

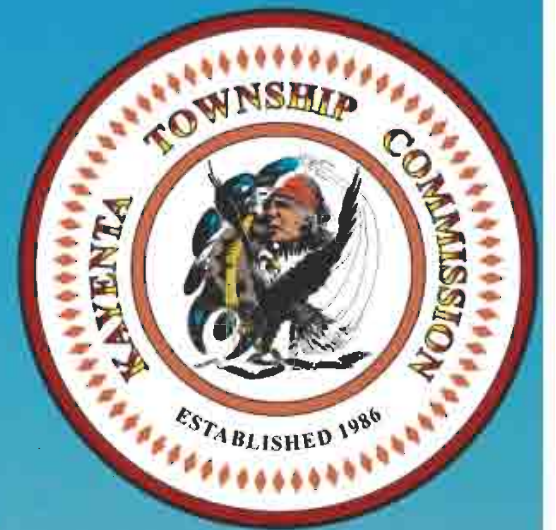
KAYENTA TODAY

THE NEWSPAPER OF THE KAYENTA TOWNSHIP AND COMMUNITY

A Free Publication from the Kayenta Township

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July/August 2006



Page
2

Hearsay vs. Truth



Page
7

**Kayenta Recreation
Center Open!**



Page
10

**Where does the
Money Go?**



Page
15

**Your Tax Dollars
at Work**

Hearsay vs. Truth

In a recent Gallup Independent article "Panel releases report on Kayenta", EDC Chairman Lawrence Platero released a report on the Kayenta Township to the Navajo Nation Council regarding KTC business leasing authority. In the story, Mr. Platero was quoted, "Public hearings were brought forth at the request of a report that was given to the EDC from people who have businesses within the Kayenta Township."

Mr. Platero's actions to undermine the Township and to take away the authority given to it by the whole Navajo Nation Council based on a few people's testimony with no actual proof. He has also never given the Township the opportunity to defend itself or to even make a presentation to his Committee.

Mr. Platero and the EDC need to state that these are only two businesses that have a bone to pick with the Kayenta Township and does not reflect the entire business community in Kayenta. The Kayenta Township has been dealing with these two local businesses regarding their leases for some time now. These two businesses have been relentlessly trying to undermine the Kayenta Chapter and Township for their own self benefit, nothing more.

Mr. Platero also stated that there were certain individuals trying to intervene to prevent these hearings from being held by stating that the Kayenta Township made phone calls to the Speakers Office and Legislative offices. Platero further went on to state that the Kayenta Township called the Monument Valley High School to tell them that the hearings were being held at the Kayenta Township. This is not true.

Also in December 2005, the Township was informed by a member of the NN Legislative Counsel's office that the EDC was going to meet with some Kayenta business people regarding complaints on business site leasing issues. The Township was told to have representatives there to answer questions. On the day of the meeting, Mr. Platero told the representatives from the Township to leave the meeting and if they did not, the Committee would just go into executive session anyway. The Township representative did leave the meeting but Mr. Platero allowed a Navajo Times reporter to remain in the meeting. It was from this reporter that the Township heard some of what was discussed.

The December meeting was not done

in executive session, the Township had asked for minutes of the meeting and copies of the material that was presented, but to date, the Township has received nothing. The people that the EDC met with were also not representatives of the whole Kayenta business community. This was not the only time the Township was excluded from meetings by Mr. Platero. Mr. Platero is violating open meeting laws and practicing favoritism and discrimination by listening to only one side without giving the Township an opportunity to respond.

It is not that the Kayenta Township has anything to hide from the community of Kayenta or the general public as many individuals have stated, people seem to have taken unfounded information and have jumped on the band wagon to be in opposition to the Township without giving the Kayenta Township a chance to officially state its side of the story. The media has thrived on this for months.

The intent of the Kayenta Township was to test new concepts concerning local governance on the Navajo reservation, including taxation (the Kayenta Township sales tax proceeded the NN sales tax), authority over business site leasing, and local planning. To carry out this intent, the Township created ordinances for taxation, business site leasing, etc. and explored concepts such as home-rule. The concept of "home-rule," as proposed by the Township is based on Navajo teaching which says "you take care of your own." Navajo tradition says that starting with your own home; you are responsible for taking care of your environment, your children, your livestock, etc. In that way, "inherent" authority lies with the people.

During the February EDC hearings in Kayenta, many people did attend and many testified. What Mr. Platero and the media failed to release is that many of these individuals were not business owners, nor were they citizens or registered voters of Kayenta Township or Kayenta Chapter. Most that testified were ones that jumped the band wagon headed by individuals looking for self gain by manipu-

lating the system. These individuals along with their ranks of officers mislead many people and failed to fully inform their followers with the truth. Some of the tactics used were absurd, some were told that the Kayenta Township would start taxing all home sites in and outside the boundary of the Kayenta Township.

When the Navajo Nation approved "home-rule" status for the Township, it recognized this "inherit authority." Now the KTC is being told that the idea of "inherit authority" is ridiculous and that "home-rule" is a foreign concept, that there is no definition or statutes for it and that the Township is violating Navajo Nation laws. Instead of helping the Township fix these problems, the EDC is making the Navajo Nation attorneys look for inconsistencies, ways to reverse legal opinions, and ways to abolish the Township. What does this say for other Chapters who are LGA certified or who are desirous of establishing local autonomy?

The report by EDC chair Lawrence Platero also stated that the Township needs to strengthen its business site leasing practices. This is true not only for the Kayenta Township but also for the Navajo Nation as well. In meetings with the Navajo Nation's Accounts Receivable Department and Department of Justice, the Township was informed that the Navajo Nation is not collecting approximately 80% of its potential lease income. The Navajo Nation Accounts Receivable also bills businesses that never materialized or ones that went out of business years ago. The Township was told that the reason for this was because there is no communication between BIA, Accounts Receivable, and RBDO once a lease is approved and there is very little enforcement for compliance because it all gets political.

At the time, the NN Department of Justice and Accounts Receivable Department asked the Township to share information on businesses in Kayenta and help with enforcement of business site lease provisions. When the Township attempted to do this, the politicians got involved and used it to meet their own ends.

Continued on Page 4



Town Managers Report August 2006

Kayenta Township has been experienced political turbulences the 6 months. A resolution was through Kayenta Chapter to abolish Kayenta Township government and turn over its authority to Kayenta Chapter Government.

A public hearing was held in Kayenta as a forum for those who have gripes against the Township and its Commissioners.

In all of these angry and emotional outpour, facts and reasons were trampled upon. It was a vigilante of one business person, one political operative and one individual with the ability to mislead the public with half truths, false accusations and innuendos, all designed to create havoc with established order in the community and like wildfire it grew and grew until its support swelled over 200 individuals.

All efforts to present a true picture was ignored by Lawrence Platero, the Chairman of the Economic Development Committee. Dr. Joe Shirley told the Township representatives who met with him in his office, stated he only represented the small people like JoDonna Ward, not the big people like Richard Mike who owns several Burger King outlet on the reservation. President Shirley was informed that one of the businesses JoDonna operates is a Fina Service Station which is a National Corporation.

The opposition group intensified its lobbying efforts before other standing committees in Window Rock and the Township Staff have no choice but to appear before these Committees to set the records straight.

The Staff also met with Gallup Independent and Dine Bureau reporters to explain the Township's of the story yet there is obvious bias on the



part of these reporters such as Kathy Helms of the Gallup Independent. The greatest disappointment was when Alice White, one of the three Council Delegates that represent Kayenta introduced a legislation to abolish the Township.

Lawrence Platero, the Chairperson of Economic Development Committee directed the staff of Western Navajo Agency Regional Business Development to start issuing a business site lease to JoDonna Ward as if he is the President of the Navajo Nation. If this is not micro-management, the I don't know what micro-management is. The action of Platero is clearly a violation of the Navajo Ethics in Government Law. The prohibition of abuse of power. Mr. Platero clearly stated in his memos that Township no longer has the leasing authority under the Attorney Genera's opinion issued by Louis Denetsosie.

This interpretation of Attorney General's opinion as Law by Mr. Platero is to change the law that was enacted by the Navajo Nation Council. President Shirley should have protested this action of a legislator against his own administration but apparently he is afraid assert his executive authority. Speaker Morgan should immediately ask for Mr. Platero to step down as Chair of EDC for assuming authority which does not belong to him, but not a squeak from the President. Meanwhile JoDonna Ward decided to run for one of the Council seats from Kayenta. Who is minding the store?

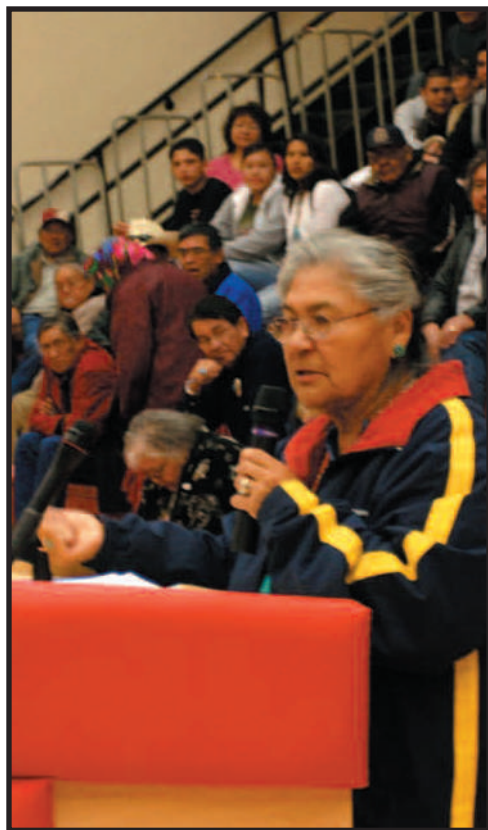
It has been said power corrupts and this certainly has been demonstrated in Kayetna. Also it has been demonstrated that rumors travel a lot faster than facts and innuendos and false allegations stir up more people, including leaders a lot faster than correct information.

Continued on Page 14

Continued from Page

There is documentation which proves that the Navajo Nation itself threatened the business that the EDC was meeting with and listening to (who was also operating under an expired lease, not a pre-existing lease) with court action for being in arrears on its lease rent for ten consecutive years. The Township at this time is working on amending its leasing ordinance and putting together an updated management plan which would also incorporate provisions in the new business site leasing regulations.

The implications that the Township is making decisions on business site leasing on an ad-hoc basis or that it practices nepotism, favoritism and discrimination is simply not true. KTC uses the same business site leasing procedures used by RBDO, use the same check-off list provided by BIA, and go through the same reviews by the Department of Justice. Recording of leases is still done in Albuquerque. The Township did stream-line the process a little by eliminating the 164 SAS process but with the recent opinion by the Attorney General, those extra steps have been added back in. Furthermore, in its meetings with the BIA, the Township was encouraged to work with the Navajo Nation to come up with management plans for the business site leasing process and that they realize that participation by local governments was inevitable.



As for the question on why there is no real economic development and no capital improvement, isn't that true for the whole Navajo Nation? Because the Township is a fairly new entity and a new concept on the Navajo Nation (9 years in existence), created in an environment where jurisdiction over utilities, roads, housing, etc. are under the Navajo Nation departments and enterprises, or other governmental departments, it had to work hard in establishing working relationships with these other entities before any real planning or development could take place.

In addition, the Township had to build up its revenue base from around \$400,000.00 to \$3,000,000.00 a year in order to accrue enough money for leveraging other sources of funding. A real substantial project such as a detention center costs more than five million dollars for on-site and off-site improvements; using the sales tax money collected by the Township directly on these projects will not work because of the many different needs and problems such as outdated utility systems, drainage problems, and poor soil, etc. The Township has to create plans, prioritize projects, seek additional funding, conduct studies, etc. before construction can take place on these projects. Nevertheless, the KTC is moving forward. Plans for projects, studies, etc. are readily available at the Township office.

As for the funds appropriated by the Navajo Nation to the Kayenta Township, there are only two grants that were appropriated. One is \$750,000.00 for the Detention Center of which only \$225,000.00 (30%) has been drawn down as an advance and which is being used for soils testing, surveys, and architectural design and engineering. The other amount is \$2,504,826.00 from the NN Fuel Excise Tax which is for renovation of roads and new roads within the Township. None of this money has been drawn down yet.

The Kayenta Township also submits quarterly reports to the NN Office and Management and Budget; plus a report was made to the Public Safety Committee on the Detention Center. Some of the Township's other projects include improvements to the airport utilizing FAA grants and new housing and street renovations utilizing NAHASDA grants.

The Kayenta Chapter and Kayenta Township are working together for the will of the people of Kayenta. The Township and Kayenta Chapter have been working together for quite sometime now, sure in the past each had different views, but the two have worked pass that and have learned to work together. The Kayenta Chapter and Kayenta Township have a great working relationship today.

Abolishment of either would only hurt the future of the community of Kayenta. People need to understand that the Kayenta Chapter and Kayenta Township are not fighting over who has control of Kayenta. Ask any Kayenta Chapter or Township official.



The Township has no problem with an operational and financial audit as long as it is done through the right protocol, in a fair manner, and by unbiased people. Miller Allen & Company from Scottsdale, AZ has conducted the past four audits on the Township. Before that, Connie Savaugau of Scottsdale, AZ and the late Newlon Dixon Benner (a former Auditor General of the Navajo Nation) conducted audits on the Kayenta Township. These audits, along with other financial information are on file at the Kayenta Township office. These audits, along with copies of ordinances, budgets, policies, etc, were given to the EDC and to the NN Department of Justice but apparently they were never considered. The Township was also never given an opportunity to explain these documents in detail.

The question is, why does Mr. Platero put this much energy into making the Kayenta Township look bad, why has he or the media not given the Township the time to state their side? Is this a personal thing for Mr. Platero? What is it about the Township that makes Mr. Platero direct so much negative energy towards the Township? Surely he could redirect this energy towards more constructive issues such as real economic development on the Navajo Nation. The Kayenta Township is doing everything they can to increase economic development in the community, but the Township like the rest of the Navajo Nation face the same obstacles as every other community on the Navajo Nation. We lack infrastructure and have too many hoops of fire to jump through to get anything positive done on the Navajo Nation.

Continued on Page 5

Continued from Page 4

Vice Chairman of the San Carlos Apache Tribe once said, "The Navajo Nation is over governed. There are too many committees to drag through to get anything done." This very true, it seems that every committee on the Navajo Nation wants to have some say over anything, no matter what it is. This only bogs down the system to a slow moving crawl. It's no wonder why so many potential businesses give up and move else where. Even with the recent removal of the BIA from the business site lease process on the Navajo Nation, getting a business site lease in 30-90 days is a shot in the dark. The process to obtain a business site lease on the Navajo Nation is still a very long tedious process, and having to deal with every known committee, then getting a final approval from EDC may seem like an eternity.

Casinos are not the answer for economic stability on the Navajo Nation, we need to look further. Title 26, part of the Local Governance Act (LGA) is the future for economic growth and stability on the Navajo Nation. By eliminating the hoops of fire, endless committee meetings and the evil dictator grip of the



EDC, every certified LGA Chapter will benefit and reap the rewards of economic stability. This in turn benefits each and every community member of every certified Chapter. The Kayenta Township was the first to embark on this venture of self governance, no one said it was going to be an easy task, and the Township has the bumps and bruises to prove that.

The Township also utilized its sales tax revenue to build new skate parks, re-seed 1600 acres of land within the Kayenta Chapter for dust control, match funds with the Indian Health Service to install larger sized water tanks to alleviate water pressure problems and to accommodate the new hospital, to do a market study and general plan, to match funds with ADOT to install signal and street lights, to build a solid waste transfer station, and to help support the local Kayenta Volunteer Fire Dept., Law Enforcement and Corrections, and the Kayenta Chapter. The Kayenta Township has also utilized its labor force to help renovate or install building foundations for Navajo Nation programs such as Social Services, TANF, and Child Support Enforcement.

Chapters currently looking into becoming LGA Certified may be looking at the Kayenta Township and its current issues with disbelief and may be discouraged about becoming LGA Certified. The Kayenta Township started out as a pilot project, but had a vision of self governance and the ability to create its own destiny for the benefit of the people of Kayenta.

In July 2003, the Navajo Nation Council granted the Kayenta Township permanent status and to act as an agent of the Navajo Nation. This gave the Township the authority to govern itself and its endeavors. The Township hopes to act as a model to other communities and Chapters looking for LGA Certification by setting the cornerstone of local governance for others to build on and prosper.

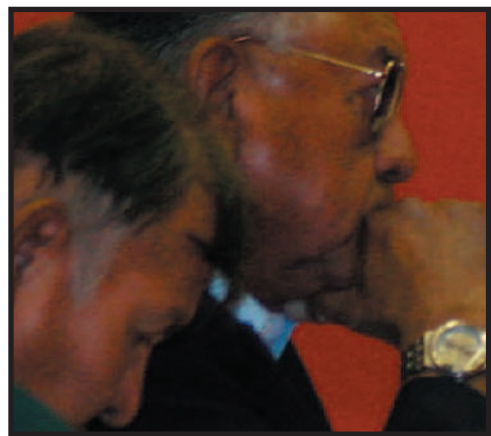
In a February 2006 article of the Gallup Independent titled "Hearing set to discuss KTC business leasing", Lawrence Platero stated, "The people have to look at the fact that since the Township has the authority to run its own, the people are the governing body, just like as any municipality like Gallup." Why now has he changed his mind and made it his own personal priority to run



the Township into the ground? What kind of message does this send to Chapters seeking LGA Certification?

We should all be working together to resolve problems instead of fighting each other. It seems like every obstacle has been thrown at the Township and while we understand that we have to establish credibility and be accountable, we never thought that the Township would be treated so unfairly by its own "mother" government.

Yes, change is hard but necessary. If we are to survive and prosper in this world as a nation, we have to learn to adapt and change with the times. We have come a long way, but have failed to really truly adapt to the environment that surrounds us, we need to find balance between the new and old ways, yet retain our integrity and cultural values which makes us so much more different than the outside world. If we don't change, we will continue to stand by the Federal government with our hands out. We were once a self-sustaining people; it's time to be a self-sustaining people once again.



KAYENTA TOWNSHIP BUSINESS SALES TAX ORDINANCE

The purpose of the sales tax ordinance is to enhance the general well-being of the Township residents, promote economic growth of the Kayenta Township, provide operating capital for infrastructure development and maintenance, expand the governmental capacity of the Township to meet the needs of its citizens and others, and to support capital improvement projects.

On January 19, 1996 - CJA-3-96 - The Navajo Nation Council approved the Kayenta Tribal Pilot Sales Tax Project (KTPSTP) for a three year period beginning FY 1996 through FY 1998. In that same resolution, the Navajo Nation Council also approved the Plan of Operation of the KTPSTP and designated the Kayenta Township Commission as the authority to carry out the Plan of Operation.

History

On June 15, 1997 - the Kayenta Township Commission implemented the Sales Tax Project at a tax rate of 2.5%. The initial ordinance was geared towards taxation on tourism activities such as lodging and restaurant sales. Taxes on local activities such as grocery sales and sales to Navajo Nation entities were exempted in the ordinance.

Navajo Nation Sales Tax vs Kayenta Township Sales Tax

When the Navajo Nation implemented its sales tax ordinance in April 2002, it had a big impact on the Kayenta Township sales tax. The Navajo Nation's tax rate was higher at 3% and it was now taxing items and entities that were exempted by the Kayenta sales tax ordinance. The differences between the two sales taxes caused a lot of confusion among business owners. It was obvious that there had to be more consistency between the Kayenta Township sales tax and the Navajo Nation sales tax.

Sales Tax Revenue Generated

The Township also found that the \$500,000.00 it generated annually in sales tax revenue at a rate of 2.5%, was not enough to finance major capital improvement projects, or to even leverage for other funding such as bonds, loans, etc...

1st Amendment to the Sales Tax Ordinance

On August 18, 2002 - To increase the Townships sales tax revenue and to make the sales tax ordinance more uniform with the Navajo Nation sales tax ordinance, the Kayenta Township Commission held public hearings and amended its sales tax ordinance. This amendment increased the sales tax rate to 5% and allowed for taxation on items that were previously exempted in the original ordinance (i.e. utilities, rent on commercial leases, and construction activity).

New Challenges

With the amendment to the sales tax ordinance, the Kayenta Township faced new challenges to its taxing authority because of its pilot project status. To combat this, the Kayenta Township pursued changes in its enabling legislation in the summer of 2003. With the passage of Resolutions CJY-42-03 and CAU 47-03, the Navajo Nation Council established the Kayenta Township as a permanent "home-rule" municipal government and political subdivision of the Navajo Nation, and also reconfirmed the Township's sales taxing authority.

2nd Amendment to the tax ordinance

In April 2004, the Kayenta Township amended its sales tax ordinance once more. Sales tax is now applied to Navajo governmental entities, tribal enterprises and corporate entities of the Navajo Nation. A jeopardy assessment provision and a nondiscrimination provision were added. This authorized the Township offices to perform tax functions which are administrative in nature

and authorized those tax functions which are policy and legislative in nature to the Kayenta Township Commission. The Township also established an Administrative Hearing Officer position, and enacted regulations establishing a suspense fund.

In conclusion the Township has found that making improvements, changes, and enhancements to the sales tax ordinance is a continual process, and the cooperation of entities such as the Navajo Tax Commission, business owners, law enforcement, and the courts is necessary.

General Provisions of the Business Sales Tax Ordinance

- Rate of Tax-5%
- Definition of terms used in the ordinance
- Identifies the activities that are taxable:
- All retail sales of tangible personal property and related services
- Professional Services
- Construction contractors with construction on real property
- Common Carriers: transportation, telephone (including cellular, cable, or satellite) or telegraph, fax
- Commercial sales of gas, electricity, water, heat, coal, fuel oil, or other fuels sold for residential use or commercial use.
- All food sales except food purchased with food stamps or WIC.
- Admission to any place of amusement, entertainment, or recreation, including coin operated games.
- Service for repairs and renovation of tangible personal property or services to install tangible personal property.
- Cleaning or washing of tangible personal property; Laundry or dry cleaning services.
- Leases and rentals of tangible personal property.
- Tangible personal property stored, used, or consumed w/in the Township.
- Tours, home industries.
- Hotels, motels, bed & breakfasts
- Printing, faxing, copying, publishing or printed materials.
- Exemptions
- Sales of medicine
- Purchases of food with food stamps or WIC.
- Sales or meals served to schools, churches, or charitable institutions.
- Sales by religious or charitable institutions in the conduct of their regular religious or charitable functions or activities.
- Isolated or occasional sales by persons not regularly engaged in the business of selling same.
- Sales of newspapers or newspaper subscriptions.
- Subcontractors
- Sales of motor fuels and special fuels such as jet fuel and diesel fuel.
- Sales for resale.
- Licensing
- Tax Collection
- Record Keeping
- Interest & Penalties
- Reimbursements, Extension of time
- Collection Powers
- Mutual Assistance Agreements
- Prohibition of suits and Statute of Limitations.
- Procedure for Refunds.
- Appeal Procedures.
- Abatement Authority
- Confidentiality Rules

THE KAYENTA RECREATION CENTER IS

OPEN!!

A Joint Venture Between the Kayenta Chapter and Township

When did it open?

The recreation center officially opened for the community on July 17th. The cleaning of the building started on July 6th and did not stop until Sunday, July 16th. The recreation workers and maintenance workers for Kayenta Township and Kayenta Chapter worked until the building was brought into usable condition.

Where is it at?

The recreation center is located in the facility that formerly housed the Boys/Girls Club. Some people know it as the Kayenta Field House.

What are the operating hours?

The summer recreation center hours were 6am to 8 pm, Monday thru Friday, 7 am to 12 pm on Saturday, and closed on Sunday. The operating hours will change since the kids are going back to school. The recreation employees will determine the hours based on the times that are busiest for the recreation center and create the best operating hours possible for the community.

How did it come about?

The idea to re-open the facility has always been on the community's agenda. Nobody wanted the facility to close when the boys/girls club was operating, but because of funding issues the facility was forced to close. Since then, it seemed like everyone wanted it open, but no one knew how to do it. But, when Jarvis Williams started, one of the first things he wanted to do as a community involvement coordinator was to open the facility and get something going. He didn't know the how the process worked but after doing some research and asking some questions, he gained a better sense of how to go about re-opening the building. One of the first things he did was to create a proposal that would detail the plan for the recreation center. He was told to anticipate what kind of questions the township commissioners would ask



when he presented the idea to them so that's where Jarvis got started. In addition, he did some research about recreation centers and even found some business plans dealing with recreation/fitness centers. Jarvis used those and modified them to fit his plan.

Jarvis created a budget, inventory, job responsibilities and duties, and an implementation plan and then finally drafting a resolution for the commissioners to review. After speaking with Matthew Austin of the Kayenta Chapter, Jarvis was informed that he probably needed to draft an MOU with the Kayenta Chapter. The MOU was needed because the Township and Chapter needed to know who was going to do what and who was responsible for employees, maintenance, supplies, etc. After putting all those things together, it was ready for the commissioners to review for passage. If the commissioners passed it then the plan was ready to be implemented.

Who is responsible for the opening of recreation center?

There are a lot people responsible

for the opening of the recreation center. "I can't take all the credit for the opening of the recreation center; I simply took the proper steps that it needed," said Jarvis. The recreation employees did so much cleaning and even worked pass their scheduled hours. They put in a lot of volunteer hours to clean the building. Jarvis said, "it took an estimated 80 hours of cleaning from each of the recreation employees to get it in working order."

The maintenance workers from the Kayenta Chapter and Kayenta Township did their share of work as well; light bulbs needed to be replaced, ceiling tiles needed to be replaced, trash needed to be removed, equipment needed to moved, leaks needed to be fixed, and the facility needed some new paint.

All in all, there were a lot of people involved in the opening of the facility. We can't forget the people that helped pass resolutions to keep it open and even the people who were supportive of the BNG Club when it was threatened with closure.

How does it operate?

The recreation center has a fixed budget for a certain amount of time. In that time, the recreation center will implement a plan to generate funds to maintain its operation. The plan we implemented, in our opinion, is very fair and usable.

The recreation center operates on a \$5 registration fee and a \$2 usage fee. In addition, there is also a punch card system in place. There are two types of punch cards that are available at the recreation center; the 10-punch card and the 20-punch card. The 10-punch card is sold for \$10 for 10 visits, which amounts to \$1 per visit. The 20-punch card is sold for \$20 for 20 visits.

There is also a skater club card available. Since there is a new skatepark and the skater needs to use the facility for only the water or restroom, he/she can purchase a skater card for \$10. The card gives the skater unlimited access to the restroom, water, gameroom, and concession area.

Continued on Page 8



Continued from Page 7

If you have a big family, then they can take advantage of the family card. The family card is for 2 adults and up to 4 children (17 and under). This can be a tremendous savings for the family if they purchase either of the punchcards, without the punchcard the usage fees can accumulate very quickly. For example, let's say 6 members of a family come to the recreation center, they would have to pay \$12 per visit. However, if they purchase a 10 punch family card then they'll pay \$40 for 10 visits, instead of \$120! That's a huge savings for the family if they choose that option.

The nice thing about this plan is that it is user friendly because participants can determine how often they'll use the recreation center. If they think they'll be there often, then they can purchase one of the punch cards, but if it's only a one-time visit then the \$2 usage fee is all they pay.

All the funds that are generated are fed back into the account of the recreation center. The funding goes to supplies, staffing costs, and maintenance.

What is available at the recreation center?

There are several things you can do at the recreation center. There is a court to play basketball and volleyball, an area for exercise equipment, an area that has a pool table, foosball, and a small library. There's even a computer room, which is still being implemented. There are board games to play, jump ropes, and even a small concession area to purchase a snack or drink.

In addition, the recreation center has also taken on the duty of inspecting the new skatepark during its operating hours. This gives the participant the options of several things to do while at the recreation center.

In addition, there are other events that can take place at the recreation center. For instance, the recreation center put on a one-day volleyball tournament for the community.

There is also a men's and women's basketball league that will be formed for the community as well.

**Does it operate like the Boys/Girls Club?**

There are things that operate similar to the BNG Club and then there are things that are different. The things that you can do such as games, basketball, volleyball, etc. are things that are similar to what was offered with the BNG Club. The usage fees and punch cards are items that are different. There is a possibility that we will offer other programs from tutoring to basketball camps.

Is there a possibility that it will go back to being a BNG Club?

Currently, that is not our plan. We would like to see the recreation center function on its own and offer

programs that other recreation centers offer in other cities. The recreation center does have the potential to generate funds of its own. We just have to look in the right places and talk to the right people.

Where does the funding come from?

Currently, the funding is coming from the Kayenta Township. We hope to generate more funding from events and sponsorships. We are currently devising another plan to keep it open and how we are going to keep the money coming in for expenses. We feel confident that the programs will work and the money generated will keep the recreation center open until we can implement it into the budget for 2007-08.

Kayenta Community Skatepark Grand Opening Saturday, September 2, 2006



Also Sponsored by:
Kayenta Family Health Care
Kayenta- Bashas'
McDonalds Restaurant
Navajo Nation Division of Youth(Shiprock)
Apache Skateboard Team
Steve and Rose Grey

Food vendors and Bands are welcome to come celebrate! Contact Jarvis Williams for more info!



Agenda

- | | | |
|-----------|--|-------------------------|
| 8:00 AM- | Setup for Event/Vendors | |
| 10:00 AM- | Welcome Address | Jarvis Williams |
| 10:05AM- | Posting of Colors | Kayenta Veterans Assc. |
| 10:15AM- | National Anthem | Pamela Zahney |
| 10:20 AM- | Introduction of Invited Guests | Jarvis Williams |
| | Kayenta Township Commissioners (approval of skatepark funds) | |
| | Eugene Badonie | |
| | Charles Young | |
| | Richard Mike | |
| | Jimmie Austin | |
| | Eugene Charlie | |
| | Daniel Peaches (Town Manager) | |
| | Art Stendel (Skate Club Sponsor at High School) | |
| | Anthony Peterman (Project Manager) | |
| | Other guests | TBA |
| 10:30AM- | Invocation | Daniel Peaches |
| 10:45AM- | Brief History of Skatepark | Art Stendel |
| 11:05 AM- | Recognition of Participation | Jarvis Williams |
| 11:35AM- | Ribbon Cutting Ceremony | Youth TBA |
| 11:40AM- | Skate Demonstration | Apache Skateboard Team |
| 12:30PM- | Workshop Safety Skate Presentation | Jarvis Williams |
| 1:00PM- | Workshop Various Tricks | Apache Skateboard Team |
| 3:00PM- | Skateboard Celebration | Bands, Vendors, Skaters |
| 8:00PM- | End of Celebration | |
| 10:00PM- | Clean up and Go Home! | |

(928) 697-8451
jwilliams@kayentatownship.com

**Mini Health Fair
at the
Kayenta Recreation
Center!!!**



List of Recognized Guests honored with a Certificate of Appreciation.
Art Stendel (MHVS School Teacher and Skate Club Sponsor)
JJ Young and Lorenzo (name on recognition for donated time and equipment, scraper and compactor, to prepare pad)
Albert Bailey (donated 10 cubic yds of concrete)
Chapter recognition (letter to use water for pad) MOU for recreation center
American Ramp Company (gave huge discounts) ramp discount, free shipping, direct factory discount, help with jr. skatepark for 4th of July setup.
Shonie Delarosa (continued advocate for skatepark recognition)
Maintenance Crew at KTC
Anthony Peterman (assisted with design and construction of skatepark)



APACHE SKATEBOARDS

WHERE DOES THE MONEY GO?

When it comes to Kayenta tax dollars, everyone in Kayenta would like to know where it all comes from and where it all goes. After all it's your money and you deserve to know how it is spent. First of all, all taxes collected in Kayenta stay in Kayenta. Unlike the Navajo Nation tax, where all collected tax goes directly to Window Rock for our tribal council to decide where and how it should be spent. Keeping our tax dollars in our community is a valuable asset to the community members of Kayenta.



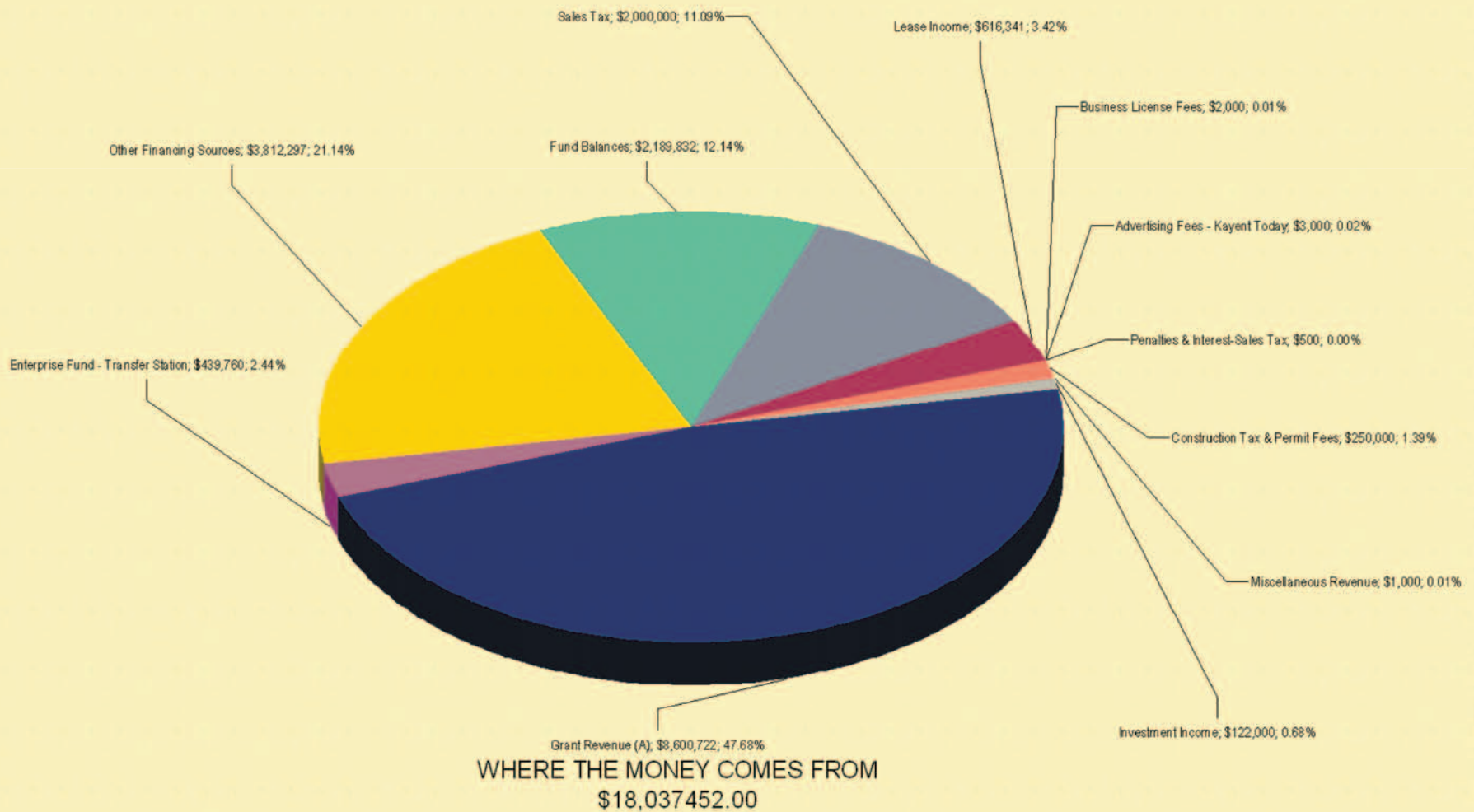
The Kayenta Township Fiscal Year 2006-2007 Budget provides for a balanced budget which strives to meet a vast array of community needs while at the same time allowing for adequate levels of services to be maintained and ensuring that resources are available to meet future needs. The projected resources are appropriated among operating requirements, capital needs, debt service, and reserves for future needs.

The following graphs and tables depict major classification of total financial resources available and appropriations for all funds: general fund, capital projects fund, enterprise fund (solid waste transfer station), special revenue funds (AZ12-06 El Capitan Streets, Dry Lakes Estates, and Airport Improvements). The general fund represents all Township operations except for enterprise activities (activities meant to be self-sustaining), capital projects (acquisition and construction of major facilities), and activities which utilize legally restricted revenue sources (special revenue).

“Where the money comes from” represents the financial resources available and projected revenues. The following are descriptions of the categories for financial resources depicted in the graph and table.”

Continued on Page 11

Sales Tax – This revenue source is obtained from a 5% tax on the retail sales of goods such as tangible personal property, professional services, construction activity, common carriers, commercial sales of utilities, etc. Exemptions from the sales tax include sales of medicine, purchases of food with food stamps or WIC, sales to religious or charitable organizations, motor fuel, newspapers, etc. Sales tax is only assessed for sales within the Township boundaries and there is a credit allowed by the Navajo Nation Tax Commission where if you pay the Township sales tax, you do not pay the NN sales tax. All of the sales tax is designated as General Fund revenue unless there is a percentage specifically designated to another fund.



Lease Income – Rent collected from the leasing of business sites and buildings. A general fund revenue.

License Fees – Business license fees assessed on businesses. A general fund revenue.

Penalties and Interest – Assessed on businesses for late filing and payment of sales tax. A general fund revenue.

Advertising Fees – Income from the sales of ad space in the “Kayenta Today.” A general fund revenue.

Construction Tax and Permit Fees – 5% tax assessed on construction activity within the Township. A general fund revenue.

Miscellaneous Revenue – Fees for copying, faxing, etc.

Investment Income - Interest generated from Township investments.

Grant Revenue – Grants such as NAHASDA housing grants, FAA grants, etc.

Enterprise Fund – Transfer Station – Solid Waste User Fees collected from at the Transfer Station and commercial and residential sites.

Sales Tax	\$2,000,000	11.09%
Lease Income	\$616,341	3.42%
Business License Fees	\$2,000	0.01%
Penalties & Interest-Sales Tax	\$500	0.00%
Advertising Fees - Kayent Today	\$3,000	0.02%
Construction Tax & Permit Fees	\$250,000	1.39%
Miscellaneous Revenue	\$1,000	0.01%
Investment Income	\$122,000	0.68%
Grant Revenue (A)	\$8,600,722	47.68%
Enterprise Fund - Transfer Station	\$439,760	2.44%
Other Financing Sources	\$3,812,297	21.14%
Fund Balances	\$2,189,832	12.14%
Total	\$18,037,452	100.00%

(A) Grant Revenue		
NN Matching Funds		\$1,457,000
Navajo Dept. of Transportation-Fues Excise		\$3,488,192
Navajo County		\$30,000
EDA		\$40,000
NAHASDA		\$3,060,530
FAA		\$525,000
Total		\$8,600,722

Other Financing Sources – Includes funding from interfund transfers, loans, etc.

Fund Balance – Carry forward of fund balances from the previous year. The Township reserves certain percentages of the fund balances and some of the incoming revenue for debt service, the tax administration suspense fund, investments, etc.

Continued on Page 12

“Where the Money Goes To” represents the appropriations (expenditures) of available resources. Following are descriptions of the appropriation categories depicted in the graph and chart.

General Fund Operating Costs

– Includes personnel, travel, office supplies, utilities, repair & maintenance, contractual services, sponsorship activities, etc.

Promotional Activities

– Funds appropriated for the Kayenta 4th of July rodeo, pow-wow, parade, and community events. (From General Fund)

Program Support Funds

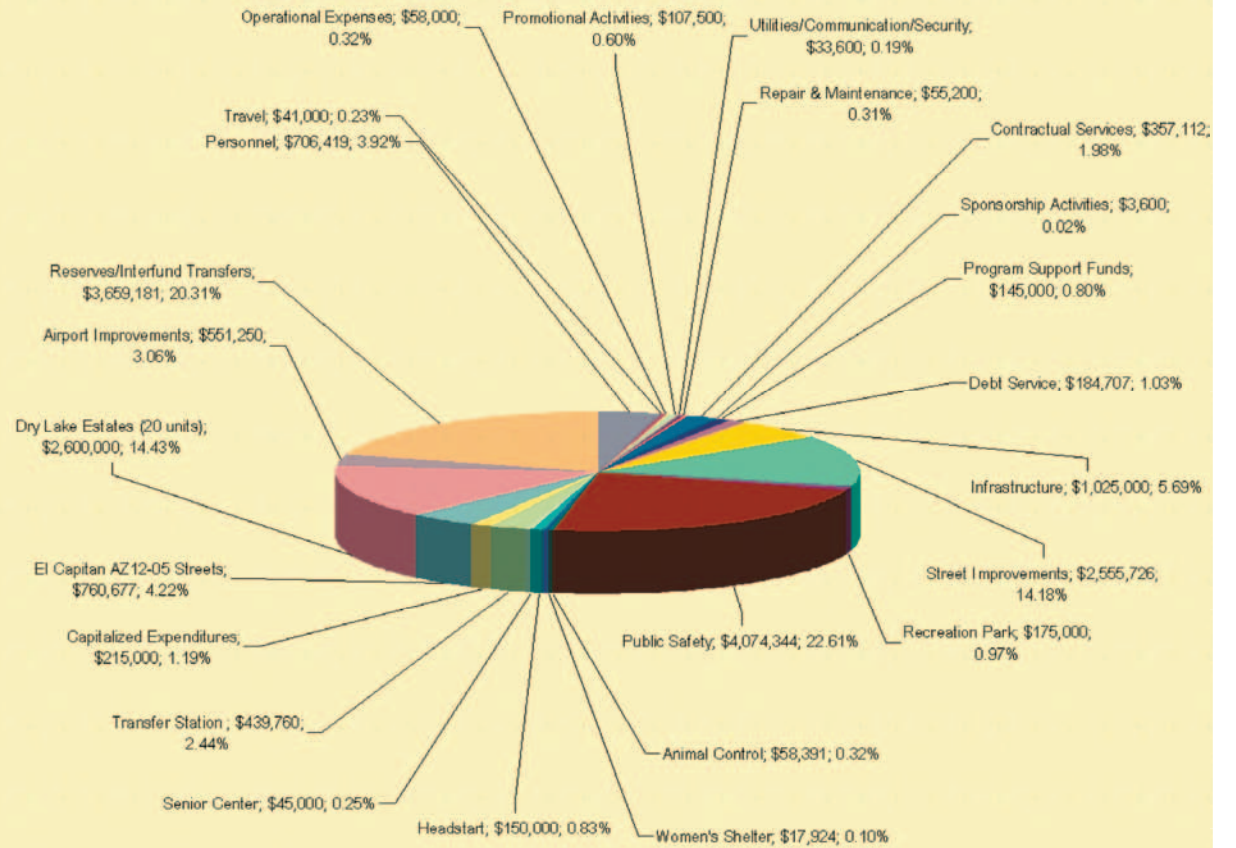
– Funds appropriated from the general fund for the Kayenta Police Dept., Criminal Investigations, Kayenta Volunteer Fire Department, the Recreation Center, and the Kayenta Chapter.

Debt Service – Funds for payments on the Township’s debt burden (loans, leases, etc.) The only debt burden the Township has are two loans for a fire truck and a trash vehicle.

Capitalized Expenditures – Acquisition of equipment, trash vehicle.

Transfer Station – Operating costs for the solid waste transfer station including personnel, fuel, landfill dumping fees, etc. The transfer station is set up as an enterprise and is suppose to be self-sustaining but the Township still has to subsidize part of its operations.

Reserves/Interfund Transfers – Funds set aside for future use and for interfund transfers.



**WHERE THE MONEY GOES TO
\$18,019,391.00**

Personnel	\$706,419	3.92%
Travel	\$41,000	0.23%
Operational Expenses	\$58,000	0.32%
Promotional Activities	\$107,500	0.60%
Utilities/Communication/Security	\$33,600	0.19%
Repair & Maintenance	\$55,200	0.31%
Contractual Services	\$357,112	1.98%
Sponsorship Activities	\$3,600	0.02%
Program Support Funds	\$145,000	0.80%
Debt Service	\$184,707	1.03%
Infrastructure	\$1,025,000	5.69%
Street Improvements	\$2,555,726	14.18%
Recreation Park	\$175,000	0.97%
Public Safety	\$4,074,344	22.61%
Animal Control	\$58,391	0.32%
Women’s Shelter	\$17,924	0.10%
Headstart	\$150,000	0.83%
Senior Center	\$45,000	0.25%
Transfer Station	\$439,760	2.44%
Capitalized Expenditures	\$215,000	1.19%
El Capitan AZ 12-05 Streets	\$760,677	4.22%
Dry Lake Estates (20 units)	\$2,600,000	14.43%
Airport Improvements	\$551,250	3.06%
Reserves/Interfund Transfers	\$3,659,181	20.31%
Total	\$18,019,391	100.00%

Capital Improvement Projects – Multi-year long range appropriations for the construction and/or the acquisition of high cost assets that have an extended useful life usually greater than five years. Funding the capital improvement projects on a yearly basis is not practical because of the complexity of the projects, the planning involved, and the collaboration required.

Continued on Page 13

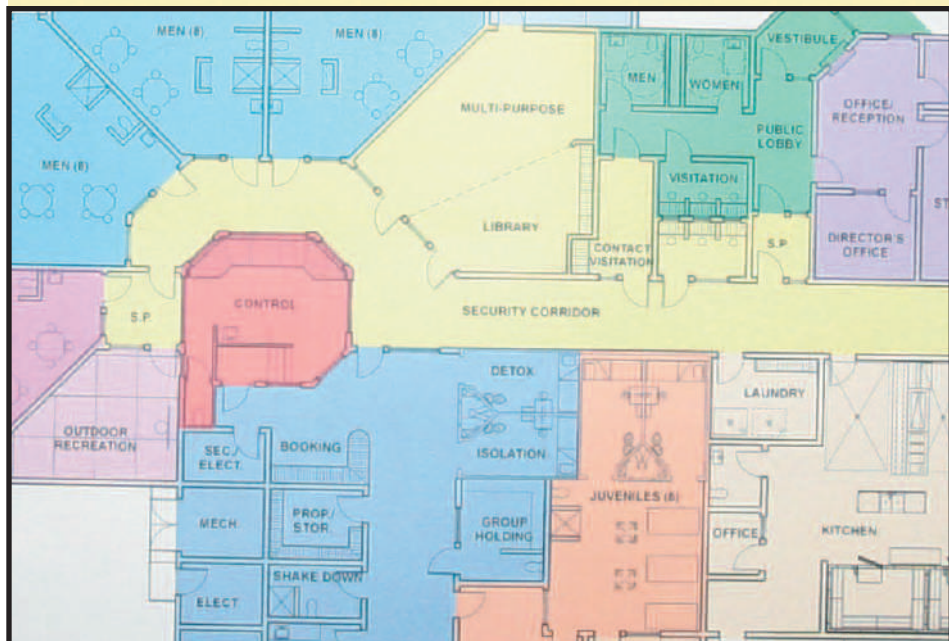
The capital improvement budget is separate from the operating budget but the impact on the operating budget by the additional operation and maintenance costs for new facilities must be considered during the capital improvement planning process. Following is the listing of capital improvement projects for which resources were appropriated.

Infrastructure – Hospital sewer line extension (\$50,000); 1 million gallon water tank and delivery (\$900,000); Engineering for Cow Spring Meadows (\$75,000).

Street Improvements – KUSD entrance traffic signal (\$65,000-matching with ADOT); KUSD bus route (\$1,055,000); N591- 5 miles Chilchinbeto Road (\$1,435,726).

Recreation Park – Skate Park (\$150,000); “Kid-die” Skate Park (\$25,000).

Public Safety – Detention Building (\$2,710,000); Off-site improvements (\$1,364,344).



Animal Control – Contribution towards animal control shelter (\$58,391).

Women’s Shelter – Matching for completion of building (\$17,924).

Headstart Building – Site specific design and engineering (\$150,000). Collaborating w/ Navajo Nation.

Senior Center – Matching for senior citizen building (\$45,000).

El Capitan AZ12-06 Streets – Installation of roads, curb and gutter within NHA AZ12-06 Housing area (\$760,677).

Dry Lake Estates – 20-unit housing subdivision (\$2,600,000).

Airport Improvements – Design of runway replacement and relocation of entrance road (\$551,181).

Specific information on the above overview is available at the Kayenta Township office, along with other financial information and documents.

Continued from Page 3

Beverly Pigman, representing Roland Dixon has requested a lease negotiation with the Dixon's, is presently in Navajo District Court. A draft agreement has been worked out between the Dixon's and the Township and once formalized, it will be presented to the court for consideration.

JoDonna Ward has requested a lease negotiation with the Township, however there maybe a legal dispute among family members that could delay the lease negotiation.

Kayenta Township Administration has drafted a revised Plan of Operation in light of the Attorney General's opinion. The amended Plan of Operation would spell out what is to be included under the "Home Rule" provision. Mr. Willie Begay, Kayenta Council Delegate will sponsor this legislation along with Council Delegate Roy Laughter.

The proposed funding of Detention Center for Kayenta is included in a packet of detention centers proposed under the Navajo Nation Capital Improvement Office. Currently this proposal is going through the process in Window Rock and should be on the Council Agenda for Fall Session in October. \$2.7 million in funding is proposed for Kayenta which is half of the total cost for a detention facility. Congressmen Rick Renzi is seeking federal funding for the remaining fund requirement.

The Kayenta Recreation Center is in full operation with activities in the Field Building and Skate Board outside for the youths. The Township is currently seeking additional funding to keep the youth recreation facilities open on a year round basis.

Eugene Charley will now join the Commissioners as a new member replacing Anthony Peterman who resigned last month.

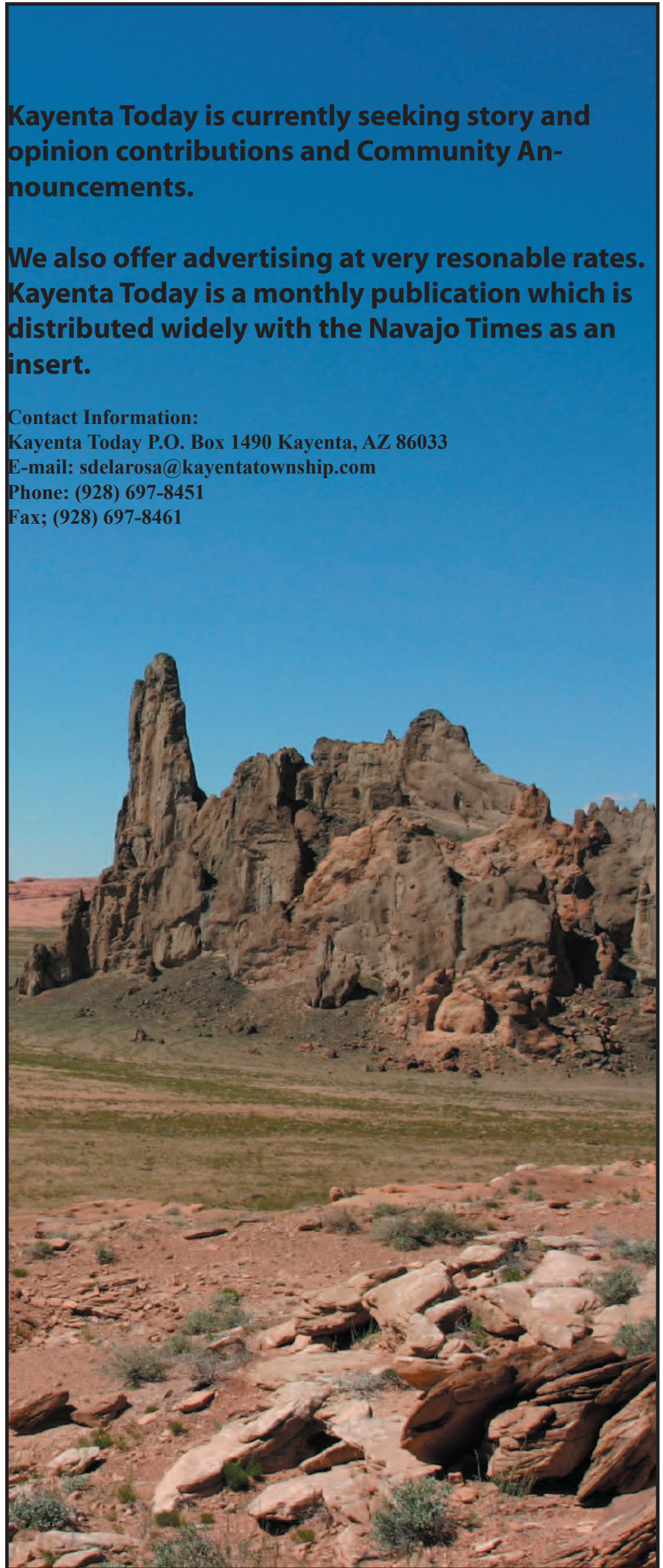
When a member of the public wants certain information, they are encouraged to come to the Township for such information.

Ah goo'nee
Daniel Peaches
Kayenta Town Manager

Kayenta Today is currently seeking story and opinion contributions and Community Announcements.

We also offer advertising at very reasonable rates. Kayenta Today is a monthly publication which is distributed widely with the Navajo Times as an insert.

Contact Information:
Kayenta Today P.O. Box 1490 Kayenta, AZ 86033
E-mail: sdelarosa@kayentatownship.com
Phone: (928) 697-8451
Fax; (928) 697-8461



Your Tax Dollars at Work

By Anthony Peterman

The Kayenta Township Commission has been collecting taxes now for over 9 years and the citizens want to know what happened to all that money! Everything we have worked to accomplish so far has been so difficult and time consuming that we have forgotten what we have actually achieved and continue to achieve on a day to day basis. To put our accomplishments in prospective we have to consider what similar entities have achieved so we can properly gauge our progress.

Our greatest accomplishment so far has been the ability to access and collect taxes from our local citizens. If this seems to you to be a simple task, just spend a day in our accounting department and you will catch a small glimpse of what it takes to collect, track, record and account for the day to day collections and expenses of a government organization, let alone create and implement policies and procedures as well as Township ordinances to oversee this operation. This operation is completely funded through the collection of local sales tax. In similar comparison the Navajo Nation Tax Commission utilizes the Navajo Nation General Fund to administer this valuable source of revenue.



Next in our line of note worthy accomplishments is our ability to negotiate issue and manage business site leases within the Kayenta Township. True this authority has recently been challenged by the Economic Development Committee of the Navajo Nation Council but the fact remains that we have developed our own Leasing Policies and Procedures and have been negotiating, issuing and managing business site leases these many years. This work includes the keeping and recording of lease documents as well as cooperating and complying with the laws and rules of the Navajo Nation and BIA. This alone has been and continues to be one of our greatest challenges being the first Local Government to present business Site leases unique to the doctrine of a Navajo Nation Home Rule Municipality. Similar to our Regional Business Development offices we also solicit, entertain and explore business development opportunities. Just as similar to our Regional Business Development offices we lose out on many opportunities due to lack of infrastructure and difficulties with financing businesses on Tribal Trust Lands. Never the less we incur similar administrative

expenses in our efforts to solicit and attract business for the benefit of our local citizens.

Along with business site leases we are able to plan, entertain and approve Home site Leases for our local citizens. An added benefit is the fact that all lands within the Kayenta Township have had Archeological Clearances and Environmental Assessments (FONSI) completed, saving time and money before it is sent to the Navajo Nation Land Department for review and approval.

One of our mandated functions and administrative expenses subsidized by our tax dollars has been the creation and day to day operation of our own Solid Waste Transfer Station. Along with this we have purchased our own Refuse Collection Vehicle dubbed the "White Stallion", which conveniently collects waste for our local citizens and business community as well as nearby Chapters for a small fee.

Not of any less importance is our annual contribution to our valuable First Responders; The Kayenta Volunteer Fire Department, for which

we also purchased our own Fire Truck; The Kayenta Police Department for which we are planning a 32 bed detention facility; and the Kayenta Criminal Investigation Unit. Annual contributions are also made to our local Kayenta Chapter and our ever popular Kayenta Rodeo Task Force and Pow Wow Committee who put on one heck of a 4th of July Celebration in a friendly rivalry of Window Rocks little show.

Along with these functions we continue to aid and assist local programs vital to the health and well being of our citizens such as the TANF program, Social Services, the Women's Shelter, NN Child Support Enforcement, Senior Center as well as Head Start and others.

What makes the Kayenta Township's day to day operations along with these additional contributions to local service providers extraordinary is the fact that we do not, nor have we EVER, relied on subsidized funds for our administrative functions! Think about that for a moment and let the realization of that truth sink in. The citizens of the Kayenta Township are self-sufficient; we are taking care of our own! Why would anyone, least of all our Navajo Nation Leaders want to take that away from us?; is that not what we want for all our Navajo Nation Communities?; is that not the ultimate goal of Local Governance? The Navajo Nation as a whole will be vastly more efficient and more productive and responsive to its citizens when all our communities can stand on their own two feet and declare that they too are self-sufficient.

Do not be fooled by those naysayers who declare that the Kayenta Chapter and the Kayenta Township are incapable and that one of them needs to be abolished. City and County Governments have been working side by side with great efficiency these many years and now in similar comparison the Navajo Nation has its first Township and Chapter Government relationship. The Kayenta Township and the Kayenta Chapter are working together to accomplish what has never been accomplished before and we invite anyone desiring to witness this truth to come to our offices and sit down with our two governments and you will see that contrary to the opinion of the loud few, two heads are better than one.

Navajo Department of Behavioral Health Services

Restoring Healthy Families Using Culturally Appropriate Behavioral Health Services



The Navajo Nation DBHS shall increase years of healthy, productive and functional lives of Navajo individuals by preventing, reducing or eliminating use, abuse, and addiction of alcohol, other mood altering substances/ drugs, which in return will also reduce or eliminate mental disorders, domestic violence and other abuses.



“The Beauty Way of Life” - A Life Without Alcohol or Harmful Substances.

Kayenta DBHS Program

The Navajo Nation currently provides alcohol and substance abuse services to the Navajo people in the Kayenta, AZ region through an office established in Kayenta AZ.

The services available include prevention, education, alternative treatment services, and clinical treatment.

DBHS is committed to providing services that are culturally appropriate and respectful of the individual need of the person receiving treatment. Privacy and respect are the guiding principles of treatment.

In 1953, PL83-277 lifted prohibition, permitting Native Americans to drink in bars and have possession of liquor off-reservation. Since that time, alcohol-related mortality, morbidity, and violence began to increase. Alcohol is not allowed on the Navajo Nation today.

Alcoholism has negatively impacted the Navajo people. In a five year period from 1998 to 2003, there were a total of 44,628 arrests on Navajo Nation for drunk driving. In 2005, the Navajo Nation Department of Highway Safety reported 8,000 arrests for DUI/DWI.

The health and social consequences of alcohol and substance abuse continues to rise and negatively impacts the lives of Navajo youth, adults and families.

However, the Kayenta DBHS envisions a sober and healthier Navajo Nation. Why? Alcoholism and drug addiction are diseases that are treatable.

Many people literally lose their lives to alcohol or substance abuse. In the Navajo philosophy, people can be restored to the “Beauty Way of Life”. Providing treatment services has made a difference. Kayenta DBHS have seen many men and women restored in their roles as: grandfathers, grandmothers, fathers, mothers, brother, and sisters.

Through receiving treatment services, individuals can once again become contributing members of their families and communities. The Navajo Nation Department of Behavioral Health Services envisions a sober and healthier Navajo Nation.



The Kayenta DBHS Prevention Specialist teaches young people about how alcohol affects the body

If you are a parent, grandparent or any other person who cares about a child's future... here is an important fact you should know. Kids who learn from their parents about the dangers of harmful substances are less likely to use those substances. In other words, you have the power to keep the child you love... safe, healthy, and drug-free.

Children look to their parents for life decisions and choices. Two-thirds of kids say that losing their parents' respect and pride is one of the main reasons they don't smoke marijuana or use other drugs. Your words and action matter to them. It's your responsibility to teach them to live a drug-free life!

“Keeping Your Kids Drug-free: A How-to-guide for Parents and Caregivers”
National Youth Anti-Drug Media Campaign

Kayenta Outpatient Treatment Center

Navajo Nation Department of
Behavioral Health Services

P.O. Box 487

Kayenta, Arizona, 86003

Phone: (928) 697-5570

Fax: (928) 697-5574

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GIFF is in their second year after a 9-year hiatus, and have a single venue: the historic El Morro Theatre in downtown Gallup, New Mexico. This year's Festival runs from October 5th through October 8nd 2006. Key producers and high profile actors will share their talents at workshops, panel discussions, and screenings. You are invited to participate in their various industry-related activities.

Gallup is a beautiful and strategic location for production of Southwestern and Native American filmmaking.

The region is between Flagstaff and Albuquerque on old Historic Route 66, and surrounded by Dine' (Navajo), Hopi, Zuni, Laguna, Acoma indigenous peoples. Gallup is only 30 minutes from Navajo Nation Headquarters (Window Rock, Arizona). The area is ripe for cultivating culturally-sensitive film production and ready for creative economic growth.



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- Hospitality: Lodging, Travel, Reception,...
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Navajo Sovereignty

By Daniel Peaches

What is tribal sovereignty? The question is often asked and volumes of books have been written on the subject, but the question remains unanswered for the most part. No legal scholar can define it. It is here and it is there, but never in your hands unless you exercise it. Only you can define your sovereignty.

My political science professor told me this, "Sovereignty is the ability to act." The ability to act requires the power to act, the authority to claim a land, object or to exercise one's rights.


The Navajo people once had almost total sovereignty over its land, water and resources because of their unlimited abilities to protect and defend these. The treaty of 1868 changed all this so now the Navajo Nation has limited authority and discretion.

The rule of law in asserting one's sovereignty is to assert your authority even when another entity challenges your authority. The Navajo government today would prefer accommodation than exercising its

inherent authority such as the San Juan River water rights settlement of 2005. Another one is the agreement for the use of the C-aquifer water with Mohave Power Plant and the Hopi Nation. Another one is the proposed agreement with the Hopis to provide access to Hopi sacred sites on Navajo land.

This is never done where the host country has authority and control of the land. Rather than an agreement, the sovereign nations in this case the Navajo Nation should simply issue passes to visitors on its land. That is the proper exercise of one's sovereign authority whereas under agreement, the Navajo Nation would be given away its jurisdiction to another entity as it has done under San Juan River basis water rights agreement, the agreement on the C-aquifer and now the sacred site access agreement with the Hopis.

It is time our leaders learn to exercise our sovereign rights that involve our rights, our land, and resources. Otherwise the Navajo Nation is nothing more than a Banana Republic.

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