 10. Northern Agency Fair Board |
| 3. Council Delegate | 7. Veterans Committee | 11. Peace Maker Representatives |
| 4. Senior Local Council | 8. CHR | |

President Clark reported she attended the training provided by Division of Natural Resources at Twin Arrows. David Tsosie and Arnold Slowman also attended. A lot of information on feral horses, forage and shortage on water, chapter boundary, and zoning were disseminated. Her main interest was on the feral horses. We need to inform people and plan on what action to take on feral horses. The chapter boundaries were recognized by the court system for each chapter to work within their set boundary. There is no real boundary, only imaginary boundaries. We were informed to save money for the future.

Road maintenance—we were advised by St. Mary Food Bank to improve our roads because they delivered food to the chapter. Arnold Slowman, Chapter Manger, and I wrote a letter to Division of Transportation to improve the roads by smoothing down the rocky parts. A lot of water is needed to do this. We also requested to improve our new chapter location. The N35 highway construction is also in the plan (to start) for the Year 2018. The engineers are setting up and bids are being taken.

David Tsosie, Grazing Official, reported he is the chapter representative to three places. One is Aztec Kinteel Residential Dormitory School Board. An incident happened that is all over the news. There are 88 students enrolled at the dormitory and they are all okay. We are thankful for that. They are all affected by the incident. The school is closed for investigation and repair. The school board is meeting tomorrow. The dormitory is good. Their security is good. Some parents have their disagreement. Two students enrolled at the dormitory is from Sweetwater,

Soil and Water Conservation is meeting tomorrow. They will be reviewing the policy.

Grazing Committee—this job is kind of hard. There is no money for gas and meals. This limits my travel for homesite lease, etc. The stipend fund for Grazing Committee is approved by the Northern Agency Council, but it has to go through a process. Homesite Lease Application is being revised. Grazing permit holders are required to do the conservation plan. About four people are working on the conservation plan. Transferring permits, some have been done. Probate is also being done. Some permit holders are away and we are still working on them. We are short on water as reported by President Clark.

Lovena Lee reported Northern Navajo Medical Center called on the old board members to assist with the 2020 budget and they went to meet with Dr. Bryan Johnson in Flagstaff. They also discussed 18 items on the health board issue.

Arnold Slowman, Chapter manager, reported on the Public Employment Program (PEP) employees. They are doing Home Improvement Project on bathroom additions, housing renovation, haul material and supplies, painting inside and outside homes, frame building, cement laying, roofing, window replacing, door replacing, electrical lining, repair fixtures, handicapped rails, waterline, etc. They are working in Immanuel Mission area on bathroom additions funded by USDA. Their salaries are calculated every three weeks. We calculate their fringe benefit, workman's comp, etc. They are all on file. If we get additional funding from Navajo Nation, we can hire additional PEP workers. If we are, we will be advertising the positions. We have their job description, etc. all on file. The office aide position also has a position description to work with Chapter Administration.

Mr. Slowman did a power point presentation illustrating how to get on the Tolikan Chapter website to read about the chapter, projects, minutes of the chapter meetings, etc.

Mr. Slowman learned about the homesite lease application and process from the training at Twin Arrows.

Sarah Lee reported she was selected to serve on the Tolikan Community Development Committee (TCDC) in March 2017. The other members selected are Mary Jane Betonie, Howard Yazzie and Rosalinda Nelson. They had been meeting since then, but they did not meet in November 2017. This committee is formerly known as CLUP for the chapter and community development. We have a list of projects being developed by the chapter. One of them is the community store. One project we really started to work on is the economic development at the corner of Highway 65 and N35. The first development is an area for vending. Sarah announced anybody interested, is invited to attend the TCDC meetings. Howard Yazzie is president, Sarah Lee is vice-president and Mary Jane Betonie is secretary of the committee.

Motioned: Harry Roy
Vote: 27-00-03

Seconded: Sarah Lee

ADJOURNMENT: 4:41 p.m.

Motioned: Betty Yazzie
Vote: "I"

Seconded: Harris Benally

Submitted by:

Louise Scott, Chapter Secretary/Treasurer

Date

Attachments:

- Reports from Red Mesa School & Immanuel Mission School
- Chapter Truck Plan of Operation
- Sign-In Sheet
- Agenda