

KAYENTA TODAY

THE NEWSPAPER OF THE KAYENTA TOWNSHIP AND COMMUNITY

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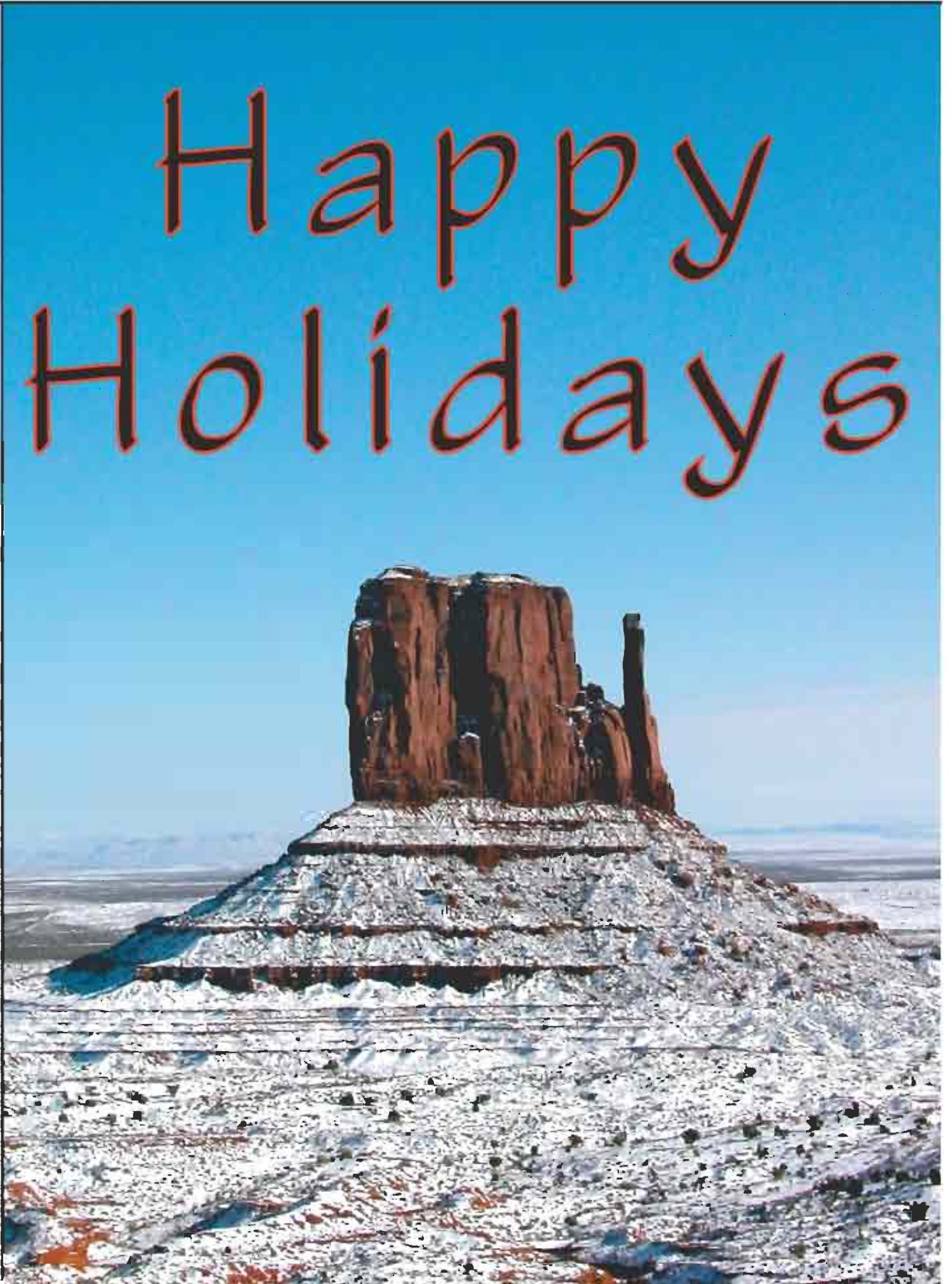
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A Message from the Kayenta Town Manager



21st Century Navajo-ism

by Ken Whitehair

Opinions herein do not necessarily reflect the views and opinions of the Kayenta Township, its employees and Commissioners.

Navajo society is in treaty year 138.

During the one hundred thirty eight treaty years, what milestones can be pointed out, those significant acts called paradigm shift?

One monster is Navajo Nation Government (NNG) and Administration. As usual, the recent election process revealed dissatisfaction. Non-responsiveness to problems is a usually stated non-performance indicator. Nepotism and favoritism as a way to gain employment with NNG is another common perception. In sum, dissatisfaction.

The current NNG does practice central planning and administration of programs. Example, the Youth department makes it sound like all Navajo youth are at Window Rock, which is not the case. The Chapters hold most if not all youth. The Youth department attempts to replace the influence of parents, almost as if parents are expected to relinquish their responsibilities so that Youth dept. can provide the role of parents. One area which did not catch the attention of the Youth dept. was the suicides committed at off Rez dormitories. It appears the Youth dept. is only about sports. Rah—rah.

Another practice of NNG is public ownership of the means of production, of natural resources. Royalties gained from mining activities all go to NNG and is spent however. Kayenta Chapter is excluded from any direct share, even though the mine is within Chapter administrative area. In fact, Kayenta Chapter passed a resolution opposing the practice of public ownership, and to gain a proportionate share of royalties. An added topic quite relevant is other Chapters who have natural resources and who desire a share of the financial benefits, can, through united action, reverse the current policy. The equitable distribution of financial benefits of natural resources development is a natural expectation, yet the



current policy is to not place either a monetary reward or an incentive to those Chapters holding natural resources, so those Chapters remain primitive.

The considerations of central planning, public ownership, among others, leads one to wonder about the exact nature of the Chapter. What kind of legal entity is the Chapter?

The Chapter has an approximate acreage of land, i.e. Surface area. The Navajo Rez is now down to a piddling 16 million plus acres. NNG with their friend the Bureau of Indian Affairs (BIA) responded with the Grazing Permit policies. Kayenta Chapter has only so-many grazing permits, and non-grazing permit Navajos outnumber grazing permit Navajos, by a wide margin. A current result of grazing permit policies has grazing permit Navajos be represented in the Navajo Nation Code, by the existence of a Grazing Committee at the Chapter level. Grazing permit Navajos can stop various activities, irrespective of grazing permit Navajos having no livestock. Navajos without grazing permits are not defined in the Navajo Nation Code, and do not have a standing committee status in the Chapter, hence their interests is altogether unnoticed. The non-grazing permit Navajos have become an UNPERSON in the NNG cosmo. In effect, the Chapter has become an oligarchy, where a small minority direct disposal of resources, influence policy, and do so with very limited opposition.

Against this backdrop Kayenta Township was built. Township is basically a municipal government, or a municipal corporation. (Others use local government) It should be noted as significant that Navajo Nation Code has the discrete jurisdictional topic of municipal corporations unwritten. Municipal government was seen as a way to access opportunities associated with a free enterprise system, within a democratic framework. Bluntly, democratization began at Kayenta.

One performance indicator is the ordinance involving the homesite lease process. In my case, from filing the initial papers to acceptable designation, the time it took was less than 3 months. By comparison, my mother's took years, and was signed by then Vice Tribal Chairman, no less! This is performance. An efficient homesite lease process has been made using a municipal government, ordinance, and workable interface with NNG. Of course, attempts are being made to dissect out the cancer of BIA involvement, in what is clearly a local matter. This process was the result of the practice of democracy, or democratization at a Chapter community level.

Active local government, like Township, places a new standard onto NNG. That standard is limited government. It could be said that limited government is the opposite of central planning. What is wanted of government is efficiency and effectiveness. NNG, in this sense, becomes more of a spectator than a decision maker. And local government can seek incentives to undertake initiatives to manage their governments on a day to day basis.

Another spinoff appears to be the development of leadership, or Nataanii, at the municipality, Chapter level. This may be significant. The municipality Chapter interface is forging criteria that stresses clear and present values on competence, real world experience, achievement, human relations skills, multi-linguistic skills, computer applications know-how, and background from Chapter areas. Already there is a definite need for specific, technical, up-to-date information related to engineering, health sciences for example, even Navajo Nation Code on CD, and use of higher education institutions. It appears that university or college educated Navajos will return home.

There does appear to be a paradigm shift underway about the types of governments, Chapters want to engineer into reality to get efficiency and effectiveness. The role of NNG will change as municipal governments assume day-to-day management of local affairs. The practice of democracy is inherent in this process. Democratization may be a milestone.

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Kayenta Township Timeline of Events

By Brenda Saggboy

June 15, 1997 (a)

Implementation of the Chapter 8 Retail Sales Tax Ordinance. Initial Sales tax was geared towards tourist activities such as lodging and restaurant sales; and exempted items such as groceries, utilities, etc

Current Staus

The Sales tax ordinance was amended on August 18, 2002 when the sales tax rate was increased to 5%. The amendment also included previously exempted items (such as utilities) and entities, and also made the ordinance more uniform with the NN Sales Tax Code. The second amendment occurred on April 19, 2004. This amendment included provisions to enhance the program by adding a jeopardy assessment provision, establishing an administrative hearing officer position, and establishing a tax suspense fund to utilize for refunds.

The Effect

The implementation of the sales tax ordinance has had a major impact and a very positive effect for the Kayenta Township and community. For the first time, the community is able to accumulate the financial resources it needs to begin planning for and addressing community needs instead of relying on the central government. Being able to collect sales tax at the local level has allowed the Township government to establish itself, hire employees, and begin addressing issues such as solid waste, roads, detention facilities, etc. At 2.5%, the accumulation of sales tax revenue was slow so the sales tax rate was increased which finally allowed the Township to leverage the sales tax for accessing other funding sources. In addition, the Township now supports the Kayenta Volunteer Fire Department, Police Dept, Criminal Investigations, Corrections, and maintain the transfer station, airport, and street lights.

June 15, 1997 (b)

The establishment of the Kayenta Township Office and Staffing. The Township purchased a modular building from the Navajo Nation which was turned into an office and later expanded to include a meeting and conference room. The Township also hired initial staffing which included a Town Manager/Planner, Accountant, and Secretary.

Current Status

The Kayenta Township currently has 22 permanent employees with tempo-

rary employees being hired on a project by project basis. The Township has an approved organizational chart based on outside municipal governments. Currently, the Township has a Financial Department to oversee accounting, sales tax, compliance, human resources, etc.; a newly established Economic Planning/Leasing Department to oversee economic development planning, business site leasing, community involvement, and public relations; a Community Development Dept. to oversee Engineering, Capital Improvement Projects, and Construction; a Public Works Dept. to oversee the Solid Waste Transfer Station, Facilities Maintenance, Emergency Management, Beautification and Landscaping, and Airport Maintenance; a City Clerk who oversees Township elections, records, Commission meetings, etc; an Executive Assistant; and the Township Manager who serves as the CEO. The Township has also developed ordinances for home-rule; administrative procedures (which is the code for rule-making, public hearings, referendums, etc); government ethics; business site leasing; home-site leasing; right-of-ways and easements; elections; KERO; Finance and Fiscal; Animal Control; and Solid Waste. The policies that were developed include Personnel, Financial Management, Travel, and Procurement.

The Effect

One of the seven mandated projects in the original Township Plan of Operation was Management and Enforcement. The Township fulfilled this mandate by building a Township office building and hiring staffing. Establishing an office and hiring a professional staff has enabled the Township to administer its programs (including its sales tax program), plan and develop projects (including soliciting for funding through grant writing), and establish a stable local government through which services can be provided. Local governance is a very crucial element of economic development in that it can generate local revenue which can be used to address issues such as infrastructure; can streamline processes and allow local control; can use authorities such as eminent domain, contracting, zoning, etc. to not only control growth but to enhance it. Ask any legitimate business person, the current system on the Navajo Nation is cumbersome and time consuming. Businesses do not look to Indian country as a place to do business and they go where there is least resistance. The Township offers an alternative. Given the chance,



it can help create a private economy which is now sorely lacking on the Navajo Nation.

November 16, 1997

The withdrawal of 2 acres of Kayenta Township land for a solid waste Transfer Station site. July – December 1998: Constructed Solid Waste Compactor Station. January 1999: Solid Waste Transfer Station went into operation. August, 1999 – Purchased 1st trash truck ('88 Mack) to collect 20 and 40 cubic yard bins from commercial sites and construction contractors. March 19, 2002 – Received a \$55,000.00 grant from I.H.S. to make down payment on a new residential trash pick up truck. Truck was finally purchased on 6/20/05. Purchased another roll-off truck in September 2006. In addition to the vehicles, a trash compactor (\$30,000) and bins were purchased, and a fee station, garage, and storage shed constructed.

Current Status

Currently there are four employees, two operators and two truck drivers. Both residential and commercial waste is collected utilizing two trash truck. Initially operation was subsidized by the sales tax but now it breaks even. Solid waste is collected on site at the Transfer station and from sites within and outside the Township area. Residential subdivisions such as the Teeh In Deeh Estates are serviced as well as entities such as I.H.S., Wells Fargo Bank, and construction contractors.

The Effect

The Solid Waste Transfer Station was built as a result of the landfill being labeled as illegal and scheduled for closure by EPA. The Kayenta community had to come up with an alternative. Building the transfer station alleviated the burden placed on the Kayenta Chapter and the Navajo Nation to expend funds on solid waste management. The Navajo Nation did contribute \$14,812.00 for the Township to build a fence around the illegal landfill. The landfill clean-up was completed on March 17, 2004 by the EPA to which the Township contributed aerial photos purchased with sales tax monies and assisted with engineering staff, data, etc. The solid waste transfer station also allowed entities such as the I.H.S. and the Navajo Shopping Center to save money by utilizing a local trash pick up service instead of going with Waste Management for hauling waste to other landfill sites. The Transfer Station has provided employment and a much needed service to the community.

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1997

The Township received \$10,000 worth of recreation equipment (basketballs, backboards, gloves, etc.) from the I.H.S. Diabetes Program towards the development of a recreation park and program. June 24, 1999- Secured a \$50,000.00 technical assistance grant from the Greater Arizona Development Authority (GADA) for master planning the recreation park. The recreation park master plan was completed by Sunrise Engineering on January 17, 2001 and consisted of a site survey, needs assessment, drainage plan, conceptual lay-out plan, a utility plan, and preliminary design and cost estimates. The recreation master plan also utilized a recreation task force consisting of community members. In 2003, the I.H.S Diabetes matched funds with the Township to install a quarter mile walking trail. The Township also expended funds for soils testing and the Engineering Department re-surveyed the recreation park boundaries. In June 2006, the Township opened the Kayenta Recreation Center in the old Boys and Girls Club building and is fully funding the program. Also in 2006, the Township installed a skate park and a junior skate park.

Current Status

Currently, the Recreation Center is operating within the old Boys and Girls Club building. Four people are employed on a part-time basis. The program offers many recreational activities for the youth with plans to add a computer room and library. As far as the recreation park goes, there are two skate parks utilized by the youth. One is a "kiddie" skate park and the other is a regular skate park. There are plans to install playground equipment, picnic tables, and also do some landscaping. Lack of funding is a major issue with this project so

it has to be done in phases. The park also lies in the path of major water courses making drainage an issue. In addition, there needs to be a lot of ground preparation done in order to make it suitable for development.

The Effect

The establishment of a recreation center and skate parks provides a positive outlet for the youth of Kayenta, plus it also helps them to develop healthy lifestyle habits. In terms of economic development, a recreation park and center helps attract potential business owners and residents when they are thinking about relocating to Kayenta with their families. A recreation park also causes tourists who are traveling through town to stop and spend some time and money in Kayenta.

February 10, 1998

Rezoned NW Quad Health/Hospital Tract into Medium to Dense Residential Zone; US 160 Frontage of Kayenta Airport Parcel from Public Open Space to Business Commercial Zone.

Current Status

The hospital tract was moved outside of the Township borders where there is plenty of space for the hospital and the accompanying residential housing. The NW Quad and the airport were also master planned after the re-zoning. Master planning includes not only the lay-out but also the infrastructure, soils, grade, etc.

The Effect

Having a local government with the ability to zone land for different purposes prevents uncontrolled growth and enables better use of resources. Rezoning the NW Quadrant allowed the development of the Teeh In Deeh Estates. Zoning also allowed for better planning of infrastructure expansion, road development, etc.

April 16, 1998

The Establishment of a Memorandum of Understanding (MOU) with the Kayenta Chapter

Current Status

Currently the Kayenta Township and Chapter are working on establishing a new MOU. They also held a series of workshops to discuss issues such as revenue sharing, joint projects, etc.

The Effect

Again, this ties in with having a stable government which is an important element in building an economy. The rumors that the Township and Chapter do not get along are false. Working together has enabled the Township to obtain grants for projects such as the detention center and road improvements.

October 27, 1998

The enactment of the Chapter 9 Leasing Ordinance with subchapters 2 (Business Site Leases-UST & non-UST); 3 (Home Site Leases); 5 (Right of Ways & Easements). Also streamlined process by taking out 164 SAS process and going only to NNDOJ, NN President's Office, and to BIA for lease approvals. Amendment 1 was made in November 1998 and Amendment 2 was made in February 20, 2000. Amendment 3 was in 2006 which incorporated the new Navajo Nation business site leasing regulations and made the ordinance more consistent with Navajo Nation leasing laws. Along with the ordinance, regulations were approved and a management plan drafted. The ordinances were put out for public comment.

Current Status

The Kayenta Township recently amended its business site leasing ordinance and developed regulations and a management plan for it but all of it is still a work in progress. Now with the current controversy and audit, it is abundantly clear that a lot of work still needs to be done. The Township is working on issuing a request for proposals for license appraisers who can do appraisals of land within the Township borders and which the Township can use to develop a land valuation system. There also needs to be a better record keeping system put in place and more specific policies and guidelines developed.

The Effect

One of the main reasons why the community of Kayenta established a Township was to localize the business site leasing review, process, and approval.

Community members thought that to expedite economic and community development, a business site leasing process which is not mired down in bureaucracy and not time consuming is essential. To carry out this objective, the Township developed the business site leasing ordinance, a four party business site lease form, eliminated the 164 SAS process, and started collecting lease rent from new businesses. The Township has approved leases for the U.S. Post Office, Wetherill Inn, Sonics, Dine Bi Assoc. for Disabled Citizens, Kayenta Family Chiropractic, MV Auto & Tire, Roland's Navajoland Tours, Cellular One, SADL, Inc., KAGY, and Fort Defiance Housing Corporation. Three existing businesses: Amigo Café, Linville's Coin-Op Laundry, and Golden Sands have also novated their leases to the Kayenta Township. expedite economic and community development, a business site leasing process which is not mired down in bureaucracy and not time consuming is essential. To carry out this objective, the Township developed the business site leasing ordinance, a four party business site lease form, eliminated the 164 SAS process, and started collecting lease rent from new businesses. The Township has approved leases for the U.S. Post Office, Wetherill Inn, Sonics, Dine Bi Assoc. for Disabled Citizens, Kayenta Family Chiropractic, MV Auto & Tire, Roland's Navajoland Tours, Cellular One, SADL, Inc., KAGY, and Fort Defiance Housing Corporation. Three existing businesses: Amigo Café, Linville's Coin-Op Laundry, and Golden Sands have also novated their leases to the Kayenta Township. The Township has found that having a local Township government and having approval at the local level is attractive to potential businesses. Putting the business site leasing ordinance out for public review and comment has allowed the local business organization to make recommendations.

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March 1999

The 1st issue of “Kayenta Today” is generated.

Current Status

The “Kayenta Today” is distributed as inserts in the “Navajo Times every two months. Currently, the Township is re-evaluating the “Kayenta Today” and developing policies and guidelines for it.

The Effect

The Kayenta Today allows the Township to keep the public informed of Kayenta Township activities and provides advertising space for businesses at low prices. The “Kayenta Today” is also used to promote Kayenta as a tourist destination.

April 1, 1999 (a)

The Kayenta Township completes a Master Archeological Clearance of the entire Township area.

Current Status

The master archeological clearance is utilized for projects and by businesses. It will have to be updated on a periodic basis.

The Effect

Having a master archeological clearance of the whole Township area allows potential businesses to save money by not having to do their own individual clearances. Plus, it also helps streamline the business site leasing process.

April 1, 1999 (b)

The Kayenta Township completes a Master Environmental Assessment (EA) and FONSI (The Finding Of No Significant Impact) of whole Township area.

Current Status

The master EA and FONSI are utilized for projects and by businesses. It will have to be updated on a periodic basis.

The Effect

Having a master EA of the whole Township area allows potential businesses to save money by not having to do their own individual EAs. Plus it also helps to streamline the business site leasing process.



April 1999 to July 2001

Constructed the Kayenta Township Office Building. From 1997 to March 2001, the Township office was located within the Kayenta Chapter building in a very small two-room office space. April 2003 to November 2003 – Expanded the Township office. September 2004 to May 2005 – Added the conference and meeting rooms.

Current Status

The Township Office is operating out of the building it purchased and renovated. The meeting rooms are utilized for Commission meetings and other activities, eliminating the need to rent other spaces in town.

The Effect

Building the Township office building and meeting rooms has allowed the Township to hire additional staffing and purchase much needed equipment, which in turn enables the Township to provide better services. There is also a lack of meeting rooms in Kayenta so the Township’s conference rooms are frequently utilized by community members, businesses, and other entities.

May 12, 1999

Enacted the Kayenta Employment Rights Ordinance (KERO) so Township could administer a job bank, provide training for labor forces, etc. This ordinance also required contractors to utilize local labor. Under this ordinance, a 3% construction fee and a 1% permit fee were assessed on general contractors.

Current Status

Due to the construction tax being incorporated into the Business Sales Tax ordinance, the KERO ordinance is no longer used except for the 1% permit fee. The ordinance has not been rescinded yet because of outstanding fees owed by the Fort Defiance Housing Corporation who is in bankruptcy court and also in lawsuits with the Navajo Nation and the Navajo Housing Authority. The plan is to either amend or rescind this ordinance in the future.

The Effect

Under the KERO ordinance, the Township created a job bank for distribution to contractors who were doing work in Kayenta. The KERO ordinance was also used to combat the lack of a skilled labor force in Kayenta. Potential businesses look for the availability of skilled labor when considering a business establishment in a community.

June 11, 1999

The Township received a \$51,000 NAHASDA Grant for Master Planning the NW Quadrant of the Kayenta Township (area is located within NW quadrant of US Hwys. 160 & 163). The Township contracted with Rising Sun Engineering to do the master plan. The master plan included a subdivision, commercial/business tracts, public safety tract, governmental tract, and infrastructure development

Current Status

Utilizing the master plan, the Teeh In Deeh Estates was developed and tracts designated for public safety, a head-start center, and businesses along U.S. 160 frontage. The plan identified infrastructure and drainage problems which the Township is now addressing

The Effect

Through this study, it was determined that a water pressure problem existed within the NW quadrant whereby businesses and others had to expend extra just to install booster pumps. To help alleviate this problem, the Township has been working on adding an additional water tank and distribution system. The master plan also allowed the development of the Teeh In Deeh Estates, better planning of the area instead of uncontrolled growth and development, and the use of the plan and study to solicit for funding. In addition, the plan allowed for drainage planning which is a significant problem in Kayenta. Engineering data generated by Rising Sun Engineering was given to the Township in electronic format and was shared with NTUA who has outdated infrastructure data on its systems, relying solely on developers to share information.

January 24, 2000

Contributed \$10,000 towards a “Quick Attack” vehicle for the Kayenta Volunteer Fire Department (KVFD). Also secured donation of a fire truck from Salt River Project on January 06, 2003. Purchased new fire truck for the Kayenta Volunteer Fire Department on September 02, 2004. In addition to the vehicles, the Township has contributed funds towards training, fire protection gear, insurance, etc for the KVFD.



Current Status

In recent years, the Township has funded almost all of the KVFD’s operational costs. The KVFD provides fire protection and rescue services within District 8 which consists of the Kayenta, Shonto, Dennehotso, Oljato, and Chilchinbeto Chapters.

The Effect

KVFD’s existence is attractive to potential businesses because it helps safeguard investments that the businesses make into the community. KVFD existence also helps existing businesses obtain lower insurance rates. The Township’s support has allowed KVFD to continue operating.

March 15, 2000

Received a \$1,875,000 NAHASDA Grant for infrastructure development for 60 housing units within the Teeh In Deeh (TID) Estates. Teeh In Deeh Estates was part of the NW Quad Master Plan. Two hundred and thirty homes were eventually built.

Current Status

The grant was fully expended. The infrastructure expansion allowed other users such as Sonics and the Women’s shelter to tap into the system. The new detention building will also tap into the same lines when completed.

The Effect

The Teeh In Deeh Estates helped alleviate the housing shortage in Kayenta and allowed for infrastructure expansion. Housing and infrastructure are important components of economic development in that they allow the circulation of dollars to remain in the community by attracting more residents and businesses.

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May 2000

Hosted a Chapter Conference utilizing a \$10,000 award from Harvard University for being a High Honors Recipient for the Governance of American Indian Nations. The purpose of the Chapter Conference was to share information on Township programs with other Chapters, and to bring in presenters who provided information on different topics and resources. From 2003 to 2005, the Township sponsored three Economic Summits, funded by contributions from private sources. All the Economic Summits were to provide networking opportunities to Chapters and other entities, to share information on resources from Arizona state and Federal departments, and to present information on the master lease concept, capital improvement planning etc. There were also business expos held along with the summits.

Current Status

The Township did not host an economic summit this year due to all the controversy that has been going on. The previous economic summits were very well received. Hopefully, the Township will be able to host more summits in the future.

The Effect

The economic summits exposed Chapters across the Navajo Nation to information on resources available from the state, Federal governments, and other sources. The Township also shared information on its ordinances, policies, etc. Many local and outside business people participated and some made presentations on their experiences with obtaining a business site lease from the Navajo Nation. In addition, banks and other financial institutions were invited for networking with business people and others. The economic summits also allowed opportunity for gaining information and input for development.

April 24, 2001

Entered into a \$2,400,000 sub-grant agreement with the Navajo Housing Authority for asbestos abatement, demolition, and re-construction of 20 housing units within the El Capitan AZ12-06 subdivision.

Current Status

Project was completed in February 2003. The original housing units were built in 1968 and were very dilapidated and unsafe.

The Effect

Providing decent housing, roads, and infrastructure enhances the quality of life for Kayenta residents and also keeps the town attractive. Housing and infrastructure development contribute to the economy by attracting additional residents and businesses.

April 25, 2001

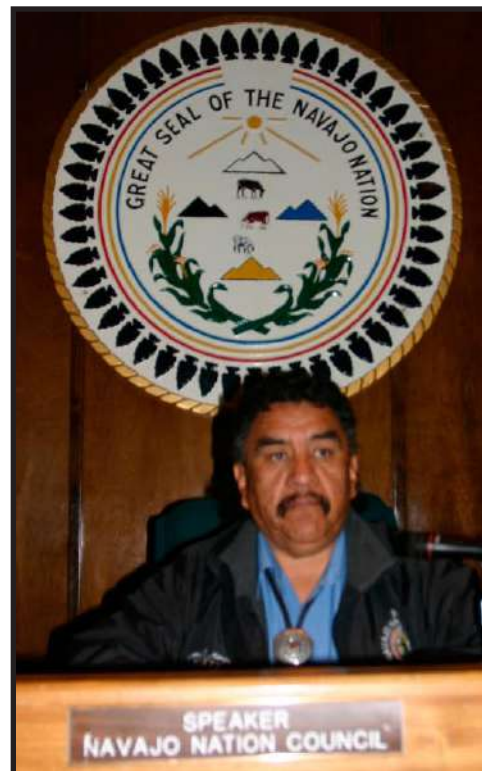
Entered into a \$495,000.00 sub-grant agreement with the Navajo Housing Authority for Infrastructure Planning for 75 units within the Teeh In Deeh Estates. The funds were also used to design a sewer line extension which connected the Teeh In Deeh Estates to existing sewer mains.

Current Status

The infrastructure design and construction for the 75 units and the sewer line extension were completed by Pratt Engineering and are now operational.

The Effect

The sewer main extension to the Teeh In Deeh Estates will allow tap-ins by future businesses along the US Hwy 163 frontage and by the new detention building.



July 3, 2001

The Township did a 5-year Report to the Navajo Nation Council.

Current Status

The report was mandated in the original Township plan of operation. The Township has continued to make periodic reports to the NN Council.

The Effect

The reports enable the Township to provide information on the Township's plans, operations, and finances. They also help to clarify misinformation.

August 31, 2001

Entered into an Intergovernmental Agreement with ADOT to design and construct roadway lighting along US Hwy 163, a new 4-way traffic signal at the intersection of US-163, US-160 and N-591. Agreement was for ADOT to do the design and construction and the Township to be responsible for the utility cost.

Current Status

The street and signal lights are now in operation with the Township responsible for the utility cost.

The Effect

Before the street lights installation, it was very unsafe for both residents and tourists to walk along the roads in Kayenta. ADOT was also willing to appropriate funds for the street lights because there was an entity available (Kayenta Township) to pay for the utility cost which is usually the case in off-reservation towns. The street and signal lights minimize traffic hazards and make the town more attractive to visitors and potential businesses.

June 28, 2002

The Kayenta Township Commission (KTC) approved the Kayenta Economic Development Corporation (KEDCO) Articles of Incorporation and Bylaws (revised in July 2005). The concept behind KEDCO was to create a subsidiary, the Kayenta Economic Development Corporation ("KEDCO"), which will be responsible for developing lands, businesses and projects within the Kayenta Township for retail, commercial, industrial, agricultural, residential, recreational, and other related purposes under a proposed Master Lease Agreement with the Kayenta Township Commission and the Navajo Nation. KEDCO will sublease to businesses without getting further approval from the Navajo Nation and BIA, much like the master lease with DCI, Inc. for the Chinle Shopping Center.

Current Status

The establishment of KEDCO was put on hold by the Kayenta Township Commission until the master lease is approved. The KEDCO master lease, approved by the Commission on May 07, 2004, was reviewed by the NN Dept. of Justice and signed by the NN President. It still needs to be reviewed by the Navajo area BIA Realty Office since it is a 99-year lease. The Township's attempts to change the NN business site leasing regulations were unsuccessful. Amending Title 5, the NN business site leasing laws, is currently on hold. The charges concerning inequitable GMARs or lease rates were inherited from and are results from rates already established by the Navajo Nation RBDO. The records of existing business site leases were also obtained from RBDO. The people who complain about unfair practices and discrimination are the same ones who refused to abide by Navajo Nation leasing laws when their leases were still with the Navajo Nation. The Navajo Nation Accounts Receivable Department informed the Township that maintaining communication or sharing or information between the BIA Realty, RBDO and their department is difficult and results in lack of enforcement in the collection of lease rent. The existing businesses are use to this type of environment and unfortunately, expect the same thing from the Township. With the recommendations from the audit, it can establish a better system for processing business site leases.

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May 2000

Hosted a Chapter Conference utilizing a \$10,000 award from Harvard University for being a High Honors Recipient for the Governance of American Indian Nations. The purpose of the Chapter Conference was to share information on Township programs with other Chapters, and to bring in presenters who provided information on different topics and resources. From 2003 to 2005, the Township sponsored three Economic Summits, funded by contributions from private sources. All the Economic Summits were to provide networking opportunities to Chapters and other entities, to share information on resources from Arizona state and Federal departments, and to present information on the master lease concept, capital improvement planning etc. There were also business expos held along with the summits.

Current Status

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April 24, 2001

Entered into a \$2,400,000 sub-grant agreement with the Navajo Housing Authority for asbestos abatement, demolition, and re-construction of 20 housing units within the El Capitan AZ12-06 subdivision.

Current Status

Project was completed in February 2003. The original housing units were built in 1968 and were very dilapidated and unsafe.

The Effect

Providing decent housing, roads, and infrastructure enhances the quality of life for Kayenta residents and also keeps the town attractive. Housing and infrastructure development contribute to the economy by attracting additional residents and businesses.

April 25, 2001

Entered into a \$495,000.00 sub-grant agreement with the Navajo Housing Authority for Infrastructure Planning for 75 units within the Teeh In Deeh Estates. The funds were also used to design a sewer line extension which connected the Teeh In Deeh Estates to existing sewer mains.

Current Status

The infrastructure design and construction for the 75 units and the sewer line extension were completed by Pratt Engineering and are now operational.

The Effect

The sewer main extension to the Teeh In Deeh Estates will allow tap-ins by future businesses along the US Hwy 163 frontage and by the new detention building.

July 3, 2001

The Township compiles a 5-year Report for the Navajo Nation Council.

Current Status

The report was mandated in the original Township plan of operation. The Township has continued to make periodic reports to the NN Council.

The Effect

The reports enable the Township to provide information on the Township's plans, operations, and finances. They also help to clarify misinformation.

August 31, 2001

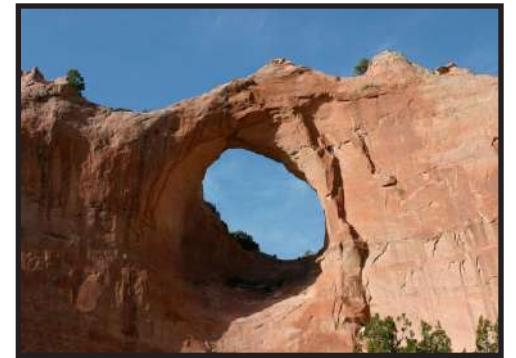
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Current Status

The street and signal lights are now in operation with the Township responsible for the utility cost.

The Effect

Before the street lights installation, it was very unsafe for both residents and tourists to walk along the roads in Kayenta. ADOT was also willing to appropriate funds for the street lights because there was an entity available (Kayenta Township) to pay for the utility cost which is usually the case in off-reservation towns. The street and signal lights minimize traffic hazards and make the town more attractive to visitors and potential businesses.



March 8, 2002

The Kayenta Township approved an Intergovernmental Agreement with Navajo County for grant funding through the Department of Homeland Security, Office of Domestic Preparedness. The purpose of the grant funding is to purchase personal protective equipment, communication equipment and other equipment related to homeland security and emergency preparedness.

Current Status

So far the Township has obtained communication radios for the I.H.S. Emergency Medical Service, the Kayenta Police Department, and the Kayenta Volunteer Fire Department.

The Effect

To fulfill one of the requirements of the intergovernmental agreement, the Township is coordination efforts to do an emergency management plan for the whole town of Kayenta. This plan would involve all sectors of the community including the business industry. Providing safe efficient security and emergency management contributes towards the well-being of a community, as well as making the community more attractive to potential businesses.

June 28, 2002

The Kayenta Township Commission (KTC) approved the Kayenta Economic Development Corporation (KEDCO) Articles of Incorporation and Bylaws (revised in July 2005). The concept behind KEDCO was to create a subsidiary, the Kayenta Economic Development Corporation ("KEDCO"), which will be responsible for developing lands, businesses and projects within the Kayenta Township for retail, commercial, industrial, agricultural, residential, recreational, and other related purposes under a proposed Master Lease Agreement with the Kayenta Township Commission and the Navajo Nation. KEDCO will sublease to businesses without getting further approval from the Navajo Nation and BIA, much like the master lease with DCI, Inc. for the Chinle Shopping Center.

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Current Status

The establishment of KEDCO was put on hold by the Kayenta Township Commission until the master lease is approved. The KEDCO master lease, approved by the Commission on May 07, 2004, was reviewed by the NN Dept. of Justice and signed by the NN President. It still needs to be reviewed by the Navajo area BIA Realty Office since it is a 99-year lease. The Township's attempts to change the NN business site leasing regulations were unsuccessful. Amending Title 5, the NN business site leasing laws, is currently on hold. The charges concerning inequitable GMARs or lease rates were inherited from and are results from rates already established by the Navajo Nation RBDO. The records of existing business site leases were also obtained from RBDO. The people who complain about unfair practices and discrimination are the same ones who refused to abide by Navajo Nation leasing laws when their leases were still with the Navajo Nation. The Navajo Nation Accounts Receivable Department informed the Township that maintaining communication or sharing or information between the BIA Realty, RBDO and their department is difficult and results in lack of enforcement in the collection of lease rent. The existing businesses are use to this type of environment and unfortunately, expect the same thing from the Township. With the recommendations from the audit, it can establish a better system for processing business site leases.

The Effect

KEDCO can offer better terms to businesses such as 99-year lease, fair and equitable lease rental rates, the opportunity for equity building, etc. The Kayenta Township will receive the profit (if any) from the corporation and 50% of the lease rent, with the other 50% going to the Kayenta Chapter. KEDCO will also allow the separation of business development from government, thereby allowing the business site leasing process to be administered through fair evaluation. The KEDCO master lease is one of the ways that the Township is trying to create business and economic development without a lot of bureaucracy and "red tape." Other avenues that the Township has pursued in trying to create a business friendly environment was to lobby for amendments to Title 5, the Navajo Nation Business Site Leasing Laws and to make changes to the Business Site Leasing Regulations to allow for more local approval authority.

June 31, 2002

The KTC entered into an Intergovernmental Agreement with ADOT to install a 3-way traffic signal at the intersection of US-163, N-18, and the old PO road.

Current Status

The Township was responsible for 1/3 of the cost for construction which amounted to \$98,415.54. The Township now pays the utility cost on the signal light.

The Effect

Installing the traffic signal helped minimized traffic hazards since this turn-off provides access to the Kayenta Chapter, TANF, and other government offices. The signal lights also allowed the Township to acquire funding for expanding the turn-off for an alternative bus route to KUSD and for opening up additional tracts of land for development.

August 29, 2003

The Kayenta Township was established as a permanent "home-rule" political subdivision of the Navajo Nation when amendments were made to its plan of operation and to 2 N.N.C. §§ 4081 et seq. (pertains to KTC), and to 1. N.N.C. §552 (sovereign immunity).

Current Status

Becoming permanently established as a home-rule political subdivision has had positive and negative effects for the Township. On the one hand, the Township got rid of its "pilot project" status and had assumed a lot of the barriers facing it were removed, but certain departments and committees of the Navajo Nation have used the changes in the plan of operation to challenge certain authorities of the Township. For example, the Township wanted to use the concept of "home-rule" as used outside of the reservation where home rule communities can do anything not specifically forbidden by the laws of the central government and federal law. This did not mean that the Township would be set adrift from the rest of the Navajo Nation, but would only allow the local community to manage their own affairs at the grass roots level with minimum interference from the central government. Instead, it turns out that the Navajo Nation has no statutes for a home-rule municipality and that any delegated authority has to be specifically enumerated in a charter or plan of operation. In the Township's case, with the amendment to its plan of operation in 2003, the enumerated authorities were replaced with the broad authorities of home-rule.

To fix the inconsistencies between the Navajo Nation laws and the Kayenta Township enabling legislation, the Township is pursuing another amendment to its plan of operation. The authorities that the Township is requesting are no different from the ones that are listed in LGA and in the new business site lease regulations. The new amendments will help clarify authorities and prevent manipulation and misinterpretation. The Township's understanding is that it would serve as a model for local governance on the Navajo Nation by exploring decision making at the local level (for leasing, taxing, etc.) and that based on its experience, there would be guidelines, statutes, etc., developed for local governance. Setting up the Township government (its authorities, codes, operations, etc.) has been a continual process with new challenges always around the corner. This does not mean that the Township is a failure or that it should be abolished. After nine years, the Township has a way to go to get to same level as outside municipalities but it also has come a long way from where there was nothing in place and situated in a very small two room office within the Kayenta Chapter. Conflicting legal opinions and changes in the Navajo Nation government personnel and in political positions has taught the Township that there has to be a continual education process on the Township.

The Effect

The Township continues to explore different management concepts for establishing a local municipality, especially in relation to a sovereign Indian Nation where no specific guidelines and laws exist for municipalities. For example, the Township had a study done titled "A Plan for a State of the Art Municipal Kayenta Township Government" which explores different ordinances, service categories, and administrative functions practiced by municipalities. It also explores State and Federal recognition for empowerment and accessing resources for municipal governments and the Kayenta Chapter/Township relations. A stable government with clear delineation of authorities is an important component of economic development.



May 10, 2004

The Kayenta Township submitted an application to the Native American CDFI Development (NACD) Program which provides grants to acquire services to be used to create CDFIs that will primarily serve Native American communities. CDFI stands for Community Development Financial Institutions, a program funded by the US Treasury Department. Its goal is to provide access to capital (loans, investments) to underserved communities. A local organization, if approved, raises funds, then receives matching funds from the Treasury Department to use for community development capital.

Current Status

The Township thought that this would be a good way to provide access to capital, not only for the Township itself, but also for other entities and businesses as well. The Township put in a second application in 2005 and will keep pursuing an approval from the program.

The Effect

This is just one example of how the Township is pursuing ways to assist the local economy. One other way is to do a business incubator which would greatly benefit from a program like the CDFI. The Township has appropriated monies to do a feasibility study for a business incubator. In addition, the Township is trying to attract developers to do a retail center and an office complex. In order to facilitate development, the Township has to assist in providing access to capital.

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August 9, 2004

Entered into a \$500,000.00 sub-grant agreement with the Navajo Housing Authority for drainage control and repaving of streets, and curb and gutters within the El Capitan AZ12-06 subdivision.

Current Status

Bighorse Engineering Consultants did the design for the streets and Keyah Construction was the General Contractor on the project. Project is near completion with final inspection and punch line items left to do. The Township is contributing \$286,047.00 to the project to supplement the grant. The Kayenta Township also approved a change order for Keyah Construction to include a sewer line expansion to the Navajo Housing Authority frontage area for accommodating the new AZ Department of Economic Security building, the new Navajo Housing Authority office building, and the Monument Valley Tire and Auto.

The Effect

Providing decent housing, roads, and infrastructure enhances the quality of life for Kayenta residents and also keep the town attractive. Housing and infrastructure development contribute to the economy.

August 19, 2004

Entered into a \$146,300.00 Grant Agreement with the Federal Aviation Administration (FAA) to Master Plan the reconstruction of the airport runway and for the airport entrance road relocation.

Current Status

The master plan was completed by Armstrong Consultants. The master plan involved coordination among a lot of entities including the Township, Kayenta Chapter, I.H.S (since the new hospital site entrance road is aligned with new airport entrance), ADOT, NTUA, and a task force consisting of community members. To start the master planning process, the Township had to obtain sponsorship of the airport from the Navajo Nation which took time and involved legal reviews, approval from TCDC, approval from FAA, etc. The master plan incorporated on-site business tracts along the airport frontage.



The Effect

The airport, or course, is essential for attracting certain types of businesses, for emergency transport, etc. In addition to the master plan, the Township is responsible for the operation and maintenance costs of the airport. Since the Townships inception in 1997, costs for repairs to the existing runway, replacement of lights, transformers, motors, mowing of weeds, and sweeping off snow have been the responsibility of the Township. This has spared the Navajo Nation from expending funds on the Kayenta airport.

December 9, 2004 to August 31, 2005

The Kayenta Township reseeded 1600 acres of rangeland within the Kayenta Chapter for dust control purposes. The reason the reseeding project was undertaken was because of a request from the Kayenta businesses to do something about the dust problem and the blowing sand. Piles of sand were accumulating at each business site and blowing sand made it difficult for businesses to conduct drive-through sales.

Current Status

The land immediately southwest, south, and southeast of the Township was reseeded. The project was done in cooperation with the Soils and Conservation office, the Kayenta Chapter and a community task force. An Environmental assessment and an archeological clearance were conducted, and consent obtained from the grazing permit holders. The grazing committee official created problems by changing the consent form which the Navajo Nation land department had a problem with. She also wanted the permit holders to be compensated but the task force disagreed with that since the areas being reseeded were only small portions of the land utilized by permit holders. The permit holders were told that the fencing was just for the purpose of keeping animals out while the reseeded plants grew and that they could keep the fences. Some people took this as an opportunity to state that the Township was expanding its borders which is simply not true. Maintenance of the reseeded area and fencing was turned over to the Chapter but the Township still contributes labor for maintaining the fences.

The Effect

Reseeding land is part of resource and environmental management. The land surrounding the Township is overgrazed, thereby contributing to blowing sand, dust, and accumulation of trash. Businesses and some visitors to Kayenta requested that this problem be addressed.

January 10, 2005

The Kayenta Township Commission approved the Capital Improvement Projects (CIP) selection based on a community assessment conducted by Township staff that identified and sorted the projects according to what is construction ready, project ready, and what is still in the planning phase.

Current Status

The community assessment provided survey questionnaires to community members for their input. Based on this, a summary was put together and the CIP selection conducted.

The Effect

The CIP selection and community assessment has allowed the Township to focus on those projects the community feels are important and are real needs. Of course, other elements such as availability of funding also need to be considered. It also allowed community input.

April 2005

A Market Study and General Plan was conducted for the Kayenta Township by Southwest Planning for an in-depth analysis of the Kayenta Township market area, and with the findings, produced a comprehensive General Plan to guide the growth of the Township.



Current Status

The intent of the Market Study and General Plan was to 1. Complete a thorough analysis of the demographic conditions to guide the Kayenta Township in targeting those developments that provide needed goods and services to the trade area. 2. Prepare a list of potential commercial and employment user types that have the greatest probability of success. 3. Prepare a Land Use Plan that promotes the highest and best use of the limited Township lands and, 4. Develop a growth management plan that considers existing and projected infrastructure needs for the efficient growth of the Township. Elements included Market Feasibility Analysis of Trade Area, Community Needs Assessment, Highest and Best Land Use Analysis, Existing and Future Land Use Plan, Infrastructure Requirements, Capital Investment Requirements, and Comprehensive Report for the Market Study and General Plan.

The Effect

This study has been extremely helpful to the Township in that this report can be given to grantees and financial institutions to demonstrate that there were actually studies and assessments done to back up applications. This also helps the Township determine what type of businesses we should be trying to attract, what some of the infrastructure needs are, etc. In addition, we have provided this document to other entities in the community who have used it for the same purposes.

Continued on page 10

May 9, 2005

The KTC entered into a \$2,600,000 sub-grant agreement with the Navajo Housing Authority for construction of 20 new housing units. Site is behind Wetherill Heights.

Current Status

So far, topographic, subdivision lay-out, and legal surveys, soils testing, and site specific environmental assessments have been completed. Now in the process of bidding out for design/build contractors. Also in the process of collecting applications and qualifying applicants for eligibility and mortgages.

The Effect

Not only does the new housing units allow opportunities for homeownership, it provides employment and helps alleviate the housing shortage.

June 17, 2005

The Kayenta Township approved a contract with D. Sloan Architects to do the Architectural and Engineering services for a new detention building. Through its land use plan, the Township designated 23.62 acres for the Public Safety tract which is located behind the current Kayenta Law Enforcement/Court facilities.

Current Status

Based on the master plan for the public safety tract by D. Sloan Architects, the acreage will be reduced to 10 acres. All easements and right-of-ways have been determined and cleared. The master environmental assessment for which there is already a FONSI issue and the master archeological clearance are being used for this project. Utilities are easily accessible from the site and can accommodate additional hook-ups.



The AZ Business Bank approved a USDA Guaranteed Loan for the project and the Navajo Nation Council approved \$750,000.00 in Supplemental Appropriations of which 30% has already been advanced. In its FY 2006-2007 Budget, the Township appropriated \$2,710,000 for the building itself and \$1,364,344 for off-site improvements (utility line extensions, access roads, etc). In addition, there is legislation to utilize the interest from the NN Permanent Trust Fund to appropriate \$700,000.00 to each police district on the NN for new detention facilities. Kayenta is one of those districts. Furthermore, the Township is seeking additional funding from other sources. The total estimated cost for the detention building is \$5,176,632 and \$1,762,664 for off-site improvements. The preliminary master site plan has been completed and is designed to allow for phase development and for future expansion. Lay-out includes a detention facility, police department, court building, future juvenile detention facility, and a future criminal investigation building. The topographic and legal boundary surveys have been completed. Soil testing for the site is completed. The schematic design has been completed and approved. The final design is approximately 65% complete. The Kayenta Township is working in coordination with the NN Dept. of Corrections, the local police dept. and corrections, Kayenta Chapter, the BIA OLES for O&M funding, and the BIA OFM to ensure compliance with standards and codes. BIA will only work with the NN for the O&M funding which comes in two-year cycles and only covers 75%. The NN needs time to look for additional O&M funding to cover the other 25%. The construction portion of the project is being moved back one year because the Township does not want the building to be unoccupied and to be responsible for the O&M during that period. The Commission also wants a commitment from the NN Dept. of Corrections to ensure that there will be O&M funds available for the new building. The Township did do a contract modification with D. Sloan Architects to extend the design portion of the contract.

The Effect

Potential businesses, when looking to relocate to a certain area or to make an investment in a community, look for safety measures which will keep their families and property secure. The current buildings being utilized by the Dept. of Correction are dilapidated and cannot hold criminals over a long period of time. A new detention center will allow longer detainment of these criminals and also allow them to be prosecuted instead of being released. In addition to the detention building, the Township has appropriated monies each year for the Kayenta Police Department and the Criminal Investigations Unit (\$15,000 each) to help with equipment and operational costs. This current fiscal year, \$15,000 was also appropriated for the Kayenta Dept. of Corrections.

June 22, 2005

The Kayenta Township Commission approved the Animal Control Ordinance which was later amended in 2006.

Current Status

The Township is now in the process of building an animal control shelter program. It has contracted with a consultant to build a shelter building and a program which would not only have animal control elements but also contain a humane portion that would provide veterinarian services and public education. The program will be phased in as funding becomes available.

The Effect

Having an animal control program is crucial in that loose animals are not running around town, creating traffic hazards or endangering students who walk to school. It would also make the town more attractive if there are no dead animals along the roads and running around business establishments. Businesses and local residents have been asking for an animal control program for years.



August 15, 2005

The KTC entered into an agreement with NDOT to do the planning and development for three road projects. One project is 1.25 Miles of Access Road (Alternative Bus Route) to the Kayenta Unified School District (KUSD) for \$1,055,000. Another project is to do the planning and design for approximately five miles of the N591 road which is the road leading south towards Chilchinbeto from the intersection of US Hwys. 160 and 163 in Kayenta. The other project involves design for repaving of roads within the Navajo Housing Authority (NHA) Projects AZ12-073, AZ12-050, AZ12-113 and the NHA access road and drainage.

Current Status

The identified roads within the NHA complex are extensions of and are adjoining the same roads that Bighorse Consulting Engineers was already providing engineering services for under the contract for the El Capitan AZ12-06 Streets, so the design for this particular project was added to Bighorse's contract and is already completed. As for the other two roads, the KUSD bus loop and Chilchinbeto roads, the Township recently hired RME Engineering to do the design for the roads and drainage. The Township is also going to do an amendment to the contract with NDOT to include construction since the contract is only for planning and design and since there is enough monies in the grant to do construction.

The Effect

The alternative bus route to the KUSD will minimize traffic hazards, plus open up additional tracts of land for future development. The N591 road will, again minimize traffic hazards, and provide better access to the Kayenta Flea Market, Kayenta Rodeo Grounds, and to the future hospital which is slated for construction in 2009. The roads within the NHA complex will help alleviate drainage problems and provide paved access to the NHA Management Office, the Church of Christ, and the people residing within the complex.



Continued from page 10

August 27, 2005

Entered into a \$525,000.00 grant agreement with FAA for the design and engineering of the airport runway reconstruction and relocation of the access road.

Current Status

Design and engineering is near completion with only review by FAA, Township, and ADOT remaining (including recommended changes). Again, this is a coordinated effort with ADOT for the entrance road intersection, I.H.S. for entrance road alignment and emergency transport requirements during construction and after completion, and with NTUA for utilities and for the sewer line extension from the new hospital which will bore under the runway and tap into the existing sewer lagoons. Armstrong Consultants is doing the design and engineering and is also assisting the Township with reporting and grant applications to FAA. Township did get awarded (not received yet) \$25,000.00 from Navajo County for the airport entrance road construction.

The Effect

Relocating the airport access road to midfield will align it with the new access road to the planned hospital facilities, and with the installation of traffic lights, also reduce the negative impact of increased traffic flow created by the new hospital. Many tourists and business people use the airport. At this time, only certain types of aircraft can land at the airport, plus there are no accommodations available such as taxiways, hangers, etc. Repaving the runway will minimize hazards and will help attract industries which require air transport for operating their businesses.



September 30, 2005

The Arizona Department of Transportation completed a study for traffic signal needs at the main KUSD school entrance from US 163, (MP 395.40). ADOT was willing to install signal lights if the Township would agree to 1/3 of the construction cost (since one of the approaching roads is not a state road) and agree to pay the utility cost.

Current Status

After project scoping and 60% design cost estimates are known, a formal Intergovernmental Agreement will be entered into between the Township and ADOT. The total estimated cost for the traffic signal is \$227,000.00 with construction slated for June 2007. In addition to the traffic signals, there is a proposal to realign the approaching roads in the same area to minimize traffic hazards created by traffic flow from the KUSD and the community school. If funding becomes available, the Township is hoping to tie the two projects together.

The Effect

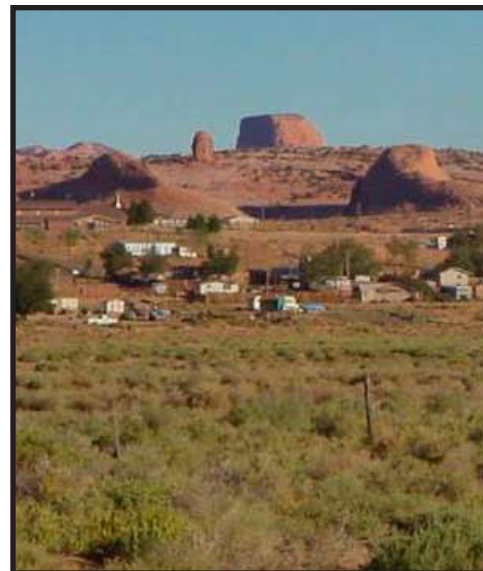
Public health and safety being an important component of economic development, the Township has been striving to improve the overall infrastructure (utilities, roads, etc.) within the Township area. Putting in signal lights and improving roads makes the town safer in terms of traffic and more attractive to potential businesses and tourists.

October 10, 2005

The Kayenta Township entered into an agreement with the Indian Health Services (I.H.S.) for the design and construction of two 500,000 gallon water tanks and a new water distribution system with larger sized lines. The agreement consists of three partners where the EPA will contribute \$687,000 to upgrade the Kayenta sewage treatment and disposal facilities (this is necessary because the sewage plant is almost up to capacity and could not accommodate new housing, the new hospital, and new businesses). The I.H.S. is contributing \$61,000 to the water tanks and distribution system, plus they are going to do 100% of the design and construction. The Kayenta Township is contributing \$900,000 to the project.

Current Status

Right now, it is expensive for businesses to install booster pumps which add to the development costs. The serious water pressure deficiency that exists in the current utility system was determined by Rising Sun Engineering in their study for the NW Quad Master Plan. Rising Sun Engineering did a lot of measurements of the culinary water and waste disposal system to do their study which they eventually shared with NTUA and the Township on electronic format. The Navajo Tribal Utility Authority (NTUA) owns, operates, and maintains all the systems within the Kayenta Township, including natural gas, power, water, and sanitary sewer. The problem is that NTUA operates on a very limited budget where all the revenues they collect help to fund very minimum services across the whole Navajo Nation. The NTUA is not structured to allow for separate cost breakdowns for individual facilities such as the one within the Township. The existing culinary water system including water supply, treatment, storage, and distribution is in good working order but expansion of the community, particularly to areas higher in elevation has resulted in inadequate water supply, storage, and pressure to meet environmental quality, health, and safety standards. The NTUA was initially reluctant to allow the Township to do up-grades because they want to continue owning the system and want assurance that the Township will hand over the system for free. The problem with this, from the Township's perspective, is that the Township will make millions of dollars in investments utilizing sales tax monies and have little return in the end, and also continue to pay for upgrades and expansions. The Township and NTUA are currently trying to address these problems. For the water tanks and distribution system, the Township had to get concurrence from the NTUA first and had to assure NTUA that they will continue owning the new tanks and system. Construction is slated for 2007.



The Effect

The Township's purpose for the larger sized water tanks and water distribution system is to not only accommodate the new hospital, but to also alleviate the water pressure problems facing existing and future businesses along the US Hwy 160 corridor. The expansion of water lines to the new hospital will allow future businesses to tap into the new lines, not to mention Kayenta Chapter residents residing in that area.

October 20, 2005

Sponsored legislation to amend Title 24 of the Navajo Nation Code Section 700 and 741 to request that one-half of the Hotel Occupancy Tax (HOT), collected within the boundaries of an LGA certified Chapter or recognized Township, be remitted back to such Chapter or Township to be used for tourism and economic development purposes. This legislation was initially proposed for the Kayenta Chapter and Township only but council delegates from other Chapters wanted the same thing for their Chapters so the wording was changed to include all Chapters.

Current Status

The legislation did not pass the Council because other Chapters with no hotels or motels felt that it did not include their chapters. The Kayenta Chapter and Township are still planning to pursue this amendment though, with 50% of the funds remitted back going to the Chapter and 50% going to the Township. For this purpose, a tourism plan was developed which still needs further refinement.

The Effect

The Kayenta Township can utilize the HOT tax to promote tourism within the region, create a better workforce development program, and even create a chamber of commerce or a visitor's bureau. The hotels, especially, need a lot of support because they are easily affected by economic conditions in other areas, plus they do not have promotional material such as brochures available to visitors.

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January 2006 to May 2006

The Township Engineering Department assisted the Western Navajo Agency (WNA) BIA Roads Department with identifying property boundary points and encroachments along Kayenta PHS Street-Wetherill Road, N106 (1) 2 and 4.

Current Status

These roads are major bus routes through residential areas which have no more pavements and are full of pot holes and cause major drainage problems. The WNA BIA Road requested for the Township's assistance because having the data available would help the projects move up in their priority list and make them ready for construction. In other communities, a lot of road projects are held up because there are problems with property encroachments into the road right-of ways. The Township has also been working with BIA Roads to see if some of the roads could be turned over to the Township so they can be maintained instead of letting them get deteriorated.

The Effect

Again, road improvements within the community enhance the quality of life for residents and make the community more attractive. Improved roads allow expansions and help open up land for future development.

June 14, 2006

The Kayenta Township received an Internal Revenue Service ruling to be recognized as a political subdivision of a Tribe within the meaning of § 7871 (d) of the Internal Revenue Code, and accordingly the Township will be treated as a political subdivision of a state for tax purposes. The 7871 ruling is separate from its authority to assess sales tax which comes from the Navajo Nation government. Instead the 7871 ruling is similar to a ruling for a non-profit organization under 501 © 3.



Current Status

The Township found that whenever it approached a financial institution or state sponsored programs for assistance, the 7871 (d) ruling was required for eligibility. Instead of spending the revenue collected directly on projects, the Township is trying to leverage its revenues through debt services or by matching with other sources of funding. Currently, the Township is in the process of developing policies for investments, for debt service, and for a more detailed capital improvement program. The Township is working on developing an evaluation criteria and exploring ways of structuring financing alternatives for all capital projects. (See "Strategic Financing Capital Plan dated 11/11/03 by Hutchinson, Shockey, Erley & Co.; "CIP Plan Exercise"; "Strategic Plan for Community and Economic Development" dated December 2003, and the Needs Assessment done by the Township). This will help the Township determine whether or not borrowing is required and analyze the financial impact of project costs. For the first time since its inception, the Township has accumulated enough revenues to leverage for major projects, whereas in the past, there was always a shortage of funding. Each major project, such as a detention center, cost millions of dollars, excluding off-site improvements (access roads, utilities, etc.) and pre-construction costs (feasibility studies, geotechnical engineering, surveys, site master plans, design developments, etc). Plus, with each project, the issues of poor soil, the fact that Kayenta is situated within a flood plain area, an outdated infrastructure system, and lack of adequate culinary water have to be considered. Without proper planning and studies to address these issues, establishment of new businesses, or any type of growth, is going to be very expensive and limited. No matter how you define economic development, to expect the Township (within nine years) to offer what outside municipalities offer -- especially within the confines of an environment where jurisdiction over infrastructure (roads, utilities, communications, etc.) is under the jurisdiction of other entities, where the Township has to constantly prove itself to get cooperation, and where laws and regulations do not support local governance -- is simply not fair or realistic. This, of course, is compounded by that fact that a lot of the Township's resources (through staff time, financial or otherwise), are spent on "fighting battle," i.e. making reports, compiling reports, attending meetings, etc., instead of focusing on Township projects and operations.

The Effect

The 7871 ruling not only gives the Township formal recognition as political subdivision of the Navajo Nation within the meaning of Section 7871 (d) of the Internal Code, it allows the Township to access funding from the state and Federal level and allows the Township to utilize different financing strategies for projects such as bond financing.

June 22, 2006

The Township was awarded a U.S. Department of Commerce's Economic Development Administration (EDA) Grant of \$50,000.00. The grant is to develop an action plan to diversify the regional economy and prepare for long-term economic development.

Current Status

The Township is just now in the process

of developing a scope of work and deciding on how best to utilize this grant to where a working, realistic plan can be developed with maximum input by the Kayenta community

The Effect

The EDA grant will allow the Kayenta Township to develop an action plan which will serve as a guideline for economic development. There are a lot of ideas being generated such as a business incubator, etc. but the Township needs a realistic action plan that can be implemented, not one that will sit on the shelf for years; a plan that will tie together all the studies that have already been generated. The Township also needs to consider development of a skilled labor force, attraction and retention of businesses with the greatest potential for success, and tourist attraction.



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

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Kayenta - Chinle - Shiprock - Burnside Junction

AS THE YEAR ENDS A NEW SEASON BEGINS

By Jarvis Williams

As the fall sports of cross country, football, and volleyball come to an end, the town now comes alive with talk of the upcoming sport. A sport that dominates all others in terms of attendance and interest...basketball!! We're talking about a sport that has dominated the Navajo Nation and the 3A conference for the past 15 years. Every year the fans talk about how their team is going to be the best or how their team is going to dominate the conference. In addition, the expectation to do better than the year before places a lot of stress on coaches leading up to the season. So...how does this year's team look in relation to the expectations put on them by the loyal fans. Well, I had a chance to speak the head coaches of the Monument Valley Mustangs and this is what they had to say about the upcoming season.

Monument Valley Boys

The Mustangs of Monument Valley have always prided themselves on tradition, built through the sacrifice and dedication of prior Mustangs. When asked about the new philosophy for this year's team, Coach Loy responded with three words, "Defense, Defense, Defense." The team last year struggled to keep pace with the top teams of the conference and the record reflected the struggles of a young team. Regardless, of the talents of Ryan Manheimer, who is now playing for Haskell College in Kansas, the team continued to struggle due to some important components such as, a new offense, a new coach, experience, and leadership.

This year, Coach Loy is playing a different tune. With a record of 6-1, the only loss coming from a 4A Sinagua team at the Winslow Tournament, the Mustangs, made up of 8 seniors, 5 juniors, and 1 sophomore, seemed to have found the needed components to gel together the beginnings of a great season. In addition, to finding those needed components the 2nd year Head Coach Loy also had the team write down their goals to help them remember throughout the season what their playing for. In the competitive 3A North, the Mustangs are expected to battle for the conference championship. As Coach Loy stated, "Our vision is to take the conference," which is easier said than done considering the Scouts and Bulldogs are expected to field a good team this year. The sun seems to be shining on the Mustangs early this season; however, their biggest test is yet to come. Year after year

the NGS Tourney in Page seems to attract the toughest competition and this year's bracket is no different. The tourney will be hosting teams like Apollo, Red Mountain, and Chaparral, so the Mustangs will have their hands full and will face their toughest test of the season so far. At any rate, anytime a team is able to play tougher competition not in the conference the team becomes much better, so we can expect a tough Mustang team to emerge as the New Year rolls in.

So, what does it take to begin a season like this? When asked, Coach Loy responded "you have to take every opportunity to play, i.e. summer basketball, a lot of commitment to the program, stick to the fundamentals, and get away from that Iverson stuff." This past summer, Coach Loy and staff took the kids to various tournaments and games throughout the summer and managed to play 55 games, which may be attributed to the early success of the season. With the busy month of January of 12 games(3 games a week) still ahead, the Mustangs will continue to work on those things that created the 6-1 achievement such as, defensive drills, fundamentals, and a big emphasis on free throw shooting.

To sum it all up, the Mustangs are a much improved team this year but how much? Well, that remains to be seen with the toughest competition at the NGA Tourney and the tough conference teams of the 3A North still to come. However, we must still consider that the Mustangs are talented team with quick guards, and a decent front line consisting of 6-2 Reggie Todachine, 6-2 Skyhawk Eisenberger, 6-2 Quentin Tootsie, and 6-2 Jordan Cly; Josephe Seaton and Ryan Young round out the scoring threats for the talented Mustangs. We must also consider the Mustangs only loss so far was to Sinagua, who was the eventual tournament champion in Winslow. If you're a Mustang Fan, look forward to a great season and if you're not...well, let's just say it's not too late to become one.

Monument Valley Girls

The new basketball season for the ladies of Monument Valley is going to be just that...a brand new season. After four years of Allison Holiday, now playing for Division I UNLV, the Lady Mustangs have some soul searching and team building to do. Let's not forget to mention, Trivera Jake, who is playing at the Junior College level in the valley, who was an instrumental part of the state championship

team. This tandem was very effective last year leading the Lady Mustangs to a 29-3 overall record and 14-0 in the conference. This year Head Coach Robert Nash, in his 17th year as Head Coach, will have to put his best effort in to make this the best team it can be. With over 30 years of coaching experience, he'll put that experience to work to create the team that will defend its state championship from a year ago.

The Lady Mustangs have always stepped up to the challenge and answered with a very competitive team. In addition, the Lady Mustangs carry a veteran coaching staff ready to continue the program goals. That is an important component to consider when talking about the past successes and achievements of the Lady Mustang program. When asked about the importance of coaching experience, Coach Nash responded "Coaching is like being a teacher, you have to keep up with the new stuff that comes out to improve your coaching because you have to come up with what you think is right." He added, "you have to believe in what you teach, believe in yourself, the system, and in your kids."

So far that philosophy has given the Lady Mustangs a positive 3-2 record going into the toughest tournament of the early season. The two losses came from the always tough Bishop Gorman HS out of Las Vegas and a talented Page HS team. The Lady Mustangs have always accepted the challenge to play tough competition which only makes them an improved team to compete with in the conference. The Winslow Tourney has been considered the early preview of the 3A state tournament for the fans of the 3A conference. Usually, the champion of the tourney is expected to go deep into the state tournament. Therefore, the Lady Mustangs can look forward to great competition and will definitely become a stronger team as a result.

There is no doubt that the 3A North is the most competitive of all the conferences in 3A. Every year, the state quarter finals have 3 or 4 teams representing the 3A North conference and this year should be no different. The Lady Mustangs are expected to do well this season with their

toughest competition coming from Chinle, Winslow, and Ganado. Coach Nash has high expectations for his team as they expect to battle for the conference championship.

The team has three returning players from last year's state championship team, Senior Kara Graymountain, and Juniors, Robin Curleyhair, and Ingrid Salt. These three are expected to be the leaders of the team considering they have the most varsity experience. One of the most important components of a team is the strong guard play, which can be verified by looking at last year's team. So, what about this year? As mentioned earlier the veteran coaching staff of the Mustangs is an essential component to refueling the program year after year with quality players and this year they may have found it in Chantel Kescoli. As a sophomore, she has the potential to lead the team and help fill that essential void left by Holiday and Jake. Those are certainly big shoes to fill but with the talents of the returning players and better communication that transition to the varsity level will become much easier and beneficial to the overall team.

So, where does Coach Nash find the talent that will lead the team during the regular season? He says the off-season is the most important because it gives you a chance to evaluate the players. Coach Nash also mentioned that the off-season is an indicator of how the team will do during the regular season. This is a message for the young players that may want to be part of the Lady Mustang basketball program that the off-season is very important to the success and achievement of the regular season.

Sum it up

In closing, every season is a 'brand new season' and based on the strength of the program every new season has the potential to do better than the year before. The basketball teams of Monument Valley should bring plenty of excitement for the winter season and keep the fans on the edge of their seats as they cheer on their favorite teams. We wish the best of luck and achievement to both teams as they prepare themselves for the busy month of January and for the road to the state tournament. Work hard and have fun, Mustangs!!



NAVAJO NATION COUNCIL SPEAKER MORGAN SPEAKS AT THE INDIGENOUS WORLD URANIUM SUMMIT

December 1, 2006

Navajo Nation Museum, Window Rock, Navajo Nation (AZ)

It is an honor to be here at this continuation of what began in Salzburg, Austria in 1992 – a gathering that has brought people of different nationalities and backgrounds together with a common purpose – to say now and forever that we will no longer tolerate the poisoning of our people and our land through the mining and processing of uranium.

As Navajo people, we have always been guided by certain laws. In 2002, the Navajo Nation Council recognized these fundamental laws of the Dine' people and made the Diné Fundamental Law the guiding principle of Navajo Nation law through Resolution CN-69-02.

The Diné Fundamental Law is one of the most significant actions taken by the Navajo Nation Council with regard to sovereignty and protection of our sacred lands. This fundamental law maintains our sovereignty and the integrity of our culture.

The Diné Fundamental Law acknowledges our purpose in life and the right to life, wherein each creation has its own design and laws, and has rights and the freedom to exist. We know that the integrity of such a holistic system is meaningful and must be upheld and protected. As individuals, our responsibilities are so prescribed. We must uphold our responsibilities.

Accordingly, we, the Diné people are the designated stewards to preserve and protect the foundation of our ceremonies and our Diné way of life.

On April 21, 2005, the Navajo Nation Council voted to enact the Diné Natural Resources Protection Act through Resolution CAP-18-05. The Act specifically states, "No person shall engage in uranium mining and uranium processing on any sites within Navajo Indian Country."

There are four aspects of the fundamental law – customary, traditional, natural and common law. In passing the Diné Natural Resources Protection Act, the traditional law and natural law components of the law were cited.

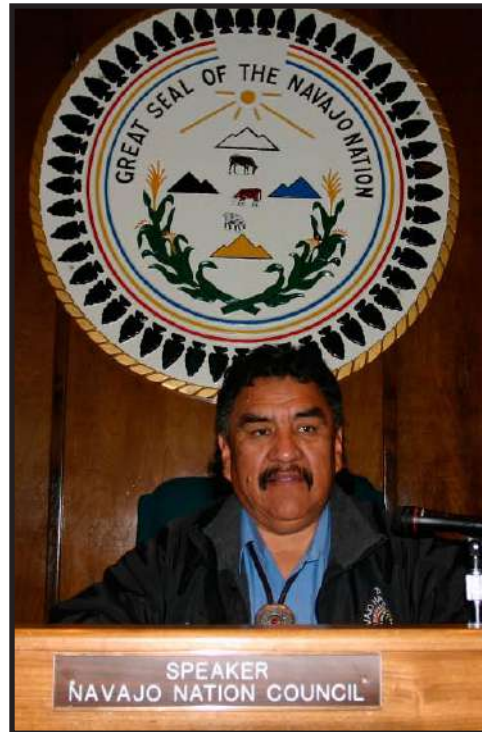
The traditional law provides "that it is the right and freedom of the people to be respected, honored and protected with a healthy physical and mental environment." (CAP-18-05, Diné Natural Resources Protection Act of 2005)

The natural law "mandates respect for all natural resources within the four sacred mountains." (CAP-18-05)

The incorporation of the Diné Fundamental Law to our codified laws has been most significant in maintaining our unique identity as Diné people. Through the traditional and natural law components, it has given us the foundation to ban uranium mining and processing on the Navajo Nation

I must point out here that we are a whole nation which includes the significance of our environment. Our sacred environment makes us a whole person and a whole nation. We are never disconnected from our Mother Earth. We have a living bond to all of creation. It is a sacred bond. This is our true identity as Diné people. This is the reason that we must protect the integrity of our environment.

We must continue our discussions, make plans and carry out action so that we as Navajo people will have the ability to create a sustainable environment and to protect our natural resources. We have seen the devastating effects on our Navajo land and our people. There has been social, cultural and economic damage to our nation due to uranium mining and processing. We now know that this substance – uranium – is harmful to our people and should not be



disturbed. The Navajo Nation Code now states, "Its extraction should be avoided as traditional practice and prohibited by Navajo law."

As you can see, political issues continue to be raised, whether relevant or not, that challenge our social order. These issues are raised in the name of prosperity and development, while indigenous nations fight to defend cultural and territorial integrity. In this day and age, our anguish continues, while our unique identities remain strong.

In this respect, it is important that we continue to advocate for international recognition of our most basic human rights. As indigenous people, we must demand that our rights to cultural integrity and environmental justice be recognized and respected by all governments.

We were certainly delivered a blow when the Third Commission of the United Nations voted to delay consideration of the Declaration on the Rights of Indigenous Peoples on Tuesday with a vote of 82 nation-states in favor, 67 opposed and 25 abstaining.

While it took decades of work to come up with the Declaration, the majority felt that more discussions are necessary before consideration by the United Nations General Assembly. We must continue our advocacy at all levels to ensure that the Declaration is not weakened through any further discussions.

At Salzburg, a document was produced calling upon governments, organizations, communities and individuals to recognize the rights of indigenous peoples and our right to determine and control the nuclear process as it affects our society and territory. I commend those of you who were involved in producing such a strong statement and continuing to carry out the goals that were outlined. These are the types of documentations that we need to make known to the rest of the world.

I think the most important message that we carry from this gathering is that we are not alone in our struggles. This is a powerful reminder even as we hear the disappointing news that there are countries who oppose recognizing our rights as indigenous peoples. We must take the knowledge that we have gained here and expand our message to the entire world together.

Thank you to each of you for your support, advocacy and participation during this Indigenous World Uranium Summit. Ahe'hee'.



STRATEGIES FOR INDIAN COUNTRY IN THE NEW MILLINIEUM CONFERENCE SET FOR FEBRUARY 6-9, 2007

The conference theme, "It's Time To Live - Enjoy Life Fully Through Wellness & Healing" describes a wellness journey towards living a healthy life style. The theme enhances balance within families, within self and community. Ask yourself; how am I physically, mentally, emotionally and spiritually? Am I stressed out due to what is happening within my self, family, community and where I work? If your answers are questionable, the Accessing Native American Training (ANAT) & the New Year's Eve Sobriety Powwow Association cordially invite you to the 7th Annual Wellness/Healing Skills Training: Strategies For Indian Country In The New Millennium Conference.

TARGET AUDIENCE

Addiction, Residential, Treatment, Prevention, Medical, Education, Law Enforcement & Court professionals, Board of Education, Counselors, Youth, Social & Mental Health Workers, Community Health Representatives, Tribal Council, Elders, Community members, Tribal, State and Federal Government Program employees & Administrators, High School & College students.

TRAINING TRACTS

The empowering and interactive 3 ½ days will reinforce vision, reaffirmation of life for us and others, to become more aware of our health and physical being, and embracing proactive approaches towards personal and community wellness journey. As a result of attending the conference, participants will be able to: Identify principles in Trust and Team Building and its application to the everyday work environment; Describe educational approaches in creating sacred places for children in schools through language, culture, implementation of prevention, wellness, positive discipline and its impact on reducing student high-risk behavior; Describe levels of prevention for substance abuse, domestic violence, anti-social behavior, and other risk factors among Indian

youth and adults; Describe models and ideals which effectively demonstrate culturally competent American Indian communities/ systems mobilization, and focusing on health and wellness; Describe and identify suicide prevention techniques and teenage pregnancies; Describe multi-generational trauma/oppression and its impact on individuals and how they can move towards resolution; Identify skills and strategies for individuals who practice unhealthy and dangerous coping skills; Describe and identify risks involved in unsafe sexual activities; Describe and identify Diabetes and its impact on the body; Describe, identify and implement leadership and facilitation skills; Describe and identify counseling techniques and its application towards a more positive one-on-one counseling; Describe and identify the four components of generosity, mastery, belonging, interdependence and its application to the everyday way of living; Creating a safe working environment by reducing stress and promoting healing through self care strategies. The conference makes available effective prevention models and programs that could be utilized. Conference participants take active roles in practical exercises & scenarios. Presentations are facilitation format rather than lecture. "Tell Me, I Forget, Show Me, I Remember, Involve Me, I Understand" is the concept for this conference. TALKING CIRCLE, COMEDY SHOW, SOCIAL & HONORING POWWOW (Bring your dancing regalia)

CONFERENCE

COST & REGISTRATION

Registration, fees and information on the conference to be directed to Frank and/or Corie Moran Adakai, Conference Coordinators, at 9816 Academy NW, Albuquerque, NM 87114. Email: Navachip@aol.com, Phone 505-897-1489, Fax 505-898-3768.

Registration fee \$250 per person, covers conference sessions/ presentations, Wellness activities, break refreshments, comedy show, powwow and CEU.

LOCATION

Conference site will be at the Inn at Rio Rancho - Best Western Hotel & Conference Center, 1465 Rio Rancho Blvd. SE, Rio Rancho, New Mexico. Special rate of \$65.99 per night per room for 1 to 4 people in each room. For room reservations call (505) 892-1700.

TRAINERS & FACILITATORS

Dr. Clayton Small, Frank Adakai, Corie Moran Adakai, and Dr. Avis Archambault.

There will be other well known national facilitators to be invited to make presentations at the conference.


SCHOLARSHIP

Limited numbers of scholarships to cover conference fees are usually made available. We ask for letter of request be written to Frank Adakai, Conference Coordinator. Letters should be signed by subordinate's supervisor, authorizing the attendance of the conference. (21) hr. of CEU's granted through State of New Mexico to Social and Mental Health Workers, Counselors, Psychologist, Prevention Specialists and others who apply.



13th Annual New Years Sobriety POWWOW

December 30-31, 2006
Bernalillo High School Gymnasium
Bernalillo, New Mexico
Approximately 17 Miles North of Albuquerque on I-25

HOST NORTHERN	HOST SOUTHERN
Rizing Sun <small>Sheldon Fernando, Head Singer</small> Mescalero, New Mexico	Zotigh Singers <small>Ralph Zotigh, Head Singer</small> Albuquerque, New Mexico
	
Head Man Designated @ Each Session	Head Lady Designated @ Each Session
MASTER OF CEREMONIES Bruce Klinehole Frank Adakai	
ARENA DIRECTOR/HEAD GOURD DANCER Tommy Spottedbird	
HEAD JUDGE Sunny Rose Yellowmule	
HEAD TABULATOR TBA	
	
During 1 Designated Session Only	
Sponsored by the New Years Eve Powwow Association & Sandoval County DWI Program	
CONTACT INFORMATION: FRANK ADAKAI @ (505) 897-1489 - OR - COOKIE ADAKAI SANCHEZ @ (505) 306-4176	
The 13th Annual New Years Powwow is a Drug and Alcohol Free Event Committee and Bernalillo High School will not be responsible or liable for any Mishaps, Accidents, and/or Thefts	

Season's Greetings:

As we pause and look to the New Year, in a land of the free, there is always hope because hope is possible where there is the freedom to pursue all opportunities.

As a people, the Navajo individual has many choices, not the least of which is to carry on the Navajo traditions of hardwork, getting good education and be a leader in the community. Of equal importance is the opportunity to learn and carry on the Navajo Cultural values and traditions.



The kinship based on clan relationship and extended families makes each individual a part of the larger Navajo society in which the elders are the teachers and the source of wisdom for the rest of those who are following their guidance and footsteps.

Navajo teaching is based on a concept of unity, a concept of wholeness and inter-connectiveness all based on a value system in which a person is apart of a larger group that is the Navajo society and that society endures because of a belief system that everyone contributes to the welfare and the well being of all in that society.

To make the society functions requires that each individual fulfill his or her role to make the society function in a way that supports and benefit the group as a whole.

The whole Family is the integral part of the society that ensures the success of the entire population with individual and group roles. The family consist of the parent, the children and extended families such uncles, aunts, grandparents, (2 set). The parent instill such values as emotional support (love) teaching by role models and examples, teaching responsibilities and rewards good behaviors and good efforts. The aunts and the uncles teach things that a parent cannot themselves teach their children such disciplines, the male/female functions and roles and the grandparents teach the larger picture of life such as how to succeed, why people grow old, why people die, the many roles of animals, their instincts, their behaviors well as how to utilize the medical values of plants, insects and how the Earth function with wind, fire, water and how the stars, plants interact and use these as calendars for various activities, including the various phases of the moon and how to act during eclipses of the sun and the moon.

All these roles, teachings and values make the Navajo society a viable and living system that endured and endures through centuries to this day.

In the beginning there was only thought and when wind came into being, voices became possible and from this the thought became voices and the voices became language and then the stories, the songs and speaking became part of our physical existence.

When the spirit people assume physical roles, birth and death became part of existence and later when changing woman created the four clans. How the four clans were created and the songs sang at the creation ceremony became the Bath Ceremony for the Blessingway Ceremony that is practiced today.

The Talking God and his counterpart, the Calling God performed the creation, the placement and the blessing of the Sacred Mountains in the Four directions and two at the entrance, making six Sacred Mountains which to this day is the source of Navajo strength and wisdom.

The Coyote, the crow, the Horned Owl became the messengers to alert us to danger, thus we prepare ourselves accordingly.

This is our tradition, our heritage and the essence of our existence.

Daniel Peaches
Kayenta Township Manager

COMMUNITY CHRISTMAS DINNER

