

FORT DEFIANCE AGENCY ROADS COMMITTEE MEETING MINUTES

Oak Springs Chapter House
January 13, 2011

I. ORDER OF BUSINESS:

Meeting called to order by Ray Berchman at 9:20AM with invocation.

ROLL CALL: Conducted by Margie R.S. Begay, Senior Planner

District	ARC Member		ARC Member		Alternate Member	
7	Roger R. Paul	P	Bennie Hanley, Sr.	P	Susie Wauneka	A
14	Mel R. Begay	A	Willis Nez	P	Harrison Plummer	A
17	Christine Wallace	A	Andrew Simpson	P	Ronald Gishie	E
18	Raymond Berchman	P	Roscoe smith	A	Lorenzo Curley	A
TCDC Members			Sampson Begay	A	Omer Begay, Jr.	A

Mr. Berchman covered house rules and welcomed all in attendance.

Recognize Guest:

Franklin Sandoval, Maintenance Supervisor
Yolanda Marshall, Chinle Planning Aide
Marco Sells, Chinle Senior Planner
Alberto Peshlakai, Navajo County
Bessie Yellowhair/Simpson,
All ARC Members extend introductions

NOTE: 9:40AM - Christine Wallace arrived for meeting

Review and Accept Agenda:

Motion by Ben Halley, second by Andrew Simpson
Agenda reviewed by Ray Berchman

Questions/Comments/Concerns:

Christine Wallace: What is Reports D?
RESP: any report or update from the Members/Alternates
Votes: 05-00-00 Chair not voting

Accept Minutes: November 8, 2010 (emailed)

Motion by Ben Hanley, second my Andrew Simpson
Votes: 04-00-01

Announcements:

- January 15, 2011: Fort Defiance Agency Council Meeting Tohatchi Chapter
- January 18, 2011: Arizona Legislative Indian Day Phoenix, AZ
- February 8, 2011: New Mexico Legislative Day, Santa, NM
- March 15, 2011: NN FET Road Fund Application **Deadline**

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- March 15-17, 2011: Navajo Transportation Conference in Mesa, AZ
- January 18, 2011: Whitecone Chapter Meeting
- January 16, 2011: Steamboat Chapter Meeting
- Ray Berchman this is my last AR meeting

II. REPORTS/UPDATES/DISCUSSION:

a. Bureau of Indian Affairs Road Department:

- Agency Engineer – Calvin Castillo - **NO SHOW**

Franklin Sandoval: Verbal report that Mr. Castillo is involve in the 638 contract Dilcon contract. Pending status with hearing and draft meeting to next week. Complete Manual and provide to Navajo DOT and to set down for review with Greasewood, Indian Wells, Whitecone not Jeddito Chapter due to Mr. Riley. Houck Chapter don't know.

I just got a text from Calvin with TTIP listing nothing change and support same.
Motion by Roger Paul, Ben Hanley

Questions/Comments/Concerns:

Christine Wallace: First of all it is only appropriate to get written reports. Need to start with the new Navajo DOT administration via email meeting package.

Directive/notification to Navajo DOT with changes – Verbal reports are hard to the chapters it's hard to do at the community.

Roger Paul: Jeddito Chapters which roads are you referring.

RESP: All dirt roads.

Andrew Simpson: Several issues although it is not delivered to All ARC. ARRA with Force Account with resurface projects. How many Navajo people benefit from this? Secretary Reeder with the \$250,000.00 for 2011/12 without reauthorization on December 16, 2010. Priority with funds need to be shared. Funds coming in we need to inform Harold Riley to ensure they are split accordingly. Within the 2nd years no roads have been funded. Deliver the message for us. NCAI wants to get hold of the funds we are concern with other tribes only getting the funds. Provide us these documents.

Ben Hanley: To add to what Christine said. Any information emailed is really useful that is being done by Navajo DOT Planner already. At the Chapter level to share there too and they can put into our boxes.

RESP: ARRA break down to provide Mr. Castillo on the funds, how much was spend locally with material cost at the next meeting. Political questions can only be answered by Mr. Frazier and Mr. Begay

Willis Nez: What happens to Mr. Frazier and Mr. Begay position at that level?

Calvin's report to be sent to Miss Begay and she can email to us with other things.

Christie Wallace: Kinlichee Bridge what was the issue?

RESP: Realty Office with Navajo Nation for information in Fort Defiance.

Ben Hanley: BIA vs. Navajo DOT- MOA/MOU is being questioned at the Chapter level. We want to hear from BIA and Navajo DOT with standard.

Willis Nez: 638 bits and pieces to be given out. My chapter area has been providing road blading expect for one. When is that to be done.

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RESP: Navajo DOT would have to provide that answer. Nashchitti could have done the same. Opening a can of worms as people are throwing in now. By the way who is our new Navajo DOT Director?

Christine Wallace: As a certified chapter how can we start getting our direct monies where BIA will not be our blockage.

RESP: (i. e., a chapter where they provide funds to BIA for road maintenance).

Ray Berchman: ARRA funds where to hire they can provide report. Sampson has ended his term. Project should be done in January. You should be approving but leaving the top five as is on the priority listing. Where are the inventory done?

Are the 12 regions identified with equipments? NDOT needs to communicate with Chapters and BIA.

Votes: 05-00-00

- Maintenance Supervisor– Franklin Sandoval

Several reports in writing at the next meeting. I prefer not to do written report on the work done on dirt roads. It will get us into trouble. I have 15 operators.

Surface problems filling with pot holes – was ARRA project. Still have snow removal to do. We continued to send email to Mr. Barney. The issue is Navajo DOT is not involved in salt/cinder project. Forward information on purchase. Snow removal keeping of the ARRA project. Still at it but will be back in Steamboat in 3 weeks. 638 – 1 operator.

Jessie Thompson wants to sit down with BIA, Navajo County and Navajo DOT. He is looking at MOA to certify operators for Navajo DOT.

Motion by Ben Hanley, second by Christine Wallace

Questions/Comments/Concerns:

Christine Wallace: the MOA is there anything in place for our county?

RESP: it pertains to all the chapters. 1 year in place.

Votes: 05-00-00

- b. Navajo County – Jessie Thompson – **NO SHOW**

Alberto Peshlikai, Transportation Manager – within District 2- N9092 with stabilized 6miles finished with FET partnership with Navajo DOT. 8074 in process and 9065 east of chapter Teesto begin in May. Assisting in Indianwells and Whitecone for FET application (named route numbers). Trying to contact Castillio for milling site for road project. We need to work with BIA for location for milling materials. Navajo DOT – Dilcon maintenance yard have not received the certificate of occupy.

Motion by Ben Hanley, second by Andrew Simpson

Questions/Comments/Concerns:

Ben Hanley: BIA how soon would Jessie schedule the meeting date?

RESP: he has many meetings schedule. Most likely in February.

Franklin Sandoval: you report BIA to find millings location?

RESP: BIA provided us the maps, they were opposing the millings fee.

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Franklin Sandoval: Purchase was by Navajo County, millings location need to be cleared and brimhall was ready to haul. Navajo County was to purchase and millings off I-40.
RESP: I just started this position and don't know where the projects were. My Public Works is scheduling with ADOT who wants to stock pile off I-40.
Votes: 04-00-00

Motion by Ben Hanley to add to agenda under Reports (f), second by Roger Paul
Votes: 05-00-00 Nahata Dzil/Commission Government

c. TCDC Update – **NO SHOW**

d. Agency Road Committee Members/Alternates

Ben Hanley: Road reporting has been done by Navajo County and BIA. We have worked with Navajo County Jessie Thompsen. Navajo DOT conducted Road Inventory and the community is saying residential blade. N-6 working on it but cease project due to bad weather. Brimhall running through it no control. USDA Teesto and Whitecone working on purchasing a grader. We are encountering mud area into Jeddito. Navajo DOT maintenance yard we are really pushing for it to start. And pushing for the priority listing to stay same and they do not want it to get mixed up. We were hoping Jeddito would stay within our chapter area but we will plan further on it. Now we have Greasewood Springs.

Roger Paul: Navajo County N9102 Navajo DOT and Navajo County worked on it and thankful for that. N9056 Historic Preservation and still pursuing Arch Clearance.

Andrew Simpson: Resolution to TCDC or President Office with Tribal Allocation priority did not reach TDCD. We still want Transportation as Navajo Nation Transportation priority. I approached the Transition Team and addressed this where they nodded their heads. I recommended to Ben Shelly to announce in his speech. Council work session in Flagstaff I approached them too. Maybe I need to take to the Chief of Staff. Bus routes are being worked on in New Mexico. We need to follow up. Still worried about bridge in my area. Road need survey from Larry Noble Church area to Chinle.

Ray Berchman: we have had problems with Navajo DOT in the 2 years time. Culverts purchase under FET for school bus route ASPEN Road. Study and funded. Gravel purchase, what did not happen is the drainage. We met with the Attorney and Mr. Barney was somewhere else. Every time we schedule people cannot do it. Maybe to contract out but can't do it. Application is said to be mixed up. I heard a lot of kick back on the applications. ARC report on FET application to move on projects. ARRA project in area. Another thing is the resolution by Ralph Bennett he is trying to locate that. NECA clearing trees – NTUA powerline ROW to realign in the thousands Certain area moved 9 poles. NTUA getting their own ROW another problems with 700 days this was back in August. Recent snow storm, BIA and Navajo DOT assisted but they still need to coordinate.

Willis Nez: BIA worked on a lot of roads then it rained with washout expect for one road. Which needs culverts and when to do that road. Compliants in Cayote Canyon is the livestock crossing. Assisted by BIA and Navajo DOT with clearing. Recent snow it was okay. Main road was icy but state bladed their roads. People in the mountain area really no complaints. We say priority listing it is within economy. Econmoy is the main roads. We address the remote areas. Grazing area complies. Next year they are cutting

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funds but we are building many roads. If there is a wash we make our own roads individuals. BIA with bad spots I shovel. Our list is wish and we might need to shorten. Christine Wallace: short report I'm proud to say – 4 chapters in District 17 are certified. Roads are always an issue. School Board at Kinichee extend into near area with schools growing. I'm getting additional land for student services. Road is always an issue bus route into the remote area with problems. BIA has been grading certain area. I have not gotten any complaints yet. We need to get update on Morgan Blvd we had resolution. MOA's to be complete, Fort Defiance agency what can we do to get some roads done. Maybe they need to submit to FET application. 24 council I think they are getting into regional plan. I hope to see that.

Ben Hanley Motion to accept plus recommendation for ARC to show appreciation for outgoing chair, second by Willis Nez.

See Senior Planner to plan dinner at the next ARC meeting.

Willis Nez: at the next meeting to give BIA

Christine Wallace: When can we get to.

Margie Begay:

Joe Smith, Oak Springs Community Member: BIA N112 Bus Route from Fort Defiance to Red Lake. BIA road fencing to eliminate animal on roads.

RESP: Maintenance priority with BIA and Navajo DOT.

Christine Wallace: is there a map by chapters or anyone out there?

BIA: we have a list of all the BIA and tribal routes for inventory listing.

Willis Nez: I believe we need to view that listing. All we are doing is inventory only for money. After it is planned the we.

Votes: 05-00-00

e. Navajo Division of Transportation:

- Road Inventory – Thomas Benally, Principal Engineer Tech.
- Senior Planner – Margie R.S. Begay

Willis Nez, second by Ben Hanley Votes: 05-00-00

Road Maintenance, Ray Barney

Under no direction as of the second day after the we still don't have a boss.

Christine Wallace: You should not use no boss as an excuse. You as Navajo DOT push a new operating procedures. Bus run off and we need to get the maintenance schedule. I don't know what it will take.

Ben Hanley: really need extra help out there for assistance. Whitecone chapter has a grader and need assistance. Where is the MOA agreement and have liability issue with the grader. In the mean time we have dirt road issues. We would like to see the Navajo DOT boss and you to our chapter meeting.

Christine Wallace: maintenance schedule provide me copy.

Willis Nez: are we to

Radio Announcement: for time of meeting

Quorum of 3 – clarification

Andrew Simpson: we need to accept the new operating procedures as its base on 2% of IRR.

Point of Order.

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Christine Wallace: need the last operating procedures

Ray Berchman: install culvert

RESP: Operators – lacking skill test

Snow removal plan draft with Pinon 7 chapters who want to incorporate as one plan. Navajo DOT plan very thin. I have stressed to have a general plan.

Scheduled is not concrete for maintenance due to lack operators. When 638 contract is implemented it will have its own schedule. Identified 1489 for Na 277 for Ft. Defiance and waiting to proceed. Assessment and work plan with BIA requiring 3days plan. Looking at March, position for hire will be advertised. As I said Operators are very hard to find. We do a written test and skill test. \$200,000.00 machine. We would like to have all residence to go through their chapters. Limited but we are doing what we can.

Christine Wallace: How many graders do you have? 28

So we can appoint someone at the Agency Council Meeting? Does this person have to be elected? I don't think so.

Navajo website has information on the grader location across Navajo.

Votes: 05-00-00

- F. Arnold Begay, Nahata Dziil/Commission Government
N36 every year for prioritizing. I was hoping to see Harold Riley and Irvin Bekis but they are not here. Bridge not safe BIA has been given funds. Flagstaff and BIA oversee that area. 3million plus we need 8million 2 years ago. Now its double. Sanders School District uses that bridge every day. Where is BIA on this we need to inform our community. Will have a resolution at the March meeting.

Andrew Simpson motion to accept, second by Ben Hanley

Invite Harold Riley to the next meeting

Votes: 05-00-00

III. NEW BUSINESS – ACTION ITEMS

- a. Resol: FDARC#011311-02: Requesting BIA Road Maintenance Department to provide full maintenance on N -Greasewood Spring community area. **Sponsor: Ron Gishie**
Motion by Ben Hanley, second by Andrew Simpson
Willis Nez: Why did they stop blading?
Franklin Sandoval: NDOT Identify of ownership
Votes: 05-00-00
- b. Resol: FDARC#011311-03: Approving the 2012 Navajo Nation Tribal Transportation Improvement Plan Schedule.
Motion by Christine Wallace, second by Roger Paul

Questions/Comments/Concerns:

Christine Wallace: when did my project become a #6 on the list I want to be back on #5.

RESP: Reviewed the last year 01/14/10 listing with her second to the motion as her project as #6.

Votes: 05-00-00

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Ben Hanley extend his appreciation on behalf of ARC to Mr. Dempsey who has attend most of the meetings.

Andrew Simpson: I still have a concern with the new operating procedures as its funds is form IRR at the 2% with cuts already made. If we were encouraged to take this I think we need to do so that for the next meeting we can start with that group. We need to know who we will act at the next meeting.

Christine Wallace: Who did this operating procedures? Is this what Steven Calvin was working on? We need to have the old one with strict outs and what's new. We never were given that and we were not invited to the negotiation meeting.

Ray Berchman: You need to tell NDOT what to do, not them telling you what to do. This is your procedures you should make the recommendations and not them. Mel Begay, Rosco Smith and Lorenzo Curley problem don't know about this and what are they going to say? And yet the Council is strict out. What about TCDC they went out.

Margie Begay: I cannot say what Mr. Calvin was working on. I will say again that this operating procedure has been fully shared with you. Copies of the original were provided in orientation, then again at other meetings, again when we first initiated recommendation for change.

This group did a work session at Whitecone and I had Ms. Yolanda assist me. Your recommendations were forward along with the other agencies. That become a Draft, again provided to each of you during a called meeting I strongly indicated that it was not final and you still had time for recommendations. The final draft was again shared with you all leading to this new one. If we do not act we will be in non-compliance of our contract.

In addition, Mr. Berchman we as Navajo DOT staff are are not working against this group.

Point of Order called by Christine Wallace we are discussing the operating procedures.

Christine Wallace: We don't need to have NDOT and BIA dictate to us. We need the author of this plan at our next meeting.

Willis Nez: That was my concern I'm not trying to criticize anybody. We still have a lot of questions. I don't think we need to take this to our District or Agency it will just get worst. Did TCDC approve? The Council Delegates ended their term even though they might want to stay on.

Ray Berchman: increase of \$15.00 we are cut half.

1:45PM Andrew Simpson left the meeting.

Willis Nez: we are not talking about money.

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Ben Hanley: it is only a report we can take it to the next meeting.

Motion by Willis Nez to move this as agenda item for March 2011 meeting, have all members and alternates at the meeting, second by Christine Wallace.

Questions/Comments/Concerns:

Margie Begay: Who will justify only 5 members to receive claim?

Votes: 04-00-00

I. DATE , LOCATION AND TIME OF NEXT MEETING:

March 10, 2011 Fort Defiance BIA Conference Room at 9:00AM

II. ADJOURNMENT:

Motion by Ben Hanley to adjourn the meeting at 1:50PM, second by Christine Wallace

Votes: 04-00-00

Minutes taken by Margie R.S. Begay, Senior Planner
01/13/11: Submit same with 6 claim forms and post to the Navajo DOT website