



Eddie Baza Calvo
Governor of Guåhan

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

Michael J.B. Borja
Acting Chairman

David J. Matanane
Vice-Chairman

Amanda L.G. Santos
Commissioner

(Vacant)
Commissioner

(Vacant)
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Monte Mafnas
Administrative Director

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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COMMISSION MEETING MINUTES
Department of Land Management Conference Room
3rd Flr., ITC Building, Tamuning
Thursday, February 21, 2013; 1pm – 2:15pm

I. CALL TO ORDER

Meeting was called to order at 1:00pm by Acting Chairman Michael Borja.

II. ROLL CALL

Present were Acting Chairman Michael Borja, Vice-Chairman David Matanane, Commissioner Amanda Santos, Acting Commissioner Oscar Calvo, Legal Counsel Robert Cruz and Acting Director David Camacho.

III. APPROVAL OF MINUTES – January 17, 2013

Vice-Chairman David Matanane moved to approve the minutes of January 17, 2013. Commissioner Amanda Santos seconded the motion. There were no objections, MOTION PASSED.

IV. PUBLIC COMMENTS

1. Rosanna Rosario – I'm here in regards to the property of my father who had passed. My dad died a year ago and apparently we're not entitled to his property. They had told my brother that they were granting it to my uncle Frank Kawamoto or Francisco Kawamoto and I feel like it's not right because my father is a divorced man he has 8 children. And I just feel that my uncle shouldn't because from what I do understand when they did come up with the Land Trust was that it was 99 years if I'm correct for your children, children's children and I don't recall my father giving birth to Francisco Kawamoto.

Acting Chairman Michael Borja – Now when we discussed this back, do you guys remember the issue?

Vice-Chairman David Matanane – Yes.

Acting Commissioner Oscar Calvo – Yes.

Acting Chairman Michael Borja – I know Oscar you were very familiar with it, you want to enlighten her about what our findings were at the time.

Acting Commissioner Oscar Calvo – The time when we went out and really investigate it and I did speak to you remember me and the Director and also and he came in plundering that you know that there was a lot of discrimination about the issue about the property. But before your dad died that was his thought of giving it to Mr. Kawamoto that property for that matter. What we did stipulate on that Mr. Borja, Mr. Chairman is that the property really was I guess

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his common-law, your dad's common-law at the time was to take care of the two kids and her. She was willing to get out but when I saw what it was it wasn't what you initially told the Board at that time.

John Peredo, Jr. – Yes what I told the Board is that the kids were chased out.

Acting Commissioner Oscar Calvo – No that's not what and this is an issue that was back and forth.

Acting Chairman Michael Borja – Well what we need to just in line and refresh everyone's memory and I didn't know Mr. Cruz you're new as the Legal Counsel now but what we had here was an issue in which the individual Mr. John Kawamoto Peredo was assigned the land and through legal documents from the Chamorro Land Trust Commission he requested a change of beneficiary to Francisco Kawamoto and it was notarized and received by the Chamorro Land Trust Commission. That is in accordance with the rules of proper procedure for the change of beneficiary to be enacted and that's what he did. That was what he did when he was alive and attested to that that that's what he wanted to do. Because that's what he did and did it through legal means we are obligated to uphold that request and that's what we did at the time when we met back in February of last year, one year ago. That's what we stood on at the time and there is really been no other reason. I understand your plight I sympathize with it and I don't discount it at all. But as we mentioned to your brother at the time that's what we have to deal with is what we were given when he legally made the change we couldn't do anything else about that. That's what he wanted to do and when he passed then the land was transferred over to the new beneficiary.

Rosanna Rosario – Okay so if he passed away on a weekend and you guys were to sign it wouldn't that be voided already? Shouldn't that have been voided if my father had passed before you guys had the chance to sign it?

Acting Chairman Michael Borja – When did he die?

Rosanna Rosario – He died on December 3rd.

Acting Chairman Michael Borja – Well but the document was notarized on November 25th.

John K. Peredo, Jr. – But it wasn't signed when I came in here after he died.

Acting Chairman Michael Borja – Right but I don't know if there's any legal difference but he attested to this change when he signed it on November 25th. The fact that it was signed after he had passed away unknown to us we didn't receive word that he had passed away until this matter came before us a month or so later that doesn't matter. He did all his legal requirements prior to his death.

Rosanna Rosario – On the laws of the Land Trust isn't it supposed to be the children though? My father is a divorced man I understand what he did ask but the thing

is..(interrupted).

Acting Chairman Michael Borja – If he didn't have any beneficiary's name I'm sure that that would be the way it would normally go but he had identified a beneficiary.

Acting Commissioner Oscar Calvo – And knowing that he had two kids from his common law so the beneficiary really in that sense still stands because it is his siblings that's his blood too. So you know at that course and that's the reason for that. Ultimately now that we have a legal counsel maybe he can research that issue more in that terms in that way but from what we at least as the Chairman at the time that's what I based myself on that issue. Before your dad because you know when they make a Will here anybody can do that Will on his own he doesn't have to get permission from anyone of you. Basically he doesn't have to consult you. Quote me here Mr. Legal Counsel in that sense if someone was doing a Will and he wants to put that Will to whoever he feels like it even though knowing that he's got kids but he feels that I trust more so and so he does not have to call and that's his purview and that's his option that he could call his kids and say you know what I want to do this and do this thing and this is what I want to do. Because Wills are it's almost like a hidden agenda you don't know until you know. But maybe Mr. Chairman I think maybe if you want to look at that more. But at the time as the Chairman I took that and I considered that fact because he already made that notion that this is how he wanted it and he already implicated that he and the kids that he had from his common-law was his kids. So the reality of that is even if your mom was the first wife okay but he also keep in mind that his kids too that's his kids. So you know but that's not for me to argue but that's my sentiment to that.

Legal Counsel Robert Cruz – Mr. Chair I don't hear anything that would make me think that there's any reason for the Commission to change its position.

Acting Chairman Michael Borja – Right. Let me just read successors to lessees and this is from the public law our rules and regulations. *Designation of successors; A lessee shall upon execution of the lease designate the person in whom lessee directs the interest in the tract to vest upon death. Such person must be qualified to succeed to Chamorro homelands as provided by the Act and these rules. A lessee may elect to provide for the surrender of the lot upon death and may select a recipient for the proceeds from the surrender. A lessee's description under this section may be changed at any time by the lessee. Such designation shall be made as specified in the Act with the right in the lessee to change the beneficiary at any time if filed with and approved by the Commission.*

Vice-Chairman David Matanane – Your father did it on his own free will. Nobody told him to do so for it he did it on his own free will. So we can't do anything on that as the Chairman has read the rules and regulations.

Acting Commissioner Oscar Calvo – And that's what I based myself on that time you know and then that was the reason for that because your dad and like I said I remember that day distinctly and you became very outrage and you came in later on that afternoon.

Rosanna Rosario – Yes and with that Mr. Mafnas took his own folder my father's folder and threw it on the table which I didn't even ask for. I came only on a personal to talk to Mr. Calvo but that was the attitude I got from Mr. Monte.

Acting Chairman Michael Borja – Well I apologize for that attitude but the Commission's decision back at the time we met last year concerning this when it was brought up still remains the same and legal counsel doesn't have any reason not to concur with that.

Commissioner Amanda Santos – But is the cousin entitled to that?

Acting Chairman Michael Borja – The cousin is entitled to that because he was at the time we had determined that he was as it says here anyone can succeed as long as they are qualified under the Chamorro Land Trust to receive lands. So he was determined to be qualified and due to the notarized documentation on changing the beneficiary was also presented and provided so we had to stand on that. It legally is regardless of whatever the emotional issues are and unfortunately the emotional issues in this case is the surviving children don't have anything to do with it anymore because they are not listed as the beneficiary. As Mr. Calvo mentioned you know just like a Will anyone who have something can change their mind anytime they want and just like in a Will you can assign whatever your assets are to anyone you wanted. It doesn't have to be your children and in this case he selected his cousin.

Commissioner Amanda Santos – So the kids they're entitled to apply on their own.

Acting Chairman Michael Borja – Well they should be.

Commissioner Amanda Santos – Because they're entitled they're Chamorros.

Rosanna Rosario – That I know that we're entitled to but what I'm saying is what belongs to my father.

Acting Chairman Michael Borja – What your father received he has legally determined who his beneficiary was prior to his death and it's a legal binding document.

Acting Commissioner Oscar Calvo – And the only person that can change that is himself back which is you know it's sadly to say that he passed away. But like I said that's the way the ruling you know and at least at the time as the Chairman I looked into that and that's why I went out there voluntarily to really see firsthand what is it that this dispute between your father and for that matter. But on a personal part of that agenda I just needed to clarify and that was his testament on his last day of his death was to you know. He didn't have to come to you and say Joe I'm going to give to this to you know, he didn't have to. And that's his purview on the Chamorro Land Trust ultimately he can make that changes on his own you know. He comes in and says I want to give it to whoever he wants okay and that's his Will and nobody can answer this question only himself now. But he did follow and what Mr. Chairman said here is you know that's his testimonial before he died. Like what the legal counsel said I think when he made that choice at the time that's how he embed it. So I don't

know I mean what other recourse you want to go through that's up to you.

Acting Chairman Michael Borja – We do also have on record from Mr. Frank Kawamoto that he was allowing the property in a legal affidavit to be used by his common-law wife and their children and he did specifically name in another notarized document that's been provided. He's not using it for his own personal purpose either but instead for the children of your late father. Okay.

John Peredo Jr. – Okay thank you.

Acting Chairman Michael Borja – You know if you guys have not applied you can still go ahead and apply.

Paul Rosario – My name is Paul Rosario, I'm her spouse (Rosanna Rosario). Is there any way that we can get a copy the rules and regulations or whatever Chamorro Land Trust bylaws there are?

Acting Chairman Michael Borja – Sure.

John Peredo Jr. – Thank you.

Commissioner Amanda Santos – Maybe you come by and apply for your own.

2. Paul Rosario – Then in all honestly I do have an applicant. I was actually given prior authorization but since you know you're talking while we're walking I'll get to the point. I was told that we had to get it updated because the last Director was Mr. Borja so it wouldn't have been valid. As I turned in my papers to get it updated they don't want to give it back to me.

Acting Chairman Michael Borja – They don't want to give you back what?

Paul Rosario – The prior authorization to apply for whatever utilities whatever what now and it's been how many years.

Acting Commissioner Oscar Calvo - Are we talking about the same land where you stayed and your wife?

Paul Rosario – Yes.

Acting Commissioner Oscar Calvo – And if I'm not mistaken, Mr. Chairman if I can reiterate to that. Wasn't that and quote me if I'm wrong that that property was given to your auntie or someone and we directed you and Mr. Monte and I myself on that day to submit your application and to go forward to transfer that piece of property over to you.

Paul Rosario – Okay here's the thing, my aunt is not here on Guam. Her original plan was she wasn't coming back. That place was abandoned and original structure was burned.

So the thing was because we had a family emergency and I already had my papers in and approved for that lot I'm from there you understand what I mean? So we built our place to protect our children I believe that's the bylaws for Chamorro Land Trust and that's the only reason why it was even created and it was for our children. Correct me if I'm wrong. Now I know it wasn't really for just the business side of it the aspect of it and I believe on most of the when you guys deeded it out it's stated there who it goes to, son, daughter, sibling, wife if legally married. I believe that outside that wasn't even supposed to be there you know what I mean. I took this thing in good faith and now I'm having a hard time. They asked me for my mother's birth certificate I gave it to them. My mom is over 50 I believe she's almost 60 years old already. Then they told me go and get my grandmother's birth certificate so went and did that too. So you know it gets kind of irritating.

Acting Chairman Michael Borja – Well that's just to determine the qualification.

Paul Rosario – Oh believe me I qualified the first time. I qualified the first time so I don't see why I'm not going to qualify the second time and if it's because different Directors it's kind of idiotic. Forgive me but if one's going to approve why is everybody else going to get upset about it because it was approved and this is what you guys are already stating to my wife and regards to their families where they used to dwell. So here's the thing now what am I supposed to do for my kids? You guys are saying and constantly have said it and have said it while we were even walking out to apply. It was done.

Acting Chairman Michael Borja – So you're talking about a specific case for yourself.

Paul Rosario – Yeah.

Acting Chairman Michael Borja – Can we just take this down Mr. Camacho? Monte is not here right now but Mr. Dave Camacho is going to assist and then you guys set up an appointment so we can go over these details and work it out.

Acting Director David Camacho – I want to find out what is the problem.

Paul Rosario – The problem is this, we were told so many times to come back and it's kind of idiotic because we keep coming in and we keep getting the run around.

Acting Director David Camacho – When is the last time that you came in?

Paul Rosario – Two years ago, they'll call us and follow up.

Acting Chairman Michael Borja – Okay can you set up an appointment with Mr. Camacho and then lets go ahead and get this thing sorted out with the Chamorro Land Trust.

Commissioner Amanda Santos – Did you have the land surveyed?

Paul Rosario – The land was previous surveyed. It was surveyed already. I found the markings or whatever. But the situation is this okay, you guys kept saying apply.

Acting Chairman Michael Borja – Okay let's sort out your specific issue and let's work this. We can't solve anything at this meeting. You need to come in and set up an appointment with Mr. Camacho and his staff and then they can go and work out the issues directly and specifically okay.

Acting Director David Camacho – I could say this once you leave this place go directly down there and make an appointment.

Paul Rosario – Okay.

Acting Chairman Michael Borja – Thanks for your concern.

Paul Rosario – Alright.

V. OLD BUSINESS

1. JMD Global Micronesia Corporation – Submittal of corporation documents

Jesus Taisague – Thank you Mr. Chairman and members for again taking up our intentions. The last time we met our corporate documents were requested by Vice-Chairman Matanane and I believe I did submit that and forward the copies to your office.

Vice-Chairman David Matanane – Good job you got everything there.

Jesus Taisague – Thank you and I also did a brief you know give you information as to what we did to come to this point and as well as what's the benefits of the intentions that we're trying to pursue. If you have any questions I'd be very happy to answer it. I also brought a sample. It's a miniature, it's the same shape, same color it's just a different size. Like I said it's like lego it's interlocking. It's very simple all you have to do is stack it up. It would give you that energy efficient. Inside here is basically your cast and place concrete with your rebars and everything and it acts as a form before you pour the concrete and then you leave it in place and there it acts as an insulation. So what it does is it creates a building envelop that just that building performance itself it will reduce your energy consumption.

Acting Chairman Michael Borja – So the inside of that would be your concrete and rebar and then you also spray the exterior.

Jesus Taisague – Yes we plaster and any kind of finishing in the interior. So the thicker part is the exterior and the thinner part is the interior.

Acting Commissioner Oscar Calvo – That's about maybe what of concrete pouring in there is what?

Jesus Taisague – It goes from 5 to 12 inches. So by the time you finish your wall would be the minimum requirement here on Guam by the IBC is 6 inches cast in place and the interior insulation is 2 inches and the exterior insulation is 4 inches. Although this one

comes thicker but for Guam we recommend just the 4 inches exterior and 2 inches in interior and that would give you at least 50 to 70% energy efficient.

Acting Commissioner Oscar Calvo – And that itself will take the weight of the building?

Jesus Taisague – Yes because it's not a structure material it's the concrete that is the structure.

Acting Commissioner Oscar Calvo – Yeah it's the inside because I'm thinking in there the concrete is poured inside there and then of course you got that hollow it's almost you know the outside there to protect from any heat for that matter.

Jesus Taisague – Yes.

Acting Commissioner Oscar Calvo – And normally use the different size of rod.

Jesus Taisague – Yes whatever the structural calculation calls for.

Acting Commissioner Oscar Calvo – I just want to make sure you know the standard is about 4 inches of thickness of any concrete to be embedded into whether it be a low structure or and that's the reason for that is because when you do pour a hard concrete on top you want to make sure that that weight it does not crack.

Jesus Taisague – True so whatever the structure calculation it will comply to that.

Vice-Chairman David Matanane – What's your physical address here on Guam?

Jesus Taisague – Physical address we are at Agana, we are leasing that, we're in the process of setting it up, its Hessler Street near the Legislature.

Acting Commissioner Oscar Calvo – Have you guys built like a model home for that already?

Jesus Taisague – That's why we're here.

Acting Chairman Michael Borja – They're trying to get a piece of property for a model home plus for the development of a factory.

Vice-Chairman David Matanane – Have you spoken to Mr. Mafnas? I guess Dave did you get with him on those?

Acting Director David Camacho – Not yet.

Jesus Taisague – After the last meeting?

Vice-Chairman David Matanane – Yes.

Jesus Taisague – No probably he has been very busy and I believe he's off-island already so I didn't get that chance.

Vice-Chairman David Matanane – I see. Well you know I have no problems on this Mr. Chair but it seems like everything is in order its just know between Mr. Mafnas and you guys come in and see where's that piece of property that your applying for. How big of a property?

Jesus Taisague – For the model house again 2,000 square meters would be sufficient for the model house and for the factory we're looking at about 5 acres.

Vice-Chairman David Matanane – Within the same vicinity?

Jesus Taisague – It doesn't matter.

Vice-Chairman David Matanane – I think you guys can work it out with Mr. Mafnas on those.

Acting Commissioner Oscar Calvo – You honestly need 5 acres of property for a factory?

Jesus Taisague – Yes, factory and for the storage and everything.

Acting Commissioner Oscar Calvo – Five acres is a lot. Dave I'm telling you I mean if you look at even like Perez Bros or Hawaiian Rock of course they have their own piece of property because if I'm thinking wisely you're going to build a bungalow type to bring those stuff in.

Jesus Taisague – Yes.

Acting Commissioner Oscar Calvo – So in reality how many butler homes are you going to build in a 5 acre property?

Jesus Taisague – We're looking at 3 factories. One is to manufacture this, the other one is for the energy efficient doors, windows and ventilation system. So we're looking at several butler buildings just for the factory for this material. We're looking about 150 x 150.

Acting Director David Camacho – Do you have a plan for that?

Jesus Taisague – We're working on that one.

Acting Commissioner Oscar Calvo – And that's my next point I think in general Mr. Chairman I would, it's up to you I think that we should get their plans on how it's going to be.

Acting Chairman Michael Borja – So I think that's where we were at right now. The last

time we met we wanted to see all the documentation for the corporation. We have that so the next the step is either meet with Mr. Camacho or wait until Mr. Mafnas comes back so we can start sorting out what the absolute requirements are and the footprints you're looking at.

Jesus Taisague – Before it was a minimum of 3 acres but then we incorporated in the assembly of the triple pane windows and the insulate panel doors and the ventilation system, mechanical ventilation and those would also be assembled here on Guam because to have energy efficient house a building envelop must consist of all those components.

Acting Director David Camacho – My advice to you before you even make the appointment try and get all those plans so we can base ourselves on that.

Jesus Taisague – Yes it's in the works also. Well these are based on the manufacturer from Germany and from Korea because the product is manufactured from Germany and this year they will start construction of the manufacturing plant in Korea. So it's based on those. I don't know whether they are going to shrink it down because they're saying anywhere from 3 to 5 acres. So probably they're looking at anywhere in between that.

Acting Commissioner Oscar Calvo – But you stated earlier that it'll be a factory to manufacture those issues so in reality when you're going to bring the product in here and you're going to manufacture those items in that sense whether it be a 4 inch or 6 inch of designs of block into a factory assembly that's basically what you're saying.

Jesus Taisague – No, no this one would be the raw product would be brought in.

Acting Commissioner Oscar Calvo – And that's where I think to differ is you're bringing in as a storage not to manufacture.

Jesus Taisague – No, no it will be manufactured from raw material.

Acting Commissioner Oscar Calvo – Yeah but not here.

Jesus Taisague – No, no this one the raw material for this is polystyrene it's beads so that you have to import that in but then what you do you process that material into this finish product. Now when I use the word assembly it's for the energy efficient just like Kautz and Glass is doing okay. Because those things we don't have the glass where we can process it over here. So the windows, the frames, the doors, the frames, the mechanical ventilation those are just parts that will be brought in here just like what Kautz and Glass is doing in its business assembling those windows.

Acting Commissioner Oscar Calvo – Yeah I have no problem with that. The other point that I looked at in this Mr. Borja is you know that it's got to be more or less approved by the U.S. if I'm not mistaken and also the asbestos part of that is would that have some danger.

Acting Chairman Michael Borja – I think all of that stuff was clarified last month.

Jesus Taisague – Yes. That's where we again of course this is like I said this is not a new technology. It's been existent for 40 years it's in North America also. It's just that this is the first time that it will land here on Guam because it is now closer from Korea. Polystyrene is manufactured in the States it meets EPA requirements and all those things and of course we will again go through that process here also.

Acting Chairman Oscar Calvo - That's the only thing that I render there is I think we need the actual plans.

Commissioner Amanda Santos – Sir are those materials asbestos proof?

Jesus Taisague – No this is not asbestos, these are environmentally friendly, its a green product. In fact it doesn't burn like it flames up and it doesn't emit any toxic gas.

Acting Chairman Michael Borja – It doesn't burn?

Jesus Taisague – It doesn't flame up like a combustion.

Acting Commissioner Oscar Calvo – But it will burn.

Jesus Taisague – It will melt, it's a fire rated material.

Vice-Chairman David Matanane – You have your business license already?

Jesus Taisague – Yes.

Vice-Chairman David Matanane – I got everything.

Jesus Taisague – We're ready the only thing that we don't have is to build.

Acting Chairman Michael Borja – So just have the final details of what you needed to work with before you get together with Chamorro Land Trust.

Jesus Taisague – I see that Mr. Camacho is the Acting Administrator now.

Acting Chairman Michael Borja – Right.

Jesus Taisague – Mr. Camacho I'll be making an appointment so we can sit down and talk with the details. I've given all the details to Monte so Monte has all the details but he's not here.

Acting Director David Camacho – Did you give him the black and white details on that?

Jesus Taisague – I gave him also the letter of intent and everything now what we want to do is allocate the property so that we can go in there and we need to also look at.

Especially for the factory I understand that three phases are not all around on the island so we want to make sure that the property has a three phase power within proximity so those are basically the details that I've given to Monte.

Acting Chairman Michael Borja – If it's not then you would have to put in your own transformer. I think the way GPA is going now-a-days is that you need a three phase transformer, plant one on the ground for yourself. Okay thank you very much.

Jesus Taisague – Thank you very much.

Acting Chairman Michael Borja – You're not going to break your back building a house with that.

Jesus Taisague – No in fact this one a family can build their own house yes. Anybody can google this. Mr. Calvo you can google this in fact in that letter that I've written to the members I put references there also and you can google and it will answer a lot of your questions. Thank you very much.

VI. NEW BUSINESS

1. Ignacio Guerrero, Jr. – Submittal of farm plan; request to process application submitted on January 25, 2001

Acting Chairman Michael Borja – I know that you have submitted us a farm plan so you're going to go farming up. Did you submit an application in 2001?

Ignacio S.N. Guerrero, Jr. – Yes that's correct.

Acting Chairman Michael Borja – That long ago?

Ignacio S.N. Guerrero, Jr. – That long ago.

Acting Chairman Michael Borja – And you're still just waiting?

Ignacio S.N. Guerrero, Jr. – Yeah, my name is Ignacio S.N. Guerrero, Jr. for the record. Thank you Board and members for inviting me. I did submit it since January 25, 2001 but I left to the States but I did write a letter saying I was coming back. I never was approved for anything since then so my reason for coming here is actually to you know to represent my farm plan and to maybe see where I can go forward with the process of my application since 2001. The reason why I brought this to the Board's attention is because I'm a local and I want to start something that's you know a local farm. Just to give you a little insight I've worked with my father, my father does have his own lease. But what do you call that he has beneficiary that to my sister which is my older sister so you know I told myself let me go and just try to get my lease since I'm the Junior. My reason for doing that is because I've worked with him. You know he delivers a lot of basil and he does a lot of the herbs that you see probably in Payless with you know another member of his. But anyways the reason why I did that is because that's one of my passions is to farm ever since I was young. You know I've always helped my Grandfather and I loved it. I think that

we lack the products here local products meaning like our peppers, our coconuts you know stuff like that you know a lot of restaurants were telling me. Like Proa when I was talking to Dejado and Cora Yanger the owners of Proa they were telling me that they need kalamansi because it's very hard for them to actually give that product out. With Pika I spoke to Lenny Fejeran and he was telling me he needs a lot of kalamansi, he needs coconuts and peppers just to get his thing going. So I thought to myself I said you know if we're all going to be local and I want to keep it local utilize what I have here my resources and take what I've learned out in the United States when I was in Florida I want to apply it here on Guam. Meaning I want to start something at least where I can say okay I can go to these people and start with them and say here you know this is 40 pounds of kalamansi, here's 200 pounds of the three year coconut, manha, here's lemmai, here's you know stuff like that. But what I did was I shrunk it down because I saw in Florida they were planting oranges and I said you know if they can do this here why can't we do it here on Guam? I mean I've seen kalamansi and they're short trees. It's wind resistant so if we have hurricanes it's very hard to knock it down you know. And I've seen it up at the farm up to also the UOG Extension Farm in Yigo I spoke with Nelson there and I was telling him I said you know you guys are doing the right thing too because it took me to go to Florida to see stuff like this. And you know in Florida this is miles of orchards and I'm talking oranges, pummelos, tangerine if you want to call it you know if you want to see kalamansi all those kinds of varieties. But I said you know I want to use what we use here locally at least with our peppers and stuff like that. But my request for the acreage that I'm requesting for you know I said initial was 10 acres because I didn't know how many acres I needed. If you were to look at the back of the farm plan on the last page I kind of drew just a little sketch here just saying what each acre would be consisting of. The reason why I say that is because if I was to plant say for example an orange tree here and an orange tree 7 feet apart I'm going to need at least 700 trees per acre. But then again I said you know that's really feasible because trees first of all needs that much amount of space, you need to compost it, you need to fertilize it, you need to water it, irrigate it and all that. So I said with each acre I said you know that's how much I need even just for a very small market and that's what I'm thinking. I said you know if we can just at least provide just for Guam and I don't have to import anything anymore it will make it more feasible for me and you know our community and our local people.

Vice-Chairman David Matanane – Just adding it up you have 55 acres that you are requesting for.

Ignacio S.N. Guerrero, Jr. – Excuse me what was that I'm sorry I was requesting for?

Vice-Chairman David Matanane – Just adding it up the one that you're requesting you have 55 acres.

Acting Chairman Michael Borja – No, no, 1 acre each.

Ignacio S.N. Guerrero, Jr. – Yeah 1 acre each.

Vice-Chairman David Matanane – No but you add it across you have 15 on top

and..(interrupted).

Acting Chairman Michael Borja – No, no that means acre 1 is this, acre 2 is that.

Vice-Chairman David Matanane – Oh so that's where he's coming from. I was just adding up acreage and I said what is he planting and where would we provide him with 55 acres. What is then the biggest amount of acreage that you're requesting for?

Ignacio S.N. Guerrero, Jr. – Well I initially I requested for 10 so that's why I made this sketch because I said if I was to be you know provided the 10 acres you know granted by the Board or whatever then this is what I was going to plant.

Vice-Chairman David Matanane – I was thinking you know because I read it wrong you have 55 and if we should go through this we would piece meal this thing in acreage. So now that I'm wrong and you have only 10 and we can possibly feasibly get a piece of property of 10 acres. Do we have that Dave? You know set it off you get 5 and you know put it in increment. What if you can't do it in the first 5 years? Then we're in big trouble.

Ignacio S.N. Guerrero, Jr. – Okay.

Acting Director David Camacho – And Mr. Chair if it's approved by Board we could accommodate but again there's always the problem of and the Attorney knows this that we're planning to go in on land registration. Most of the properties are unregistered and until such time that those properties are registered that's where we could actually come out and say yes we have this 10 acres, 20 acres and all those things.

Acting Commissioner Oscar Calvo – Dave if you can remember when we first got on board here and quote me on this and also Mr. Chairman is what we initially did when I first got on board on this was not to say that you know there's so many farmers that comes in here and they lay out their plans and one of the things that I at the time was wanting 10 acres is a lot of acreage and not being used. I mean there's people out there I'm not saying that you're not going to it but the mentality of that is if I get 10 acres that's I'm holding it. So what I did back then was if a guy came in there and said he wanted an acre or 10 acres give me a floor plan of what you're going to and in this case you are giving us a floor plan you know of what you're going to plant whether it be peppers, tomatoes or whatever for that matter okay. But I think in general if you're going to look at it in a wise way is we start you out at a very minimum acreage and still have and still account for that 10 acres showing the Board that in time due hey they are keeping up to what they're saying. Because what happens if three years we get hit with a storm or five years so you know eventually and would it work that's another thing. I talked with Dr. Barber at the University on so many occasions when you do plant not any soil can take what you want to plant so you got to look at that plan where is it really feasible for me to plant this plant here and come out. So the 10 acres can still be put in the lease contract but we'll portion it out at least to show case that. There is you know that you are really keeping what you are saying because I've seen so many people coming in here in the past and one of my reason is hey you haven't even plant not even one banana tree. There was one guy up in Mangilao he said he needed 12, 10 acres

of property I said what for? And he said I'm a big time farmer and when I went up there, tangantangan. I said are you planting tangantangan because the tangantangan was that big and he had maybe one lemmai tree and banana and that's it. So that's the thing.

Acting Chairman Michael Borja – Well I guess like what you have your trees that are going to require long term growth before they make any productions. But I can also see that because you have trees that are permanent trees I mean most likely not to be blown down in a typhoon all your lemon trees of kalamansi and even your coconuts but you were talking about a wind block so those things you would have to plant now for future use rather. But you only have like peppers as the small items which it's not going to get destroyed that bad but you could lose it in a typhoon. Are there other kinds of products other kinds of items you're looking to try and grow later on?

Ignacio S.N. Guerrero, Jr. – Yes. Actually this is just pretty much kind of a general idea but what I really wanted to do was like you know Mr. Calvo said I agree with you if I have to start small that's fine. The other stuff the products that I have is actually I was trying to think of bringing in like different types of because I get seeds from Hawaii, University of Hawaii and the Waimanalo papayas is another thing I was thinking of doing. I have a lot of ornamental trees right now at home that I don't have enough space anymore it's like my house is an actual nursery already. So you know I need the room that's what I'm saying.

Acting Chairman Michael Borja – So you'll also kind of creating or building somewhat of a nursery where you would sell plants.

Ignacio S.N. Guerrero, Jr. – Sell plants and other than that I was looking at it where if I do sell plants at the same time I kind of wanted to get the Department of Education involved where I can I fieldtrips and you know teach our young people. That say hey this is the type of farm you can start. You can start with a nursery then you can go into this acreage and you know kind of like a tour because when I was in the United States you know I said you know this is what we need because people out there are not really so up to par with like what's out there for them you know. Maybe I don't know if I want to be a farmer, I don't know if I want to be a horticulturist, a botanist, a biologist but at least that could even you know involve the community and have field trips. And I'll provide free field trips so I can do presentations like that with the kids. Like I said keep it local you know where I'm not importing things.

Acting Commissioner Oscar Calvo – The only reason why I brought that up Mr. Chairman and you're right on that issue where you know planting coconut trees and lemon trees these are products that could grow 3 to 4 to 5 years too. Some in 2 years, 3 years time. So if you're doing at that range what I'm really looking in that perspective is what are you going to do on the smaller portion to be sellable you know like tomatoes, eggplant, squash. These are fast growing. You could get these in 60 to 90 days of product because I you know we did this. I don't know if you know Henry Flores from Talofofu well I farmed with him for about 5 years in my ranch and we did. You know we plant from watermelons to beans and whatnot. But I'm just saying that along trees in the back of my house I got lemon trees, I got lemmai trees but it's been planted you know it's been over about 5 to 6

years, it just started to produce now. So that's what I'm basically looking at is where are you going to really first start? Are you going to plant kalamansi first? Because if I'm looking kalamansi okay it may produce in 3 years.

Acting Chairman Michael Borja – What are you going to be growing to survive?

Ignacio S.N. Guerrero, Jr. – What I will be growing to survive is actually I'm going to concentrate on the basil. I'm going to concentrate on actually the green onions because I know that's 60 to 90 days. I can do stuff like that or cilantro. See I'm more thinking the herbs is my short term fast product to get to the market but the long term would be the coconut, kalamansi and so forth and then pumpkin stuff like that. Stuff that we need like the restaurant needs all the time because every day they're going to need green onions, they're going to need you know garlic. If I can do even garlic I would.

Acting Chairman Michael Borja – Where's your father's farm at?

Ignacio S.N. Guerrero, Jr. – In Barrigada Heights. So you know I've been to like different farms like Mr. Tom Blas the former Director of Agriculture. I worked with him and he's doing cilantro but he's telling me he cannot really even supply the demands so I was like you know that's another idea.

Acting Commissioner Oscar Calvo – But you do understand where I'm looking at because you're talking you want to bring it to the market but the kind of market if you're going to plant trees it's like what Mr. Chairman said these are trees that are going to be planted so you're looking whether it be 2 to 3 to 5 years down the line where these productions are going to come in. But you want the fastest production is like tomatoes, the beans and things of that nature. I know that we need a lot of the farmers that they do out there themselves and it's not really enough out there.

Ignacio S.N. Guerrero, Jr. – I've been to like a lot of the Farmer's Co-Op meetings with Mr. McDonald as well and you know I spoke with him and you know he's like since you're like the youngest guy in this room other than Mr. Wusstig over here or Watson you know you're on the right track because we don't have young farmers like you that's passionate to do this type of thing. They said how old are you boy I said well I'm 38 right now so at least I got a little bit more time on my hands. Not to say anything to my dad not to disrespect and say hey I'm still younger than you.

Acting Commissioner Oscar Calvo – If you look at Mr. Wusstig he concentrates on corn but he's a very productive you know. So ideally he's always on the short front you know.

Acting Chairman Michael Borja – I think you're on the right track I mean you've come in with a plan more so than other people who may have wanted agriculture land as we've seen in the past.

Acting Commissioner Oscar Calvo – We don't want to see the property being not used for that fact.

Ignacio S.N. Guerrero, Jr. – Like you guys said the Board recommends I start 1 acre, 2 acres that's fine. That's totally fine with me because I do understand and I'll say if we have to go through that and then it works I mean I'll show that it works. And if I do need additional then I can come back to you guys and maybe negotiate for another acre or something like that.

Acting Chairman Michael Borja – Well you know part of the Trust is to ensure that there is land available for farming so when people do come forward with a big plan like this. I mean a lot of things you talked about setting up the windbreaks those are the things that we all got a taste of or I at least when I first came on from University of Guam the setting up of proper farming and that's what they try to teach all the farmers here to create this windbreak. I learned something now when I travel in the States and I see all those trees and now I know why all trees are there.

Vice-Chairman David Matanane – We do have from Dr. Barber, we have the whole works in their research and I think Chamorro Land Trust has that because I have a binder. I was just going to ask Mr. Guerrero here where did you take those pictures from?

Ignacio S.N. Guerrero, Jr. – Actually I just got them off online. Those are examples. That's what I want to farm that's my future goal is to have something like this. And I said you know if they can do it there I mean come on we can do it here you know that's my belief.

Acting Chairman Michael Borja – It's a lot of work. He understands that you know he can't do it all on his own too and you're talking about using some people. Some of the things you have to look at a little closer at is you wanted a whole acre just for building facilities and that might be a little bit more but you know you understand that you need to have those kinds of things such as the tool shed and some of the other facilities for the workers as well.

Vice-Chairman David Matanane – Actually that's pretty good to get our you know what we have done three years ago with Dr. Barber and Department of Agriculture where there's things there that has to be adhered with the Chamorro Land Trust. They have all aspects of farming and agricultural is there so if go over it you won't have to you know trial and error on your part.

Ignacio S.N. Guerrero, Jr. – Right.

Acting Commissioner Oscar Calvo – Or you can go to the University and ask for Dr. Bob.

Ignacio S.N. Guerrero, Jr. – I've actually talked to a lot of them and then I also go to some of their seminars they have like on the weekend like banana production and I've done the..(interrupted).

Acting Commissioner Oscar Calvo – And they go out and really test and say yeah you can plant this and plant that.

Acting Chairman Michael Borja – So shall we just have him proceed and start working with the staff to identify or to get an application going and then identify someplace that might be usable. Because you're also looking for a place that may have access to water and nearby waterlines and those things. So that's some of the issues that we may have with some land is that there are no utilities there. So some of the things you might have to, I know the University of Guam they have ways of showing people how to collect your own water and maintain your own water supply so you don't have to tap in to potable drinking water.

Ignacio S.N. Guerrero, Jr. – I've looked in to the other things too like rain barrels and stuff. I've actually been starting to collect my own barrels already so I'm kind of thinking because I've seen the actual system built where if you're collecting it from a canopy into a funnel with rocks and all that then it's like maybe you got 20, 55 gallons drums all on the side and then one spigot on the end you know. It's a pretty good self-sufficient thing at least to start until you do get the actual I guess irrigation going. I've been looking into a lot of ways to kind of you know.

Acting Chairman Michael Borja – Let's go ahead and work with the Trust staff and get the application going okay. I don't think we need a motion or anything.

Vice-Chairman David Matanane – No because I don't think we're approving it right now.

Acting Chairman Michael Borja – No.

Acting Commissioner Oscar Calvo – I don't think so.

Acting Chairman Michael Borja – Thanks a lot good luck.

Ignacio S.N. Guerrero, Jr. – Okay thank you. So should I be just contacting Mr. Camacho?

Acting Chairman Michael Borja – Yes.

Vice-Chairman David Matanane – Yes just come in and see Mr. Camacho or Mr. Mafnas when he's back.

Acting Chairman Michael Borja – Or the staff you know to get it going to make it work.

Ignacio S.N. Guerrero, Jr. – Okay thank you.

VII. DIRECTOR'S REPORT

Acting Director David Camacho – I would like to report on the revenue collected during the month of January, we collected about \$169,672.20. Leases that we issued out signed by the Director, the applicants and concurred by the Governor we have 10 leases signed. Survey authorizations that were issued out we have 8 survey authorizations and utility authorizations 5. For your information Mr. Chairman and the Board that we have already identified over 51 lots and applicants were already assigned to those lots. A survey have been done, payment for the survey has been done and in doing the lease agreement we're

waiting for the approval and recordation of the subdivision map. Any other information that the Board needs in which Director Monte Mafnas is doing with Land Trust I have the surveyor Manager, Division manager and plus our land agent, plus our Attorney here to answer any question concerning Land Trust property that we're involved for affordable homes, the Land Trust property for exchange like the Guam Memorial Hospital for a parking lot and also other exchange property with other landowners.

Vice-Chairman David Matanane – How is it going the one that we have ribbon cutting two weeks ago?

Acting Director David Camacho – That's a dedication, it's a dedication identifying that area involved for the affordable homes project that the Governor is doing and it's in the making already. People that are on the property we're in the verge of relocation. We identified certain property for these tenants or these farmers to move in.

Vice-Chairman David Matanane – Mr. Chairman were you invited?

Acting Chairman Michael Borja – No.

Vice-Chairman David Matanane – Thank you. I was surprised you know I was been asked how come you guys weren't informed they said it's our project. Mr. Chairman you're going to have to be there I don't have to be there. I'm just kind of you know I was surprised there was the news and it involves Chamorro Land Trust.

Acting Director David Camacho – The way Director Monte Mafnas and I put it this way is it's only a dedication and we're inviting the recipients of Chamorro Land Trust, applicants of Chamorro Land Trust to be aware that that certain area is..(interrupted).

Acting Chairman Michael Borja – Going back to the amounts that you guys have collected I commend the staff and the Commission for getting moneys collected on behalf of the Commission. Monte and I spoke with Senator Pangelinan and with the Governor's Chief of Staff regarding the moneys that have been collected and the need to get this money assigned to our account like it should be so that we can use those moneys for the things that we need to do like infrastructure development and whatever other things that cost money so that they can be allocated to those kinds of things. So we had a discussion on those things and I know Senator Pangelinan was wholeheartedly behind that as well as the Chief of Staff. He told Monte we needed to speak to one of their finance people within the Governor's Office that deals with that so we can get that account going. I can't remember who the person is.

Acting Director David Camacho – I believe Mr. Chairman that there's a bill that Senator Ben Pangelinan is introducing, Bill 29-32, concerning the lease of Ancestral property and Land Trust property and it's a public law identifying that all those proceeds from that it should be given to the Land Trust account and Ancestral Land Bank account. The bill is coming up for if I'm not mistaken Mr. Scott from Senator Pangelinan the bill is coming for a hearing I don't know.

Scott Mendiola (Senator Ben Pangelinan's Office) – One of them (inaudible) scheduled yet.

Acting Director David Camacho - We're doing already a testimony on that.

Acting Chairman Michael Borja – Okay well that's good it's just a step we need to get in that direction and as we noted that any time that money is going to be accessible there needs to be some absolute controls. Bernie Artero is the person at the Governor's financial office that you need to contact with to ensure that the account is set up or the money is going into that account and not into the general fund specifically.

Acting Director David Camacho – I believe even the property tax whatever is collected goes into the account. Mr. Santos I believe it includes the tax on that Bill 29-32.

Paul Santos (DLM) – Yes.

Acting Chairman Michael Borja – Oh okay. I also want to just recognize Mr. Robert Cruz the legal counsel for the Chamorro Land Trust Commission who started at the beginning of this month. Thank you very much Bob for joining us and I know you're probably being kept busy. Monte probably gave you a task list that's taller than you.

Legal Counsel Robert Cruz – Yes and even by email I'm still getting assignments.

Acting Chairman Michael Borja – Well there is a lot of stuff that we've had to defer because we could not speak on legal matters so your assistance is going to be absolutely valuable for all future proceedings here and some things that we need to have done so we can get lands registered as well. I think that's a lot of the things that are going so we can get them issued out.

Acting Commissioner Oscar Calvo – That land registration is really one of the bulk point that we really need to get done to clear it out once and for all. Otherwise we're just in limbo. There's about I think 370 acres something like that.

Acting Chairman Michael Borja – One of the things I think that may rise to the surface at some point here is the lawsuit that's being brought forth regarding the legality, the constitutionality I believe of the Chamorro Land Trust. So anyway those are just things on the horizon hopefully on the far horizon.

Vice-Chairman David Matanane – Mr. Camacho when is the audit going to commence?

Acting Director David Camacho – The last time I heard a couple of days ago I think two days ago that Monte is already in communication. Bob could answer that.

Legal Counsel Robert Cruz – Yes in fact I've met with Monte and Doris Flores Brooks briefly and she was asking for the go ahead. I believe Monte the Director was going to give it right before he left.

Acting Chairman Michael Borja – Oh so the audit is going to proceed here shortly.

Acting Director David Camacho – Yes and there's an email from Monte two days ago concerning that that the proceeding is going to happen.

Acting Chairman Michael Borja – On that note too one of the things we discussed with the Chief of Staff was the need to not shoot ourselves in the foot unnecessarily over things we can control. Like for example I have a full Board instead of having a partial Board and I think we have here Oscar you have been re-nominated to the Commission so we haven't had the un-fortune of cancelling a meeting because we didn't have a quorum and that's because everyone is dedicated here. And then to assign a permanent Chairman because the Chairman is not selected from the Commission itself it's a selection of the Governor. So just to have those kinds of things taken care of so we're not shooting ourselves in the foot or we're not being able to accomplish things.

Acting Director David Camacho – Mr. Chairman there's a legal issue on the appointment of Mr. Calvo because on the appointment what it states and I referred this to Mr. Cruz.

Acting Chairman Michael Borja – If he can meet here while he's..(interrupted).

Acting Director David Camacho – Concerning the appointment.

Vice-Chairman David Matanane – Let me read it out. The appointment is subject to confirmation by the I Liheslaturan Guahan and is effective upon your confirmation. Please contact the Governor's Office at 472-8931 should you have any further questions regarding this appointment.

Acting Director David Camacho – Those are the things that we're trying to avoid if there's any statement made or decision made on the Board while Mr. Calvo is..(interrupted).

Acting Chairman Michael Borja – Yes I absolutely concur and that's the reason why in the past several months when we've been meeting I've asked that he not make any motions and his vote won't count. He'll act like a territorial representative in the house of representatives.

Acting Director David Camacho – Just for clarification.

Acting Commissioner Oscar Calvo – I understand that Dave I knew of that and I made that clarification.

Acting Director David Camacho - It's during my, Monte is off-island and I'm the one that's, I don't want any..(interrupted).

Acting Chairman Michael Borja – The last thing we need is to make a motion on some decision that gets put back. When we had that issue before we adjourned for a 6 month

break because we didn't have a quorum and that was an issue that had to do with a lease where we were going to terminate someone's lease.

Acting Commissioner Oscar Calvo – Just to sum things out for whatever reason that I've been held back then in the Legislature that's long and gone. When the Governor and I spoke about a week ago and asked me to come back into the Board I was kind of really adamant about it but then I'm thinking okay he's confident. What I've done in the Chamorro Land Trust in the past when I first got here and the accomplishment of the Board itself because that accomplishment is not just myself but also the staff and the people who were working in here. So it didn't just narrow it down to myself what I have done and initially did at that time and whatever transpired in the past, it's by gone by gone. I just want to make sure that the Board understands that the Governor did ask me and wants me back to be in the Board.

Acting Chairman Michael Borja – Welcome back we missed you last month. Anything else on the Director's Report?

Acting Director David Camacho – Other than that as I said I have the survey manager and our legal counsel since it's not on the agenda we were discussing it that any questions concerning whatever Mr. Cruz will address it or Mr. Santos. Concerning all those projects that Monte is doing we're on top of it we're in direct communication with him in email and all those things just to let the Board know.

Vice-Chairman David Matanane – I would like to see his contract. Mr. Cruz I would like to see the contract. I would like to see that because when we were going through this and Mr. Mafnas gave me a copy of the draft and all that. So I'd like to see the final.

Legal Counsel Robert Cruz – Sure I could give you a copy after the meeting.

Vice-Chairman David Matanane – Because it's not that when they draft up that contract and I think and I pointed out some items there that Mr. Mafnas had conjured up it's either between your classified or unclassified position or is it a contract. That's my question to Monte.

Legal Counsel Robert Cruz – Well I'm definitely not an employee. I'm a part time legal counsel. Three hours essentially per day.

Vice-Chairman David Matanane – Whether we need you or on an interim basis?

Legal Counsel Robert Cruz – Well my assignments need to go through the Director and the Acting Director because my time is very limited and I have a prioritization. I actually have many assignments that I'm trying to tag along a priority basis.

Vice-Chairman David Matanane – You do this in the Chamorro Land Trust office?

Legal Counsel Robert Cruz – I'm upstairs.

Vice-Chairman David Matanane – Okay. Chamorro Land Trust is providing you that office.

Acting Chairman Michael Borja – Well it's a joint it's under the whole auspices of Chamorro Land Trust and Ancestral.

Vice-Chairman David Matanane – Fine I'm very curious about it because when the draft came in I tickler one after the other and I said okay check into that because if it goes through that's fine. But I haven't seen the fine points of it.

Legal Counsel Robert Cruz – Yes it was revised in fact redone by the Attorney General's Office. Completely redone by the Attorney General's Office from the original format which was originally used essentially to make sure that the Attorney General is completely aware of what's going on and there's a certain amount of reporting that I must do on cases. If we have a meeting that we're trying to set up with the Attorney General and Division Heads to try to work on my utilization because it is limited. It's very limited and I need to be used the most effective way whether that's on land registration or on the litigation if I'm going to take over certain matters or if they're going to remain with the Attorney General's Office. But that's all to be discussed and worked out.

Acting Commissioner Oscar Calvo – I think if I remember when you're talking about the litigation portion I think if it comes to the Government issue what we talked about was basically to be man handled by the AG at least that's what we..(interrupted).

Vice-Chairman David Matanane – As you mentioned that it's limited specifically in the confines of Chamorro Land Trust and Ancestral and Land Management. But in any big issue then it's the AG's Office. Okay that's the reason why I asked with your final.

Acting Director David Camacho – There's one thing concerning the Board we have two other names that hopefully that they set the appointment with Monte Mafnas and all those things. I said hopefully that they set the appointment and so you guys can have more body to work with you.

Acting Chairman Michael Borja – Okay.

Vice-Chairman David Matanane – I request a black and white reporting of that.

Acting Chairman Michael Borja – Of what?

Vice-Chairman David Matanane - Of the Director's Report.

Acting Chairman Michael Borja – Okay.

VIII. EXECUTIVE SESSION – None.

IX. ADJOURNMENT – Meeting adjourned at 2:15pm.

Transcribed by: Teresa Topasna: Teresa Topasna

Approved by Board motion in meeting of: April 18, 2013

Acting Director, David Camacho: [Signature]

Date: 4/18/13

Chairman (Acting), Michael Borja: [Signature]

Date: APR 18, 2013