

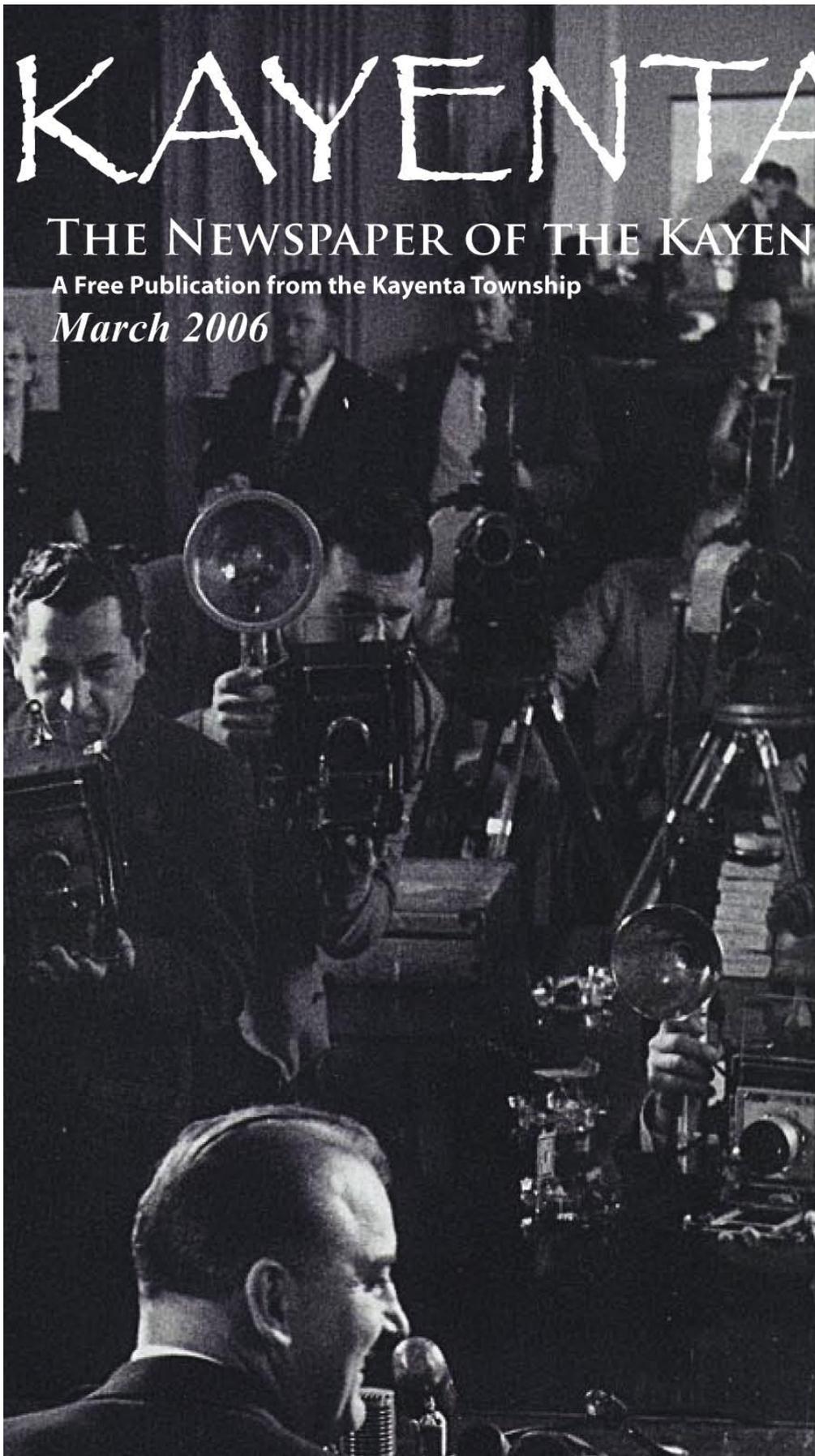
# KAYENTA TODAY

THE NEWSPAPER OF THE KAYENTA TOWNSHIP AND COMMUNITY

A Free Publication from the Kayenta Township

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March 2006



**A COMMUNITY DIVIDED BY LIES AND DECEPTION**

“McCarthyism...  
It is the use of  
**the big lie**  
and the unfounded  
accusation.”

- HARRY S. TRUMAN

## Barriers to Navajoland Business Development

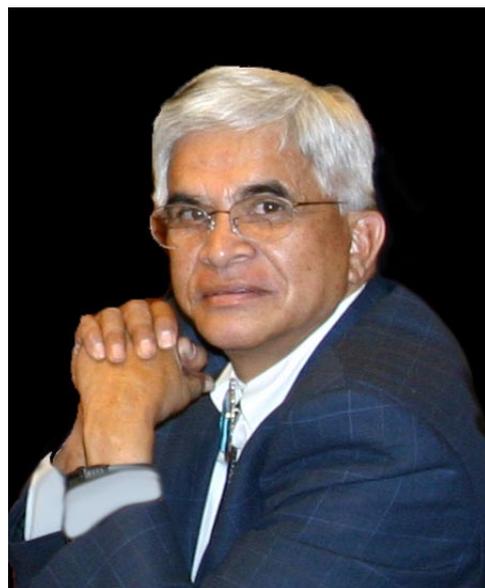
### Part Two

By Richard Mike

*\*Opinions expressed are not necessarily those of the Kayenta Township*

In the last issue of the KAYENTA TODAY newspaper, I wrote to you about what I thought were the largest barriers to business development on the reservation, the first was having a huge Tribal bureaucracy. The biggest problem with a huge Tribal bureaucracy and its paternalistic attitude is socialism. Under a socialist system, people's incomes are not related to their productivity. Thus, there is no incentive to work hard. Hard work and high quality work are not rewarded. This is true for managers and professionals as well as for skilled and unskilled workers. As a result, Indian reservations suffer from poor distribution of resources, poor services, low production, and low-quality products. Many times, when those of us in business terminate a non-productive employee, we have to answer to the Navajo Office of Labor Relations. A Tribal entity can sue a business but the business cannot sue a Tribal entity. Another disadvantage of socialism is that it often goes along with the loss of personal freedom. For example, the NN government has far greater power over the lives of its people than the US government does. It can take over a company, close down a company, or start up government-owned companies like the newly acquired hotels at Tuba City, and Page or the Chevron gasoline stations. The US government created Indian reservations to basically put us out of sight and out of mind. Still, every individual in the world has to worry about his/her economic future. The lack of leadership, flexibility and imagination to adapt by our government simply puts another obstacle in the way of my and your economic future.

In this issue I present to you my thoughts about the second of three barriers to Navajoland business development. The second of three main barriers to Navajoland business development is our land status. I believe that most Navajos that live on the reservation know that we have many land issues. While we have



hundred's of miles of this brown sand and dirt between Crownpoint and Kayenta, we have all these feelings of frustration because of all the paperwork to acquire just a little piece of it. What makes America unique and gives the American people the opportunity to accumulate wealth is the process of titles. Without title, survey, grazing permit, or any kind of documents, Old grandma can stop the entire Navajo Nation Council, you, me, and even the BIA from traveling across her wagon trail. The US Government holds all reservation land in "trust" for us, meaning that the US Government is really the landlord of the reservation. The trust status of the reservation however, is not the problem. The problem is that the lands under our homes and Grandma's house are worthless. Consider the question:

Question: What's the best thing that can happen to an Anglo on their own land?

Answer: Discover oil.

Question: What's the worst thing that can happen to a Navajo on their own land?

Answer: Discover oil.

How many Navajo millionaires do you know from Aneth, Utah? You see their Hogan's, trailers, and homes right next to a pumping oil rig. Those Navajo families, who were unfortunate enough to live on top of oil (coal), are moved off wholesale and the NN Council collects all the

royalties. We have the brain power to change that. All that is needed is a 99 year business site lease, a 99 year home site lease, and local governments

#### Property

America is the greatest economic power in the world and the American standard of living is built upon property ownership. Freedom comes from property ownership. William Pitt spoke the following words in the British House of Commons in the 1700's about the need for privacy.

"The poorest man may, in his cottage, bid defiance to all the forces of the crown. It may be frail, its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England may not enter; all his force dares not cross the threshold of the ruined tenement."

The English in the 1700's respected property rights and therefore respected a man's right to freedom on his own property. My father was a Navajo Code Talker and when he returned from the war, he told me that he finally realized that he fought for America's freedom and not his own. Without property, there is no freedom. Take for example, the case of the Kayenta couple who were in the throes of divorce. The Navajo wife was so angered by her estranged Anglo husband that she reported him to the Navajo Nation Cultural Resource Compliance Program for the Anasazi pots he had found. He was arrested, the pots and other anasazi artifacts confiscated as well as his automobile. That couldn't happen outside of the reservation.

The potential value locked up in a house (capital) can be revealed and exchanged for cash in the same way that a herd of sheep (capital) can be transformed into wool, rugs, food, or cash. In both cases, the transition from one state to another requires a man-made representation like in the case of the sheep, a bill of sale, a rug, or meat on the table. In the case of the house, a title or a security contract. Most Navajos can focus on a herd of sheep and see their potential.

That is, they can see the esteem a large herd of sheep can bring them. They can see more lambs, a larger herd several years hence, more rugs, and plenty of mutton for the family. Even the potential for more ceremonies because they can now afford to feed a greater number of guest and relatives. Because Navajos can't own land, they have a hard time seeing the conceptual world where capital (money) lives. That is, they focus their attention on a house as mere shelter and not on the potential of a house.

Looking at a house will not tell you who owns it. A house that is yours today looks exactly as it did yesterday. It looks the same whether I own it, rent it, or sell it to you. Property is not the house itself but an economic concept about the house, embodied in a legal representation – a title. Off the reservation, most formal property expressed through a title can easily be used as collateral for a loan; as equity exchanged for investment; as an address for collecting debts, rates, and taxes; as a locus point for the identification of individuals for commercial, judicial, or civic purpose; and a liable terminal for receiving public utility services such as electricity, water, sewage, telephone, or cable services. While houses on the reservation are used merely as shelter, off the reservation, houses are used to produce surplus value over and above its physical assets.

#### Equity

The concept of equity derives from property ownership. The ownership of property like a three-bedroom trailer house gives you the right to occupy your trailer house but it also gives the bank a claim on your trailer house until it's paid off. There is no doubt that you can live inside your trailer house as long as you provide the bank a minimum amount of insurance and proper credentials so that the bank is assured that they will get their money back – dead or alive. Now, when you purchased this trailer, you did not have sufficient assets to pay the full price. You put \$2,000. down of your own money and the bank provided \$20,500. in the form of a loan. Because you were unable to acquire the entire equity

**Continued on page 19**

# Is the McCarthy Era of the 1950's "Red Scare" in Kayenta?

By Daniel Peaches - Kayenta Township Manager

The total disruption of the Kayenta Chapter meeting on March twentieth with yelling and pushing created such a chaotic and threatening situation that it forced Mr. Albert Bailey, Chapter President to postpone the meeting.

The individuals that created this chaotic situation were very skilled in the use of propaganda, innuendos and deliberate distorted use of information to create a hostile situation.

There was a time in America when U.S. Senator Joseph McCarthy

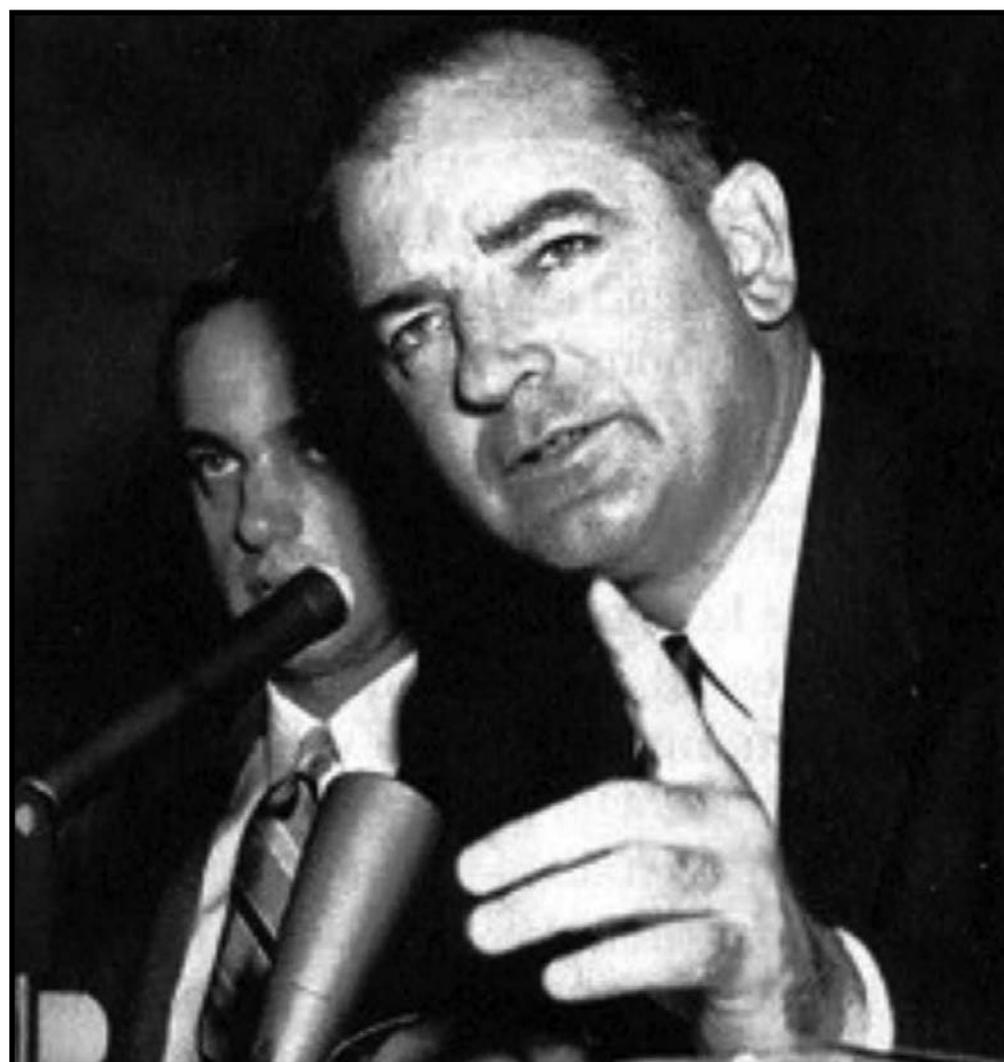


U.S. Senator Estes Kefauver of Tennessee held hearings into these allegations and the report stated that the facts do not substantiate Senator McCarthy's allegations. Many people were destroyed. Their lives and their businesses were ruined by these false allegations during Senator McCarthy's so-called witch hunt. During this period, people spied on their neighbors and college professors lived in fear of their lives.

These kinds of tactics are being used today against the Kayenta Chapter government and the Kayenta Township government and their officials.



◀ SENATOR JOSEPH MCCARTHY 1908-1957  
"McCarthyism... It is the use of the big lie and the unfounded accusation."  
—HARRY S. TRUMAN



of Wisconsin used his position to alarm the American public with such divisive tactics; to mislead the public and to create mistrust between the public and the public officials. Senator McCarthy used his office to create such chaotic conditum that created a public scare about communism in America. "The Commies are taking over our government, our schools, and our churches." he cried. Many people became alarmed and some called for the removal of all red sympathizers in the government, in classrooms and in the market place.



The instigator(s) of this public hysteria accused Kayenta officials of stealing public funds, of using employees to shield them, and abuse of authority. When there are no facts to substantiate their claims.

The sooner these kind of irresponsible tactics are held to account, the sooner the people can go about their business and their public officials can perform their duties without fears of threats and accusations.

On a last note: Senator McCarthy died as a shamed man after he was held to account for his irresponsible tactics.

# Kayenta Chapter Meeting Adjourned by Unruly Audience

KAYENTA, ARIZONA – On March 20, 2006 the Kayenta Chapter tried to conduct its Regular Chapter Meeting, which was adjourned during the ‘approving the agenda’ section of the meeting. President Albert Bailey adjourned the chapter meeting when a chapter member was given the floor to make a substitute motion to the motion to approve the agenda. As the Chapter Member was stating her substitute motion, she eluded off her motion. President Bailey called for point of order and asked the chapter member to refrain from accusations and stating hearsay.

Members of the audience attending the Chapter Meeting became displeased to the ‘point of order’ interjection and became very vocal. President Bailey called for the audience to maintain order and was unsuccessful. President Bailey felt that the public’s safety in the meeting room was compromised and adjourned the meeting. He told the audience the meeting will resume on March 27, 2006.

Members of the audience further expelled comments about the Chapter leadership. President Bailey announced that the meeting is over and the audience refused to leave the Meeting Room. The Kayenta Chapter staff were then instructed to notify the Kayenta Police Department to assist with disbursing the audience. As the Kayenta Police Officers arrived at the Chapter, most of the audience had moved out of the building. Most of the audience remained outside the building for more than two hours after the meeting was adjourned.

Certain community members have criticized the Kayenta Chapter and the Kayenta Township recently. These members have formed a group that publicly criticize and expressed opposition against both governments. The group displays total disregard of authority and continues to present false statements and accusations on the Chapter and Township. According to sources in the Chapter and Township offices, this group stems from two businesses in Kayenta that are having problems with obtaining a business site lease from the Kayenta Township. This same group has misconstrued information and issues to confuse community members.

For information contact the Kayenta Chapter Administration at (928) 697 – 5520.



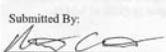
March 20, 2006  
 Kayenta Chapter Incident Report:

What happened: Navajo Nation Department of Law Enforcement – Police Officer were called to the Kayenta Chapter Meeting. (Attaching documents: Kayenta Police Report CCH 06-06-005744 by Officer Vernon Nelson)

Description of Incident: The Kayenta Chapter held its Regular Chapter meeting on March 20, 2006. The meeting commenced at 2:10 P.M. at the Kayenta Chapter House. The agenda was read into record, a motion and a second was made to accept the agenda. At this point Chapter member Beverly Pigman was given the floor to speak. Pigman proceeded to present a substitute motion and stated that the Kayenta Township Commission is in the process of approving legislation against the community. Kayenta Chapter President Albert Bailey interjected Pigman, stating she was out-of-order. At this point the Kayenta Chapter members became irritated, protesting to have Pigman finish her statement. President Bailey called the meeting adjourned for the reason that of the outburst caused by Beverly Pigman’s statements. At 2:45 P.M. the Kayenta Police Department were called to disburse the crowd from the Chapter meeting hall. Kayenta Police Officer Vernon Nelson arrived at the Chapter and most of the crowd has move outside.

Background/Follow-up Information: Beverly Pigman and a group of Kayenta Chapter members have created discord among the Community of Kayenta. Pigman is adamant and persistent on dissolving the Kayenta Township Commission and has stated false accusations against the Township and Chapter. Pigman states she is advocating on behalf of the Ward, Inc. businesses, located in the Kayenta Township. Pigman’s niece, Jo Danna Ward is head of Ward, Inc. Pigman and Ward, Inc. are accusing the Kayenta Chapter and Township governments of being impartial and have organized a group of Kayenta Chapter members to recall certain leaders.

Supplemental:

Submitted By:  
  
 Matthew Austin, Staff  
 Kayenta Chapter



Kayenta Burger King, The Largest Navajo Code Talkers Exhibit in the USA



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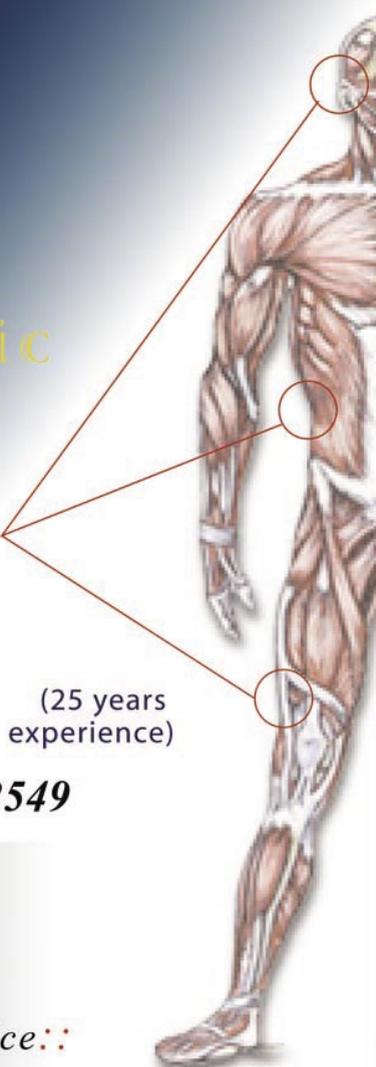
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# THE SHOW DOWN IN K-TOWN

A Navajo Nation Economic Development Committee public hearing was held February 22 and 23 at the old Monument Valley High School Gym. The purpose of the meeting was to hear the concerns from community member of Kayenta about the Kayenta Township. Well over one hundred community members and local business owners attended the hearings to voice their concerns about the Township on both days.

The Navajo Nation EDC scheduled the public hearing after receiving complaints from a few business owners and community members of Kayenta. During the hearing, community members, business owners, and community leaders were given twenty minutes to present to the EDC. Well over sixty presentations were given at the hearings over the span of two days.

One of the main complaints by certain community members and business owners about the Kayenta Township were based on the Townships business site lease practices with two local businesses, the Blue Coffee Pot Restaurant and Roland Navajoland Tours.

The Township has had a long chronological problem with a business site lease agreement between the Township and Ward Inc., owner of the Blue Coffee Pot Restaurant. The Township stated that they have always been more than willing to



**The Blue Coffee Pot restaurant does a brisk business five days a week, serving the local people as well as the out of town travelers.**

work with the owner of Ward Inc. to come to a mutual agreement on a business site lease that both parties can agree on.

The business lease renewal for Ward, Inc. began in 2000, which in 2005 was relinquish to a new owner. The initial owner did not renew the lease after it was expired with the Navajo Nation in year 1999.

When the new owner took over, the owner requested to renew the business leases with a negotiable lease rate and waivers of all arrearals. The Township advised the new owner that the staff would approach the Township Commission regarding the

rate and waiver. After three meetings with the new owner which ended in September 2005, the Township Staff did not hear from the owner again.

In the Townships opinion, the new owner's used its failure to get the waiver and resorted to delaying tactics and turned this in to a turmoil. The initial owner of the businesses in the past had the same problem with the Navajo Nation and the Nation had to act to vacate the business when the business finally agreed to pay their lease fees, which was in arrear. After its expiration, the Township took over the business site lease.

"We have proposed a number of lease options to Ms. Ward on many occasions, to this date they have yet to come to an agreement. Ms. Ward continues to do business in Kayenta with out a business site lease. Conducting a business without a business site lease is in clear violation of Navajo Nation law as well as Kayenta Township ordinances. The Wards and their attorneys delaying tactics have been ongoing for some time now" said Kayenta Town Manager, Daniel Peaches.

Another local business, Roland Navajoland Tours, which is owned by Roland and Lita Dixon, is in a similar situation with the Township. The Dixon's began their business a number of years ago and worked with the Tuba City RBDO office to get their business going in Kayenta. Their business site lease had gone through all the proper channels for approval and was headed for final approval by the BIA when the owner(s) pulled the business site lease application back before the BIA approved it.

Since then, the owners continued to run their business without a business site lease for a number of years. It was not until recently that they had

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**Continued from page 5**

approached the Kayenta Township to negotiate a business site lease, but unfortunately the case was turned over to the Kayenta courts for hearing.

“The two businesses in question owe(d) back lease rent and taxes to the Township; we have tried working with them, as well as to come up with a payment plan. Ward Inc. has paid most back taxes to date but still owes back lease rent. Roland Navajoland Tours owes back lease rent for occupation of business site frontage, and both businesses still do business daily and do not have a business site lease to date. Roland Dixon’s refusal to acquire a lease is an affront to all other businesses.” said Town Manager.

“Many local Kayenta businesses and non-local businesses find this very unfair and we are watching this situation very closely. If we have to pay lease rent and taxes every month, so should they. It’s not fair that they get to collect tax, pocket all the money and basically do business for free while the rest of us business owners have to pay up.” said one local business owner who wished to remain anonymous.

“People should have their lease in hand before they do anything. If you read your lease, everything is right there. If you agree, you agree. If I were in business in Farmington and got behind in my lease rent, they wouldn’t put up with it. I’d be out of business. I have never had any problem with the Township or the Navajo Nation with my business site lease.” said Genevieve Grey, owner of the Golden Sands Restaurant in Kayenta.

Township officials went on to state that, “Some of the issues brought up during the hearing concerning lease rates differing between businesses were inherit by the Township from the Navajo Nation. The Township will eventually negotiate these rates during the renewal of these business site leases after the novation or expiration of lease from the Navajo Nation.”

In Ms. Ward’s statement at the EDC hearing, she stated that community members of Kayenta have no say in Township meetings. She also compared Kayenta to Page, AZ. “Page was once the Rez, and the LeChee Chapter was kicked out and have no say in the development of Page. Maybe this is what the Kayenta Township wants to do with the



**“It’s not fair that they get to collect tax, pocket all the money and basically do business for free while the rest of us business owners have to pay up.”**

**- Local business owner**

Kayenta Chapter? We have too many leaders here.” said Ms. Ward. Ward also stated that she was asked to leave a Township meeting because she could not speak Navajo.

ing to the Township’s Public Relations Office.

The Kayenta Township stated that the Township has monthly meetings that are open to the Public/Community. A Public Notice is posted 72 hours prior to every scheduled meeting, the second Monday of the month. At the meetings, the public are given the opportunity to speak their minds and express their concerns on Township issues. The Township also stated that they have no plans to bypass the Kayenta Chapter out of anything.

“To make a long story short, Ms. Ward addressed the Commission and asked them to speak in terms that everyone could understand. “Not everyone in here is as educated as you commissioners and understands the language you use in these meetings.” said Ms. Ward. Commissioner Jimmy Austin then asked Ms. Ward to translate everything she just stated in Navajo to him. “Navajo is my first language and I understand it better.” said Mr. Austin. Ms. Ward took offense to this statement by Mr. Austin. All Township meetings are documented on audio tape and Ms. Wards accusations of being ask to leave a Township meeting for not speaking Navajo is false.” said Public Relations Officer, Shonie De La Rosa.

As far as Ms. Ward’s statement about being asked to leave a Township meeting because she could not speak Navajo is a false accusation accord

**Continued on page 7**



**If I were in business in Farmington and got behind in my lease rent, they wouldn’t put up with it. I’d be out of business.**

**- Genevieve Grey  
Owner of the Golden Sands Restaurant**



**Ms.Ward stated at the EDC hearing that she was asked to leave a Township meeting because she could not speak Navajo.**

Continued from page 6

Lena Clitso, Kayenta Chapter Treasurer/Secretary also testified at the EDC hearings, she did not testify in support of the Township, but against it.

“You wanted to know the relationship between the Township and Chapter, eight years ago it was bad, within the last 4 years the relationship has gotten better, but there is corruption there. The Township is not listening to the voice of the people. This continues, and it is not right for them to not listen to the will of the people. There are falsifications of documents. My question here is, should I fear for my children? There is so much corruption. I’m the Chapter treasurer and secretary, I try to tell the people at our meetings, but I’m told I’m being out of order.

**“My question here is, should I fear for my children? There is so much corruption. I’m the Chapter treasurer and secretary, I try to tell the people at our meetings, but I’m told I’m being out of order.”**

**- Lena Clitso**

Where has all the money gone? They are so good at lying. They know how to say the right words, but it doesn’t come from the heart. It’s a conspiracy; they want all the control to themselves. The Township is an illegal government.” said Lena.

Mr. Dempsey of the Navajo Nation EDC asked Lena if she was aware of any audits on the Kayenta Township, in response, Lena stated, “They have had audits, their book keeping is a lot better than the Chapter.” Dempsey also asked Lena if she could provide the committee with the falsified documents. “If these allegations are true, put it on paper and put your name on it. You swore and made an oath to speak here today.” Lena replied, “You need to ask for the documents before they destroy them.”



**“If these allegations are true, put it on paper and put your name on it. You swore and made an oath to speak here today.”**

**-Mr. Dempsey**

**“Businesses who are against the Township are the ones who don’t pay taxes and fees, they should be honest from the start, if they were, we wouldn’t be here right now.”**

**-Alyce Yazzie**



Ed Whitewater, Record Manager of the Kayenta Township stated, “The Kayenta Township is not an illegal government. All though the Kayenta Township began as a pilot project, the Navajo Nation Council saw the potential of Local Government and passed a resolution giving the Township permanent governmental status within its boundaries and to establish an elected governing board of commissioners to over see the Township. The Township was also given the authority to act as an agent of the Navajo Nation by abiding by Navajo Nation and Federal Laws. This enabled the Township to approve business and home site leases, as well as enacting Township ordinances.” said Township Officials.

Mis-use of funds within the Township is false. “The Township is accountable for all funds, fiscal year budgets are developed and accounting practices are performed according to applicable GAAP standards. The Fiscal Year 2003 Independent Audit does not indicate any misuse of funds.” said Ed.

Kayenta Chapter Official, Alyce Yazzie also testified. “Nearly two-hundred young people graduate from Monument Valley High School every year; many of them leave here to further their education and to make a decent living off the reservation. There are no jobs here for our people to come back to. Economic development and business is the focus of the Kayenta Township, with this concept I hope the Township would create more business so our children can come back to Kayenta to work.” said Alice.

Alyce went further on to say, “The Township and the Chapter have a good relationship. The Township provides money to the Chapter. As leaders we will continue to improve on the government relationship. Businesses who are against the Township are the ones who don’t pay taxes and fees, they should be honest from the start, if they were, we wouldn’t be here right now.”

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**Continued from page 7**

Before the EDC hearing broke for lunch, community member, Shirley Descheenie read a letter that was written by her son to the committee. The letter stated that the youth of the community had been wondering when the recreation park was going to be constructed. Since the closure of the Boys and Girls Club and school officials had limited public access to the public schools facilities, the youth of the community had nowhere to go. The letter went on further to state that many of the youth have turned to crime, drugs, and alcohol because of the lack of facilities for the youth to utilize.

The Kayenta Township realizes the need for a recreation park for the community, the park has been on the Capitol Improvement Plan for quite sometime, but acquiring funding for the project has always been a problem. Land has been designated for the park and the Township has been working diligently to seek funding to begin construction. Capital Improvement Projects takes funding; planning and the usual procurement process before a physical construction starts a new project and may take three or more years before project can be visibly seen.

After the lunch break, community member Joe Billy Clitso approached the podium to address the committee about his concerns. "Money is the issue, it's like that everywhere. Money is the source of evil." Mr. Clitso went on to say, "My concern is the money issue, is the Township mismanaged? Do they need to be audited? Housing rental is too high in Kayenta, local people are not hired when a job becomes available, and there is too much favoritism."

"Money and accountability is always concern, the Township is accountable for all finances related to the Township. Housing rental Mr. Clitso is referred to, is the Teeh In Deeh Estates. The Township does not own any housing units in the Township. Also the Kayenta Township has no authority over the Teeh In Deeh Estates. Employment opportunities in Kayenta is the responsibility and judgment of local business, the Township has no say as to who local businesses can and can not hire. As for employment within the Township, the Township seeks qualified individuals to fill its positions and follows Township policies." said Mr. Peaches



**The Township does not own any housing units in the Township. Also the Kayenta Township has no authority over the Teeh In Deeh Estates.**



**"Since the closure of the Boys and Girls Club and limited public access to the public schools facilities, the youth of the community have nowhere to go."**

**- Shirley Descheenie**



**"Business site leases are negotiated, The Navajo Nation is still the lessor, the Township is simply a designated agent of the Navajo Nation. We need the involvement of Tribal leadership to address many of these issues."**

**-Brenda Saggboy**

Next to testify was Kayenta Township Finance Manger, Brenda Saggboy. "I made no threats to JoDonna Ward." stated Brenda to an accusation made by JoDonna Ward. "Funds are used to prepare land for business development as well as many other things. The Township is still in its infancy, it has a long way to go. Our leasing ordinance is work in progress, we have been using it for years, but it needs more work. Our management plan will have to address many concerns so we can develop a fair system for everyone." said Brenda.

**Continued on page 9**

**“The current twenty-five year lease should be for Navajos only; there are too many non-Indian businesses. The Township is in business with white people!”**

**- Barbara Greyeyes**



**Continued from page 8**

Mr. Dempsey asked Brenda about the accusations in reference to the Township paying Chapter officials to attend monthly Township meetings. In response Brenda stated that the Township does not pay Chapter officials for attending Township meetings. “Township Commissioners are the only ones to receive a stipend.” said Brenda.

Mr. Tom Lapahe also asked Brenda, “Where is the fairness in leasing? Yet you state that the leasing ordinance is not complete, why grant leases when you have no leasing procedures in place? Is the Townships authority still in the grey?”

Brenda replied, “Business site leases are negotiated, The Navajo Nation is still the lessor, the Township is simply a designated agent of the Navajo Nation. We need the involvement of Tribal leadership to address many of these issues.”

The Kayenta Township is indeed in its infancy, many other municipalities such as Mesa and Flagstaff for example have Arizona State Statues to utilize as a foundation to build their local governments on. The Township on the other hand does not have that luxury. The Township is the only municipality of its type on

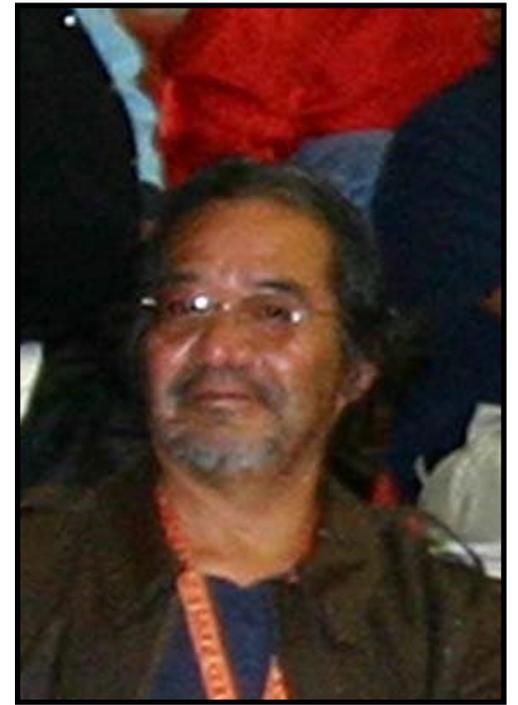
any Native lands in the United States and Canada. To begin a local government such as the Kayenta Township, the Township has to start from scratch with the guidance and support from entities like the Navajo Nation, the BIA, and other forms of structured government.

“People don’t have a choice to which government they want, surrounding communities do not benefit from Township tax. I heard from the Township that taxes collected in the Township will be spent within the Township. stated Grazing Committee Official, Barbara Greyeyes.

Barbara went on to also state, “The Township approached the Chapter with a ninety-nine year lease (Kayenta Master Lease), and they did not explain it to the people. The Navajo Nation already has a twenty-five year lease; the Township should not be superseding it. The current twenty-five year lease should be for Navajos only; there are too many non-Indian businesses. The Township is in business with white people!”

“Navajo Nation President Shirley vetoed the permanent status of the Kayenta Township, we don’t want a two-headed government.” said Barbara.

Ken Whitehair, a community member of Kayenta gave a lengthy, but informative testimony to the committee. “The Township is a young organization, as seen through its organizational life and organizational behavior. Therefore what is seen is not too surprising. Mostly young staff, terminated executives, some visible achievements, stills the lack of legitimacy from political regimes, and of course controversy. In a sense the Township is looking for an identity. Yet there is plenty of potential. Since the Township is an experiment and a viable organization, time is necessary to monitor and evaluate the experiment.” said Mr. Whitehair.



**“The truth is, the Township has a future value. The Township experiment must be allowed to continue.”**

**- Ken Whitehair**

Mr. Whitehair closed his testimony to the committees by making the following closing statement, “Those critical of the Township have not yet seen the true end of the Township. Those individuals display little or no resilience in adapting to the environ-

ment, which is characterized by a global economy. This experiment in local government directly impacts our local economy. Those who have constructed houses, hogans, shade houses, and sweat houses, know that to construct something well is hard work; while to destroy things is real easy. The truth is, the Township has a future value. The Township experiment must be allowed to continue.”  
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**“Where is the fairness in leasing? Yet you state that the leasing ordinance is not complete, why grant leases when you have no leasing procedures in place?”**

**-Tom Lapahe**



**EDC Members and Staff**

Continued from page 9

Mr. Albert Bailey, Kayenta Chapter President gave his testimony to the committee. Mr. Bailey stated that the Chapter and Township have an excellent working relationship and that he worked closely with the Township Commissioners and the staff. He also told the committee about three resolutions that were recently passed on February 20, at the last Chapter meeting. One resolution was the abolishment of the Kayenta Township; another resolution was recommending an investigation into the Kayenta Township, and the last resolution which requested the removal of the Kayenta Township Commissioners. "I appeal to the EDC and request the Township to

make a comprehensive report so we may present this to TCDC." said Mr. Bailey.

The committee showed a strong concern for the recently passed chapter resolutions. "What are you going to do with these resolutions that were passed?" said Mr. Platero. Mr. Bailey replied, "We will be looking for guidance on these resolutions because it is a very sensitive issue." Tom Lapahe stated, "I was there when this idea of a Township was brought to the council. It was a good idea, and it's still a good idea. The only thing I wish for is that the people of this community would come to a compromise."

Continued on page 11



**"I appeal to the EDC and request the Township to make a comprehensive report so we may present this to TCDC."**

**-Albert Bailey**

**RESOLUTION OF THE KAYENTA CHAPTER  
KAYENTA, NAVAJO NATION, ARIZONA**

**RESPECTFULLY REQUESTING THE NAVAJO NATION TRIBAL COUNCIL TO TAKE ALL NECESSARY MEASURES TO ABOLISH THE KAYENTA TOWNSHIP AND TRANSFER ITS TAXING AND AUTHORITIES TO THE KAYENTA CHAPTER GOVERNMENT**

**WHERE AS:**

1. The Kayenta Chapter is a certified Navajo Nation which addresses needs and concerns of its people, communities, taxpayers, voters and nation, and
2. The Kayenta Township Project was established by the Navajo Nation Council with Chapter support as a pilot project in 1985, with the purpose of expediting business leases and home site lease
3. Since 1985, the Kayenta Township Commission has usurped its authority over the Kayenta Chapter voters. Taxpayers and community without input from the taxpayers and voters; and
4. Contrary to its enabling legislation, the Kayenta Township has failed to implement and adhere to the MOU signed by the Kayenta Chapter and the Kayenta Township; regarding the list of priorities; and
5. The Township Commissioners and its administrative staff are extremely disrespectful, exercise excessive abuse of authority and encroachment of private property and local businesses without due process, creating rules, regulations and ordinances without community input; and
6. There has been continuous conflict between commissioners which resulted in Resolutions placed on the Kayenta Navajo Nation laws; and
7. The Kayenta Township Commission has failed to inform the Kayenta voters and taxpayers of meetings held off the reservation surrounding towns without the support/approval of voters and taxpayers; and
8. The Kayenta Township Commission has failed to conduct yearly mandated audits for the amount of money collected, thereby no accountability; and
9. Kayenta Township Commission has failed to conduct yearly mandated audits for the amount of money collected, thereby no accountability; and

**RESOLUTION OF THE KAYENTA CHAPTER  
KAYENTA, NAVAJO NATION, ARIZONA  
RESOLUTIONS NO: \_\_\_\_\_**

**RESPECTFULLY REQUESTING GOVERNMENT SERVICE COMMITTEE, ETHIC AND RULES COMMITTEE AND THE SPEAKER OFFICE TO CONDUCT AN INVESTIGATION OF ALLEGATIONS AGAINST THE KAYENTA TOWNSHIP COMMISSION FOR ETHICS VIOLATIONS AND OTHER FINDINGS WITH THE INTENT OF IMPLEMENTING A CORRECTIVE ACTION PLAN.**

**WHERE AS:**

1. The Kayenta Chapter is a certified and recognized governmental entity of the Navajo Nation which addresses needs and concerns of its people, communities, taxpayers, voters and nation, and
2. The Kayenta Township Project was established by the Navajo Nation Council with Chapter support as a pilot project in 1985, with the purpose of expediting business leases and home site lease, and
3. Since 1985, the Kayenta Township Commission has usurped its authority over the Kayenta Chapter voters. Taxpayers and community without input from the taxpayers and voters; and
4. Contrary to its enabling legislation, the Kayenta Township has failed to implement and adhere to the MOU signed by the Kayenta Chapter and the Kayenta Township; regarding the list of priorities; and
5. The Township Commissioners and its administrative staff are extremely disrespectful, exercise excessive abuse of authority and encroachment of private property and local businesses without due process, creating rules, regulations and ordinances without community input; and
6. There has been continuous conflict between commissioners which resulted in Resolutions placed on the Kayenta Township Commission Agenda in violation of Navajo Nation laws; and
7. The Kayenta Township Commission and Kayenta Chapter has failed to inform the Kayenta voters and taxpayers of meetings held off the reservation surrounding towns without the support/approval of voters and taxpayers; and



**"I was there when this idea of a Township was brought to the council. It was a good idea, and it's still a good idea."**

**- Tom Lapahe**

**KAYENTA TOWNSHIP COMMISSION**

FACSIMILE TRANSMITTAL SHEET

TO: Lawrence Platero, Chair FROM: Brenda Saggboy

COMPANY: Economic Development Committee DATE: 2/21/2006

FAX NUMBER: (928) 871-6623 TOTAL NO. OF PAGES INCLUDING COVER: 2

PHONE NUMBER: (928) 871-7232

RE: Flyer

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Mr. Platero,

A group of people are distributing the attached flyer. We thought the public hearing was just concerning business development? Is there an agenda for the public hearing?

Mr. Platero,

A group of people are distributing the attached flyer. We thought the public hearing was just concerning business development? Is there an agenda for the public hearing?

P. O. BOX 1490  
KAYENTA, ARIZONA 86033  
PHONE: (928) 697-8451 FAX: (928) 697-8461

**Continued from page 10**

The three chapter resolutions in question bring many questions forward. One being; do registered chapter and non-registered voters outside of the Township boundaries have the right to vote on a resolution(s) pertaining to Township issues? Is the out come of a vote the true will of all the population with in a community? Or is the out come of a vote justified by the number of people in the group that is for or against an issue? When counting votes, how is a persons vote on an issue considered a legal registered vote?



**NAVAJO NATION  
BUSINESS DEVELOPMENTS  
PUBLIC HEARING**

February 22, 23, 2006

**MONUMENT VALLEY HIGH SCHOOL**

Kayenta, Arizona

9:00 am - 4:00 pm each day

ECONOMIC DEVELOPMENT COMMITTEE  
OF THE NAVAJO NATION COUNCIL  
WILL BE SPONSORING THIS HEARING

For More Information Contact:

**ATTENTION**  
CONCERNED CITIZENS AND MEMBERS OF THE  
KAYENTA COMMUNITY

The Economic Development Committee (EDC) of the Navajo Nation will be holding a PUBLIC HEARING regarding issues and concerns. This very important meeting is for everyone to attend, come and talk to the EDC about your issues regarding the Kayenta Township February 22 & 23, 2006 (Wednesday & Thursday) @ the Monument Valley High School.

TAXES?	NO IMPROVED ROADS?
NO HEADSTART?	NO NEW SENIOR CITIZENS CENTER?
NO RECREATION CENTER?	HOMESITES?
MANY BROKEN PROMISES?	MISUSE OF TOWNSHIP VEHICLE?
MISUSE OF TOWNSHIP FUNDS?	KAYENTA HOUSING PROBLEMS?
OVERWHELMING TRASH?	NO ANIMAL CONTROL?
NO VOICE?	NO PUBLIC INPUT?
NO JOBS?	GRAZING AREAS?



Second; Can the Kayenta Chapter and Navajo Nation Council legally abolish the Kayenta Township? The Township was given "permanent status" by the Navajo Nation Council. Permanent after all means permanent. For example, if Flagstaff residents were unhappy with their form of local city government, would they be able to approach the Arizona State Government with a resolution to abolish the Flagstaff City Government? Probably not, but the citizens of Flagstaff could recall their elected city officials. After all council members are elected by the public to serve the will of the people. If an elected official(s) does not satisfy the people, the people have the right to a recall or vote for another candidate in the next election.

**Continued on page 12**

**EDC Hearing fliers were ditributed in Kayenta, this flier was altered with the text on the right by an unknown individual.**



The Legislative Branch  
The Navajo Nation

Lawrence T. Morgan  
Speaker of the Navajo Nation Council

**RULES OF PROCEDURES FOR PUBLIC HEARINGS  
ECONOMIC DEVELOPMENT COMMITTEE OF THE  
NAVAJO NATION COUNCIL**

1. The Economic Development Committee of the Navajo Nation Council ("Committee") may conduct public hearings for matters within its oversight. Such hearings shall be open to the public unless the matters are confidential or sensitive in nature.
2. The Chairperson of the Committee may conduct public hearings for matters within its oversight. Such hearings shall be open to the public unless the matters are confidential or sensitive in nature.
3. These hearings shall be open to the public unless the matters are confidential or sensitive in nature.
4. Individuals who are testifying, and formally be sworn in.
5. Members of the Committee may ask questions of those testifying.
6. Testimony shall be relevant to matters under the Committee's consideration, and be on the record. The Chairperson may exclude evidence that is irrelevant, immaterial and repetitious. The Chairperson may also exclude evidence that concerns matters which are in litigation or under grievance.
7. Those testifying may speak on the record for up to twenty (20) minutes. Informal testimony shall not be considered by the Committee.
8. Individuals wishing to submit written materials may submit such materials to the Chairperson at the Hearing, or may submit such materials to the Office of Legislative Services, Council Delegates Office within five (5) days of the conclusion of Hearings. Written materials shall be signed and dated for authenticity purpose.
9. An attorney from the Office of Legislative Counsel shall serve as legal counsel for Hearings. The Legislative Counsel may ask questions of those testifying.
10. The Committee shall prepare written report of the Hearings with findings and recommendations, and forward such reports to the appropriate entities. Such Reports shall be finalized within forty-five (45) days of Hearings.

# Hearing set to discuss Kayenta Township's business site leasing

By Brian Hassler  
Staff Writer

KAYENTA — The Economic Development Committee has scheduled a hearing today to discuss the Kayenta Township's business site leasing practices, which has drawn complaints from area businesses.

"There are some business entrepreneurs not satisfied with the leasing process. We're going out on behalf of the EDC," said Lawrence Platero, chairman of the committee.

Local business owners in Kayenta have claimed they've been treated

unfairly. The township has responded that these owners haven't paid their taxes.

The township has also undergone changes in its managerial positions.

To address these allegations, a hearing is scheduled to take place at the Monument Valley High School today and Thursday.

"There are some folks that are dissatisfied with what's going on and we've invited everyone to come in," said Platero. "We want to hold it in

**See Hearing set page 2**

## Hearing set

**Continued from page 1**

a neutral place so that everyone can speak freely. There are a few people that have voiced their concerns with how the township is running."

Once completed, the committee will present a report and its recommendations to the Navajo Nation Council. The citizens of Kayenta or the officers of the township will be responsible for implementing the recommendations, if any.

"The people have to look at the fact that since (the township) has its authority to run its own, the people in the township are the governing body, just as in any municipality like Gallup," said Platero. "If the mayor of Gallup makes a decision that is wrong, the people do something and it's the same in Kayenta. If the people aren't satisfied with how the township is running, there's a process for them to do

something about it. I'm sure there's lawyers available to show them the procedure and show them what they need to do to file complaints or petitions."

The EDC will also discuss its decision to request a tribal audit money given to the township by the Navajo Nation.

The hearing began this morning at 9 a.m. and runs until 4 p.m. at Monument Valley High School, with the same hours scheduled for Thursday as well. The public is invited to attend on both days.

"The township is there for the people and when you have a township not there for the public, it creates a problem there," said Platero.

*Brian Hassler is The Independent's Four Corners reporter based in Shiprock. Contact him at (505) 360-7862 or via email at brianhassler@hotmail.com*



**Continued from page 11**

Although the hearings brought many concerns to the forefront, there is a concern about how the EDC went about conducting a public hearing about the Kayenta Township. According to the rules and procedures for public hearings held by the Economic Development Committee of the Navajo Nation Council, the EDC may conduct public hearings for matters within its oversight. Many of the testimonies made during the EDC hearings were in no way pertaining to business development in Kayenta and should be removed from record. Business development on the Navajo Nation is the oversight of the EDC. Their sole purpose is to (taken from EDC website) create an environment that is conducive to promoting and developing businesses in the commercial, tourism, industrial, entrepreneurial, and other sectors of the Navajo Nation economy.



**"The people have to look at the fact that since the Township has its authority to run its own, the people in the Township are the governing body, just as in any municipality like Gallup"**

**- Lawrence Platero**



**In a recent Gallup Independent newspaper article, "Hearing set to discuss Kayenta Township's business site leasing" from February 22, 2006. Mr. Platero stated, "The people have to look at the fact that since the Township has its authority to run its own, the people in the Township are the governing body, just as in any municipality like Gallup" This statement made by Mr. Platero clearly states that the Kayenta Township is a true local government and that the people in the Township are the governing body of their government.**

# Township Responds to the Resolution “Abolishment of the Kayenta Township”

Responses to allegations made against Kayenta Township and its Commission which was presented and approved by Kayenta Chapter on February 20, 2006.

Whereas:

3. “Since 1985, the Kayenta Township commission has usurped its authority over Kayenta Chapter voters, taxpayers and community in put from the taxpayers and voters”

Answer: This is a very general accusation without proof or substance. For instance, “usurped its authority;” Webster’s Dictionary, 2002 edition defines usurp as “seize and hold by force or without right”. The Township Commission has no police force to do this: therefore the accusation has no basis in fact.

4. “Contrary to its enabling legislation, Kayenta Township has failed to implement and adhere to M.O.U. signed by Kayenta Chapter and Kayenta Township Commission; regarding the list of priorities,”

Answer: This 1999 M.O.U. was designed to establish a working relationship between the chapter and the Township respect to certain projects but the chapter rescinded the M.O.U. by resolution on March 6, 2000. However, Kayenta Township continues to honor those projects by seeking funds for those projects. With respect to the sharing of lease monies, this was not implemented because the chapter was not certified under LGA, nevertheless, the chapter government and the township gov-

ernment continues to have a positive working relationship in the best interest of the community which includes sharing costs on some of the chapter projects, therefore this accusation lacks substance in fact.

5. “The Township Commissioners and its administrative staff are extremely disrespectful, exercise excessive abuse of authority and encroachment of private property and local businesses without due process, creating rules, regulations and ordinances without community input.”

Answer: Again, this is another general accusation without any specific references to an act or action: therefore apparently it is designed just to cast innuendo on the integrity of the township commissioners and staff. Abuse of authority is a judgment call. It has to be investigated to determine its validity, the same with so-called disrespectful action. It’s just an accusation unless substantiated. Navajo Ethics in Government Law can sanction entities that violate the Ethic Laws.

6. “There has been continuous conflict between commissioners which resulted in resolutions placed on KTC agenda in violation of Navajo laws.”

Answer: Again, what conflict? What Law? It needs to be spelled out and what specific laws does it violate? If Navajo law is violated, it has to be reported and if necessary a complaint can be filed in the courts of law.

7. “Kayenta Township Commission



**RESOLUTION OF THE KAYENTA CHAPTER  
KAYENTA, NAVAJO NATION, ARIZONA**

**RESPECTFULLY REQUESTING THE NAVAJO NATION TRIBAL COUNCIL  
TO TAKE ALL NECESSARY MEASURES TO ABOLISH THE KAYENTA  
TOWNSHIP AND TRANSFER ITS TAXING AND AUTHORITIES TO THE  
KAYENTA CHAPTER GOVERNMENT**

**WHERE AS:**

1. The Kayenta Chapter is a certified and recognized governmental entity of the Navajo Nation which addresses needs and concerns of its people, communities, taxpayers, voters and nation, and
2. The Kayenta Township Project was established by the Navajo Nation Council with Chapter support as a pilot project in 1985, with the purpose of expediting business leases and home site lease, and
3. Since 1985, the Kayenta Township Commission has usurped its authority over the Kayenta Chapter voters. Taxpayers and community without input from the taxpayers and voters; and
4. Contrary to its enabling legislation, the Kayenta Township has failed to implement and adhere to the MOU signed by the Kayenta Chapter and the Kayenta Township; regarding the list of priorities; and
5. The Township Commissioners and its administrative staff are extremely disrespectful, exercise excessive abuse of authority and encroachment of private property and local businesses without due process, creating rules, regulations and ordinances without community input; and
6. There has been continuous conflict between commissioners which resulted in Resolutions placed on the Kayenta Township Commission Agenda in violation of Navajo Nation laws; and
7. The Kayenta Township Commission and Kayenta Chapter has failed to inform the Kayenta voters and taxpayers of meetings held off the reservation surrounding towns without the support/approval of voters and taxpayers; and
8. The Kayenta Township Commission has failed to comply with laws regarding yearly mandated audits for the following year (2000,2001,2002,2003,2004) as required by federal, state, county and tribal laws (Title 26 LGA). This is taxpayers dollars, thereby no accountability; and
9. Kayenta Township Commission failed in their duties and responsibilities regarding the Kayenta Community School, which is located within the Kayenta

and Kayenta Chapter have failed to inform the Kayenta voters and taxpayers of meetings held off the reservation in surrounding towns without the support/approval of voters and taxpayers.”

Answer: Again, where, when were these meetings held off the reservation? There were two meetings held off the reservation; however these meetings were called by chapter officials, not the Township commissioners. All commission meetings are held in Kayenta and the agenda is posted 72 hours prior to the meetings to allow for public notice.

8. “KTC has failed to comply with laws regarding yearly mandated audits for the following year (2000, 2001,2002,2003,2004) as required by federal, state, county and tribal laws (Title 26, LGA). This is taxpayers dollars, thereby no accountability.”

Answer: Kayenta Township fund

audits are required under OMB Circulars pursuant to General Accounting Standards and under the Township’s own ordinances. Township audits are completed up to 2003, 2004 is being completed. The delay is logistical, not any attempt to avoid audits by Kayenta Township.

9. “Kayenta Township Commission failed in their duties and responsibilities regarding the Kayenta Community School, which is located within the Kayenta Township boundaries. Kayenta Chapter passed several resolutions regarding this issue. KTC states they have the authority yet it did nothing.”

Answer: KTC has authority over the site on which the school is located; however KTC has no authority over the administration or the operation of the school which is under the control of the Federal government. To interfere with the school administration or operation would be unwise and a misuse of KTC’s authority.

**Continued on page 15**

# POWER OF THE PEOPLE

By Jarvis Williams

In recent events, the township has come under scrutiny and criticism from the various town constituents and business owners about certain actions or inactions by the township. Their voices were heard by the members of the Economic Development Committee of the Navajo Nation. I spent a little bit of time listening to the arguments of both sides and pondered my thoughts about the township itself. Later, I was approached by members of the community and asked to give my perspective of where the township is currently. After pondering my thoughts about the township and where it sits in my mind, this is my conclusion.

In my opinion, the township sets a historical precedent in Native American history for the support of Indian sovereignty. This is truly an instance where Indian people can make their own decision about the direction of their community at the local level. I think this is the most important level that we need to recognize because it is the closest we can get to true sovereignty. Historically, the head man of the Navajo family made the decision about what the family would do and the township is, so far, the closest we can get to that example. People talk about going back to the old ways and the township serves as the bridge to make that reality. For many years, we, as Navajo people have had decisions made at a level where we had almost no control. Now we are working towards legislation that puts power back into the hands of the people. This is definitely a good thing.



However, this can be a negative result when people don't fully understand the importance of power at the local level or when people understand the power at the local level and use to their personal advantage. The question then becomes "how do we keep the power from the people who want to take advantage of the system and educate the ones who do not understand the amount of power that is in their hands?" The answer is that you have no control over what people think, do, and say but we do have some control over what people can understand because we have the ability to learn and teach.

So, it is at this point that we must come together as a community and learn about what local government is and what it can do for us, as a community. We can look at what other communities are doing to make their environment the best it can be for the community members and learn something from them. There will always be positives and negatives about a certain subject, what we need to do is understand what is best for the community and determine what

is the best direction for the community. I don't think there is a single solution that will solve the problems of the township and community but I also think that getting rid of the township is not the solution. There are enough educated people in this community to figure the best direction for the community and that also means that community members also have the opportunity to take an active part in the direction of the community. We must remember that people have the power to make decisions at the local level and that we also must work together to accomplish the best decision for the community, whether it is building a

recreation park or creating laws that protect the community. If we can do that, then the community benefits from the teamwork.

In conclusion, my perspective of the township is to keep it and continue to learn about the importance of local government. I believe that its benefits far outweigh its negatives. We have to understand its impact on Indian sovereignty and its continuing push for self-reliance from big government. The sooner we understand this perspective and embrace our place in it the sooner we will be Navajo again. We must always understand the power of the people.



The Hampton Inn of Kayenta

Shop the Kayenta Trading Company

Dine in the Reuben Heflin Restaurant

Call (928) 697-3170 for Reservations and Information



**Continued from page 13**

10. "Kayenta Chapter resolution #KT03 Requesting the abolishment of Kayenta Township, resolution #KT11-014-99 opposing the increase of township boundaries and resolution #KT08-142-00, requesting investigation of possible frauds in Kayenta Township land withdrawal."

Answer: These resolutions are Kayenta Chapter's requests; however it would be up to the Navajo Nation government to act on these resolutions if warranted.

11. "Requesting to rescind and nullify the Navajo Nation Council Resolution CN-86-85, CJA-3-96 and CN-76-96."

Answer: Again, the Navajo Nation Council would be very irresponsible to take this action in light of its Local Governance Act of 1998. It is contrary to decentralization and local control that the NN Council endorsed in recent years. Local autonomy is the future, not the past.

12. "The Kayenta Community still lack economic development and still has high unemployment."

Answer: This is true; however by abolishing the Township, the local efforts to develop economic self-sufficiency for Kayenta would be lost which will result in centralized planning in Window Rock which can be very time consuming and wasteful.

13. "The Kayenta Township Commissioners have violated the Navajo Nation Human Bills of Rights, which is the law of the land."

Answer: Human rights are destroyed in a society where there is no rule of law, no individual rights, where only those with guns control the population. Navajo people are protected from their government by the Indian Bills of Rights enacted by Congress in 1966, the U.S. Constitution and its Bills of Rights which were conferred on the Indian people in 1924 when American Indians and the women were granted the right to vote and hold offices. Under the U.S. Constitutions, the Indian people have full citizenship rights and guaranteed equal justice under the law.

**Ongoing Activities  
March 20, 2006**

Kayenta Township Transfer Station is contracting with local businesses, schools, housing and clinic to pick up trash on a daily basis. All compacted materials are delivered to a landfill near Blanding, Utah using Township truck on a daily basis. The Township need another truck as the present truck is over 5 years old. To finance truck and other equipments (backhoe), the Township must be recognized as a sub-division of the Navajo Nation government by IRS in order to get the necessary financing to capitalize these equipment purchases. This is being requested at this time.

The Kayenta Recreational Park is project that will be developed in phases over the next 10 years. On March 13, 2006, KTC approved \$900,000 in matching fund with HUD-CDBG to start the development of this park.

The KTC master lease, if approved by the BIA in Washington, D.C. will allow for 99 year leases to the local businesses and will encourage more capital investment in our community by the private sector. Navajo Nation administration approved the KTC master lease in 2005.

KTC is working with BIA to improve 2 miles of streets in Kayenta. Most of the surveys and engineering studies are completed. Mr. Bailey who is a member of the WNA Road Committee is very helpful in promoting this project before the Agency Roads Committee.

The Blue Coffee Pot lease is still in progress. The owners have raised the issue of whether or not the Township has leasing authority under the 2003 council action. The owners appear to be engaged in delaying tactics which is not good for the restaurant and the business climate in Kayenta.

Roland Dixon has no lease and they received a court eviction notice from the District Court. A hearing is scheduled in April 2006 on the tax issue.

KTC Plan of Operation (amended) will be presented to the Government Services Committee in April. This will clarify the leasing authority issue.

**Kayenta Children & Family Services  
April 2006  
Child Abuse Prevention Month Activities**

**"Keeping Children Safe is a Shared Responsibility"**



- |  |  |
|--|--|
| <b>April 03, 2006- Monday<br/>6:00am</b>         | <b>Sunrise Ceremony at Kayenta<br/>DSS Office</b>                |
| <b>April 12, 2006- Wednesday<br/>10am-1pm</b>    | <b>Children/ Elderly Easter Egg<br/>Hunt at DSS Office</b>       |
| <b>April 19, 2006 -Wednesday<br/>TBA</b>         | <b>Health Fair at Kayenta Boys &amp;<br/>Girls Club</b>          |
| <b>April 26, 2006-Wednesday<br/>5:30pm</b>       | <b>Fun Run &amp; Walk, Kayenta<br/>Bashas to Kayenta Chapter</b> |
| <b>April 28, 2006- Friday<br/>6:30pm- 7:30pm</b> | <b>Closing Candlelight Vigil at<br/>Kayenta Chapter</b>          |



**Tohdenasshai Shelter Home  
Annual Spring Cleaning  
Rummage Sale**

- WHEN:** April 1, 2006-Sat.  
**WHERE:** In front of Post Office  
**WHO:** Everyone, anyone  
**PRICE:** \$5.00 a space  
 \$10.00 for food Sale

**This rummage sale will benefit the Tohdenasshai Shelter Home. The shelter is a non- profit organization. Your time and help is appreciated. Thank you.**

# Returning to Council Fires of Local Governance

By Anthony Peterman

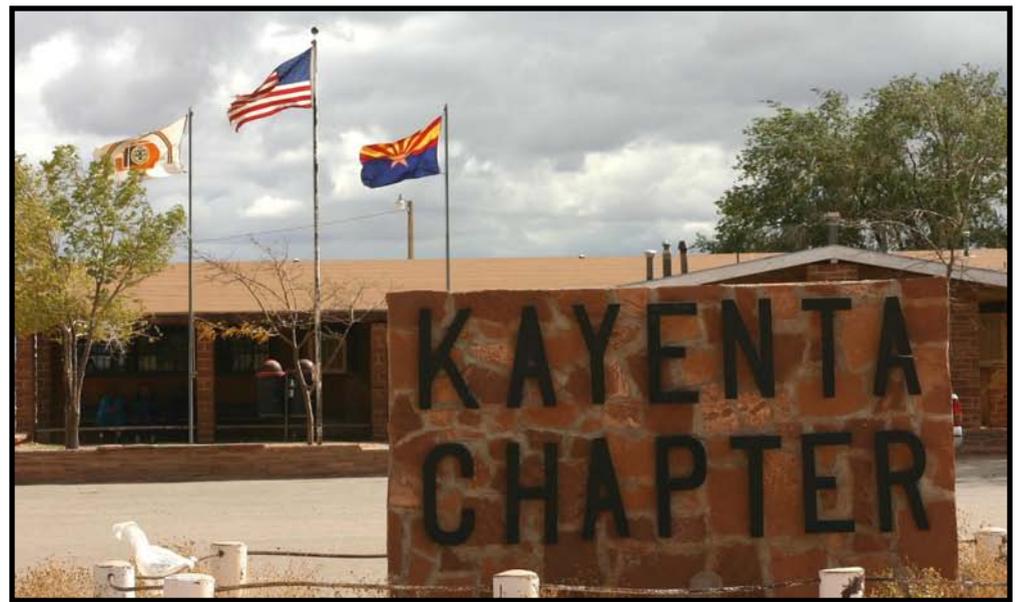
Kayenta Township Commission

The question of Local Governance is once again on the minds of the Navajo People, "What is Local Governance, Home Rule status and what are we doing to make it a reality?"

The idea of Local Governance is not a new concept although many Navajo leaders have pioneered legislation to bring it back to the forefront of our minds. Before the influx of Western Society we as Navajo People conducted our affairs within our local clan system. A Headman chosen from among us would gather us around a fireplace to handle local disputes and together we would make all decisions pertaining to our health and well being without the help or even idea of a central government. This concept of Local Governance was and still is an inherent right of our local communities. Our local affairs have been mismanaged for far too long, first with the BIA system, Which initially sought to destroy our culture and assimilate us and our land into Western Society and now with our own Central Government "trying" to make decision's for us without the full facts and taking too long to implement any good ideas they may have. The Navajo Nation Council can not "give" us lo



cal governance any more than President Bush can "give" us Sovereignty. So now we find our-selves caught between two worlds with the creation of a government system established after that of the U.S. Government and our own Cultural beliefs and inherent rights. In an honest effort to merge our two cultures for the benefit of our people, new legislation has been passed, which we call "Home Rule". Home Rule is a phrase taken from the Western Government System but drafted with our Cultural beliefs and inherent rights in mind. The Meat and Potatoes of this "Home Rule" law has yet to be established leaving many unanswered questions as to how it will be implemented. Who better to tackle these questions than the local governments who will be following this rule of law? This is where the Kayenta Township Commission and the certified local Chapter's come into play. A central government system cannot effectively see to the many diversified challenges of our local needs. As the Kayenta Township moves forward with the implementation of these concepts we are faced with many challenges and differing views of public opinion.



As the Vice-Chairman of the Kayenta Township Commission I am relieved that so many voices of concern are making themselves known and I welcome each and every comment. To me this is validation that the Council Fires of Local Governance are burning bright, a giant has awakened. With this awakening has come great concern, making its way through various Council Committees, the Presidents Office and even on to State Representatives and Senators. To each of these leaders, I would simply ask for your patience as we work to stabilize this great effort.

As the Kayenta Township has progressed, few citizens have questioned our efforts or added any insight as to how we should draft our governing policies. It was not until we began to implement these policies that our local community became aware of how these Policies would affect their lives.

I recall during my "campaign" for Kayenta Township Commission that

not once did any community member ask for my goals and objectives. I wondered how they would be able to know if I was doing a good job for them or not. With this great awakening, I doubt that anyone running for Commission this year or any other year will have that luxury again. It is important that the community continue to ask questions and raise concerns; this helps us as leaders to conduct good government. I pray that each community member will pay greater attention to those we vote into office and get commitments from each of them as too how we want them to represent us.

As we move forward with the answers to the many questions that face us as Navajo People let us not forget the collective voice of our local governments.

Disputes will always arise and we will always face challenges and disagreements as community members, the local forms of government with their majority rule concept is the proper place for these resolutions.



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By Rocy Tano

Neither will the Kayenta Township be in full swing, with every gear perfectly churning in a seamless fashion after only being granted "Official" status as of Summer 2004. How could the Kayenta Township, in all its municipal responsibilities, possibly be on the final top tier after building for only a few years?

There is no room for speculation when it comes to the adversities the Township has had to endure, because there have been many. Unfortunately, it is speculation that appears to serve as the main undertone behind the irrational lashings against the Township and its associates. What is the real justification for the Township's "failure" to serve the public, if any? In its existence thus far, what is the satisfying number, result, or outcome that many of Kayenta's opposing community expects to experience? Furthermore, where in the world can a community similar in comparison to Kayenta's economy, infrastructure and culture, be found to gauge progress against?

Let us remember the unprecedented statements issued in 1999 by the Harvard Project on American Indian Economic Development, stating "[Kayenta] The only Township government located on an Indian reservation in the United States." Such an achievement has been established by no simple task alone! Again, the question remains by what measure or standard can opposition be justified which are cast to demerit the nature of the Township's purpose and progress thus far?

Perhaps a few misconceptions or myths regarding the Township and its mode of operations can be denounced. First of all, there's the argument of the financial orchestration of the Township, right? We've heard the questions generated in the grocery store, laundry mats, and other venues throughout the community centered around the question, "Where is all our tax money going?" It would be safe to say that such a questioning requires proper explanations. Let us take a look for a moment at the basic definition as to what a given communities' tax revenue is to be used for. It's simple, it is collected revenue that is managed in a fashion that creates more suitable negotiating opportunities for projects.

In Kayenta for example, the generated sales tax is carefully allocated in various settings, making Kayenta a serious contender in transactions that will allow other financial entities to engage in the establishment of a given project. Even if every single dollar was saved throughout a given year, Kayenta would only the budget for one major project. So, the fallacy tends to waft throughout the community is that the Kayenta Township has some hidden treasure, or pot of gold stashed within the confines of its building that is just going to waste and not utilized as it should.

The truth is, it takes money for any community to operate. And with every great need in the respected communities throughout the reservation, the unfortunate truth is that there still

wouldn't be enough revenue for each concern to be rectified on the basis of operating on sales tax alone. Other outside resources must be tapped into and collaborated with in order to accomplish the projects that are at the forefront of Kayenta's community. Matched funds, particular bonds, and other negotiations will not be considered without a solid financial foundation and this is where the Kayenta Township advocates for its community. The bottom line is that the Kayenta Township is closely monitored and if it weren't for its firm financial program in place the Township would've been history by now.

With a precise code of compliance that must be maintained by the Township, there are also responsibilities placed upon the businesses that reside within the community that must reflect appropriate conduct to the laws and ordinances, as would be expected of ANY business off the reservation. The penalties for first time or perpetual offenders are issued in the form of fines or other distinguished revokements to ensure fairness to all business owners. With a new system of local governance in place, perhaps it will take time to understand the precepts that accompany it. The important thing to keep in mind is that if Kayenta is to flourish, what can be pursued individually to enhance the relationship and growth of this beloved town. The following suggestions were designed to offer a more realistic approach in light of the future of Kayenta, if we as a people are to survive the future.

One of the greatest fallacies possessed by certain bureaucracies in Window Rock (a.k.a Big Brother) is that they can dangle the carrot of "official status" in the face of Kayenta and swipe it away once Kayenta makes substantial progress. Help us, do not hinder us! Better yet, support our people, our nation, and our future!

If the Township concept isn't working, why not (those who oppose) direct your energy and displeasure towards generating a better more effective plan for our community? Instead, the cowardly approach that is rendered is to find every fault and capitalize on what is figured to be pot holes in the system, which by the way was established to facilitate growth for Kayenta in the first place.

If we, as a people, are to be taken seriously in the eyes of the world, then we must unite together and offer our talents and abilities to establish the respect that is required for our children to enjoy now and in the future. Let us not fall into the saddening parable of the "Crabs in the bucket" - while one crab truly makes an effort to succeed, the others pull him down because they refuse to see success among their own!

We need to take a step back and analyze how each of our efforts are being utilized, whether they are for the progress of our people or to their eventual dismay.

Are you really helping the situation?



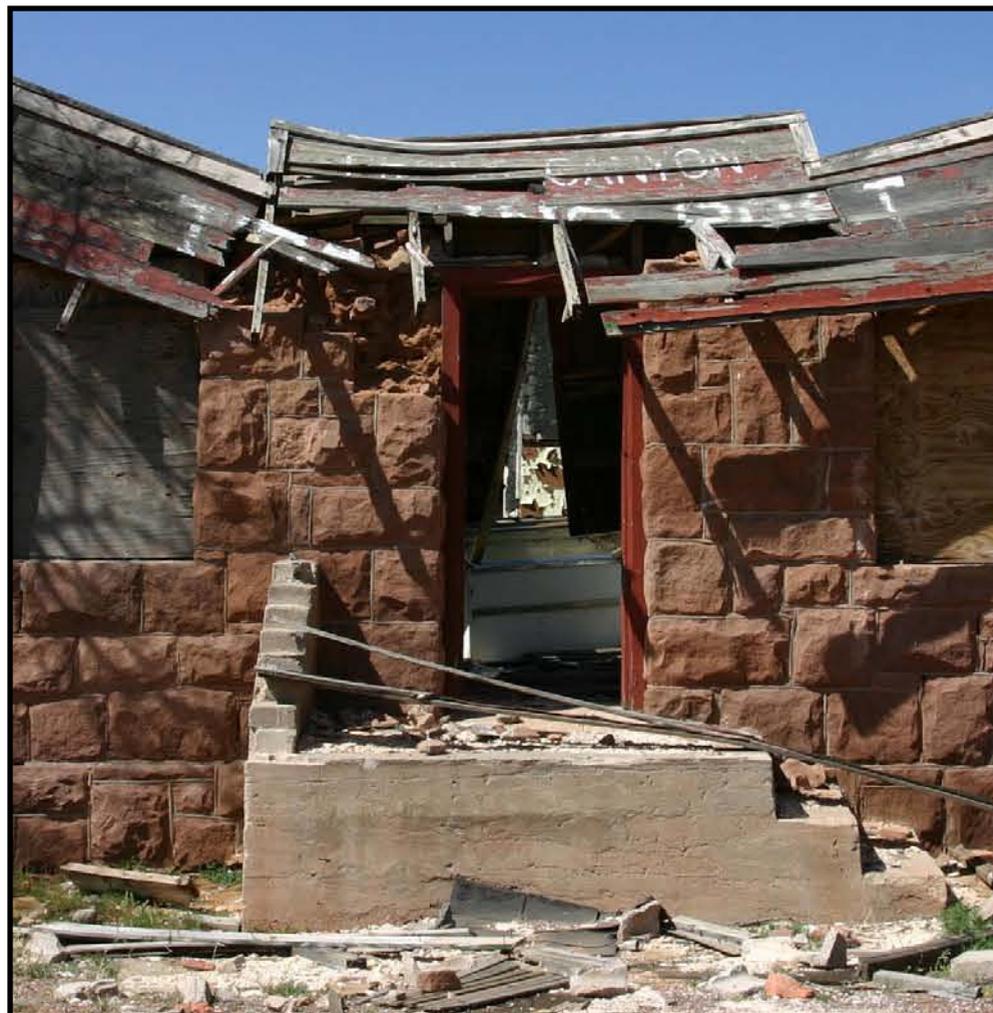
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in the trailer house, your equity is \$2,000. By lending some of its money to you, the bank also acquired some claim or equity rights to your trailer. Your obligation to repay the debt is the bank's equity. The trailer house has a title but the bank will hold the title as security until your debt is paid off. You can acquire the entire equity (\$22,500.) in the trailer home only by repaying your liability to the bank (\$20,500.)

In the American way of life (not yours), all property is owned by someone, either an individual, a group of persons, a business, or some other type of organization. Ownership is represented by equities, which are claims that derive from a fundamental concept: the right to enjoy the benefits of private property. Because you live on the reservation, you have two fundamental problems with your home site lease. 1.) The government owns your home site lease. 2.) The price of your home site lease is very very cheap. Because the worth of your home site lease is only one dollar (\$1.00) a year for sixty-five (65) years, who's going to purchase your home site lease? If you tell me that you'll sell me your home site lease for \$5,000.00, I'll simply go down the street and get my own home site lease for one dollar a year for sixty-five years. If you can do it, so can I. Because no one will probably ever purchase your trailer home, there is no sense in creating a front yard. The only reason I'd ever have a cemented drive-way and a nice landscaped front yard is because I intend to sell the trailer house or I want to keep the property value up high.

Presently, reservation trailer homes have a few flag stones leading up to the front door, and why not? You have no equity in the land that the trailer house sits upon. So when it's raining, you want to drive up as close to the front door as you can and step out on the flagstones so you don't track mud inside. After all, you have some equity in the trailer house.

Business site leases are different from home site leases because business site leases have value. Business site leases are appraised and given a



dollar value on its potential to make capital (money). In an economic sense, capital doesn't mean money.

Money by itself isn't productive; it becomes productive only when it is used to purchase other economic resources. A million dollars stacked in a bank vault produces no new goods or services. Money is transformed into productive resources when it's used to purchase a business site for a convenience store (land) or a drill press (capital) which produces goods, or when it's used to hire workers and managers (labor) to staff a new store, which sells goods. When capital goods are acquired, someone must supply the money to pay for them. The bank expects to be compensated for tying up their funds instead of using them themselves. Whenever a business obtains a bank loan to purchase a new computer, the bank charges interest on the money it provides. Interest, then, is the price of capital.

Looking at a totally different concept of property laws on the reservation is the Thunderbird Lodge at Chinle, Arizona. The Thunderbird lodge is owned by the National Park Service (NPS) and like all NPS properties at the Grand Canyon, Yellowstone, or Walweap; the Thunderbird Lodge pays

a Possessory Interest Tax (PIT) because it is on federal land. (A Property Tax if it was on its own land). cause it is on federal land. (A Property Tax if it was on its own land).

Navajo Business site leases also pay a PIT to the NN government. Presently, the Thunderbird Lodge is for sale and the value of the property is somewhere between six to seven million dollars.

As a tribe, we need to remove the shackles of the BIA on leases and reform them so that individual families and members of our tribe can create capital from their land lease holdings. Land resources include all the natural resources occurring on, in, and under the earth's surface, such as timber, petroleum, water, iron ore, sand, and gravel. Some, such as petroleum, coal, and natural gas deposits, may run out in the next few decades, but others such as air and water, may last almost indefinitely. Since land resources are limited, choices must be made as to how they will be used.

Should crops be planted, or should a factory be built? Perhaps a shopping mall should be constructed or a forest planned for future generations. Someone must make these choices – usually business owners or managers, within guidelines set by govern

ment agencies. Usually a local government because its people feel they have a say in the local government than in the state, tribal or federal government.

The theory underlying taxation is simple enough. The government uses its power to tax in order to have funds to spend on essential goods and services. Looking at the Page Telephone Directory under both City services (funded by Sales Taxes) and County services (funded by Possessory Interest Taxes), City Services are: Page Airport, Ambulance emergency, Building Safety Inspector, Water-Sewer billing, Fire Department, Magistrate Court, Page Electric Utility, Police Department, Public Works, and Recreation Department. County Services are: Community Services (Emergency and Home Care), Health Services, Justice of the Peace, Probation Department – Juvenile, and the Sheriff's Department. Look at the listings under the Navajo Nation Telephone Directory and you'll notice under Window Rock, over 100 federally funded projects. What bothers me is that my own tribal government is always talking about self-determination and economic self-sufficiency while headed headlong into more economic dependency.



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