Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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Annie R. Perez
Commissioner

David J. Matanane
Commissioner

Oscar A. Calvo
Commissioner

COMMISSION MEETING MINUTES
Guam Ancestral Lands Commission Conference Room, Anigua
October 19, 2005

I. Call To Order

Meeting was called to order at 4:13pm by Chairman Delfin Damian. Present were Commissioner Annie Perez, Commissioner David Matanane and Administrative Director Thomas Elliott. Not present was Commissioner Oscar Calvo.

II. Approval of Minutes (September 30, 2005)

Commissioner Matanane moved to approve the minutes of September 30, 2005 subject to corrections. Commissioner Perez seconded the motion. There were no objections, MOTION PASSED.

Before proceeding further, Chairman Damian informed the Commission that there are two additions to the agenda under Old Business which are G. Ricardo Salas land exchange and Marilyn Borja update.

III. Old Business

A. Hawaiian Rock Products – Temporary License Request

The Administrative Director informed the Commission that in a previous board meeting the Commission was provided with draft terms and conditions for the license which was put together by Hawaiian Rock. It was presented to the Commission sometime in August 2005. Since then the Administrative Director has reviewed their plans with respect to looking at Lot 5412 in Yigo and essentially they wanted to begin by executing a one year license agreement so that they would be able to go in to the lot to conduct pre-mass grading activities. This will constitute surveying, geotechnical engineering, environmental and archeological investigations. The Director had conducted a field inspection and it appears to be a coral rich area. They were proposing to pay the Commission a $500 license fee for one year and they were also recommending that after one year if necessary they would be able to extend it for an additional six months.

The Administrative Director believes the $500 a month is on the low side and is recommending that the Commission look at the possibility of negotiating for

a higher fee. The Administrative Director recommends that the Commission impose a minimum or maximum of one year for the license agreement and if Hawaiian Rock wants to request for an extension they can make that request within 60 days before the one year expires subject to the Commission's approval.

Commissioner Matanane inquired on what ever happened to the first time when Hawaiian Rock came around and the Commission approved it then, did it never go through?

Commissioner Matanane commented that he remembers that in a previous meeting we had approved the $500 and understands that Hawaiian Rock had no access to the property. Are they saying that we need to provide them access? I was wondering why the previous request by Hawaiian Rock did not go through and I understood in the previous meeting that they are requesting a proposal and there are a lot of other items on the property that they can make money and is it for them or for the Land Trust? Since the first agreement when we did approve Hawaiian Rock to go ahead and to conduct their feasibility study it didn't go through and what I understood in the last meeting was that it didn't go through because of the fact that they didn't have any access. How did the geological people go in there? Do they need a paved road?

The Administrative Director commented that when they first came to the Commission yes they were granted permission to proceed and move forward however the access issue came up. There is physical access however the access is a dirt road that cuts across federal property, private property and then to the Land Trust property. They are very small slivers of property and perhaps maybe even so small that it is unnoticeable by the owners particularly the federal government.

Commissioner Matanane inquired if that prevented them from taking access.

The Administrative Director commented that it did not prevent them however the Director felt that it was a serious enough issue that needed to be addressed before we can move forward therefore the Administrative Director did not move forward with the license at that point. Since then they have identified an access from a different area which does not present any problems whatsoever. Based on that, the Administrative Director is recommending approval or re-approval of the previous request.

Commissioner Matanane clarified that the first approval did not go through and the Commission did not receive the $500.

The Administrative Director commented yes and to his knowledge they did not enter the property to conduct their feasibility studies.

Commissioner Matanane inquired on how did they find out that there was a lot of metal on the property if they didn't have any access.

The Administrative Director commented that the physical access that is there is a dirt road that cuts across small slivers of non Land Trust property. Essentially anyone can go through

there up until the point when they get to a chain link gate which was put up by another Land Trust licensee which is the International Shooting Range.

Commissioner Matanane commented that we know for a fact that the shooting range has not been operating anyway and it is through our property that they would need to go through to get access. Eventually they did go in there and did a little survey by their write up and are they thinking of us making money or are they going to be making money? They did say that they could take the metallic waste on the property and sell it. Now with their proposal they are going to take it for one year and it is also up to us to tell them how much we are going to be charging them for the whole year.

The Administrative Director suggested a higher fee merely because of the possibility of environmental impact in the area or at least in the road way leading up to that area.

Commissioner Matanane inquired on what environmental impact.

The Administrative Director commented on going through the pristine coral limestone areas which are considered habitat to endangered species particularly plant and some birds.

Commissioner Matanane inquired from the Director if he is saying that we should embrace ourselves because of the environmental impact in which the Chamorro Land Trust would have to be burdened of. If Hawaiian Rock goes in there and does environmental impact into that piece of property would the Land Trust be responsible for it?

The Administrative Director commented that the Commission needs to impose some responsibility on these companies with respect to that. In terms of higher license fees or even if we were to charge them $1,000 a month that is a mere drop in the bucket in comparison to what they could possibility be paying for should they find that this is a lucrative area to be quarrying in. We would be negotiating on a percentage of market value in that event.

Commissioner Matanane inquired if the Director has knowledge of what would really impact Hawaiian Rock taking coral and if it would impact environmentally anything there.

The Administrative Director commented that he suspects that the quarrying of the coral itself would not be an environmental impact because there is already a pit there. What they are proposing to do if allowed or licensed to go in there and everything falls into place with respect to negotiations, they would be able to leave after quarrying, the area in a usable condition.

Commissioner Matanane commented that he hopes that they won't be truck loading corals out if they are going to go in there to do a survey.

The Administrative Director commented no they won't.

Chairman Damian commented that the Commission would have to look at the fees, the proposal and safeguard the Trust from any environmental issues. We will not be responsible for any environmental impact and that is going to be up to Hawaiian Rock. We will revisit the fees and as we meet with Hawaiian Rock and renegotiate that they are not to take anything out of the property without consent by the Commission. In the last meeting Commissioner Matanane raised the issue of any of the products that are going to be removed which would be revenue generating products that come from Trust property and once we get to that stage we will definitely be holding them accountable for presenting the Commission with some revenues.

Chairman Damian informed the Director to meet with Hawaiian Rock on the Commission's issues.

B. G. Ricardo Salas land exchange

G. Ricardo Salas informed the Commission that he is a realtor and investor and the property that he is trying to buy from the Government of Guam is the old subdivision of Lot 8 and Lot 7 on Block 24 in Agana. For the Commission's information when it was passed through the legislature it was with the understanding that only property owners within the area could buy lots or exchange them for something else. In 2001, Mr. Joseph Borja and Mr. Salas discussed the matter that he was trying to move the Cristobal interest in the new subdivision but they didn't want to move. Then they wanted to exchange with Moylan but Moylan didn't want to move and the Martinez family didn't want to move. The only logical place that they could do was on Mr. Salas's side. Mr. Salas agreed with Mr. Borja but apparently we were supposed to exchange that with a vacant lot close to the ancestral property which belongs to the Lujan family. The zoning area for Agana is commercial so it is back to back and you can go all the way to the boundary line. When this was done the only provision that Mr. Borja wants was to concentrate building on the side fronting West O'Brien drive and that's what I want because nobody wants to move. The exchange and valuation is the same and if there is a difference Mr. Salas will pay the Commission in installments. Mr. Salas commented that if the Commission agrees to it then he is willing to sign the documents.

Chairman Damian commented that the fair exchange was approved in previous meetings.

Chairman Damian informed Mr. Salas that the Commission will make communications with Mr. Borja because he certainly is going to be a key component of moving the process along and that it is only fair that the Commission give Mr. Salas with a timeline on when this will all take place in conjunction with Dept. of Land Management.

C. Marilyn Borja update

The Administrative Director informed the Commission that Marilyn Borja is the unqualified widow of Joaquin F. Borja. When Mr. Borja passed away his sister moved into the home and displaced Marilyn. The sister claims that Marilyn had abandoned the home after the husband passed away. This Commission requested or asked if there was a marriage certificate and the Commission does have it in file. After advising the Commission that unqualified spouses

according to the law are not entitled to lease or to succeed to Land Trust leases then the Commission must compensate them for the value of the improvements. The Administrative Director estimated the value of the improvements to roughly $13,000. The initial cost of the improvements was $16,000 according to records by DPW. As per the Commission's request the Administrative Director had sent a request to legal counsel to find out if in fact there could be some case made for community property rights with respect to Marilyn Borja inheriting any portion of the lease. To this date the Administrative Director has not received any response yet.

Commissioner Perez inquired if there are any provisions in the Land Trust that protects the Land Trust from any unregistered person who resides on the property. Is there any penalty or fine if we find someone residing on the property so that we won't be the only one to be burdened with the $13,000? We can also collect from that person who have been residing on the property who is not qualified or registered under the lease agreement.

The Administrative Director commented that the sister of the deceased is any applicant for Chamorro Land Trust property and has not yet received a lease.

Chairman Damian inquired if she not legally registered to take over the property.

The Administrative Director commented that the law allows for the relatives of the deceased person to step forward to request to take over the leaseholder or the application rights. She has submitted a letter to the Trust in that regard.

Commissioner Perez commented that if that is the case then why are we going to be subjected to paying?

The Administrative Director commented that the law allows for the widow, the unqualified widow to be compensated for the value of the home. The CLTC will recoup that from the person who succeeds to that lease or the application and in this case it would be the sister of Joaquin Borja. The Administrative Director commented that they are liable for the $13,000.

Commissioner Matanane inquired if the Director had asked the sister if she is willing to pay the $13,000.

The Administrative Director commented that he did not ask her but rather notified her that since they are so adamant about being the ones to continue the occupation then he had notified them by letter that they must re-compensate the Commission.

Commissioner Matanane inquired if they agreed.

The Administrative Director commented that he has not heard from them.

Chairman Damian inquired from the Commission if is it going to be payable in full or is it going to be amortized over a certain amount of years. There are provisions to determine whether it will be amortized and at what amount.

Chairman Damian inquired if the sister has been notified that the amount can be amortized.

The Administrative Director commented that he has not gone that far yet.

Chairman Damian instructed the Director to look into it.

Commissioner Matanane commented that she could accept that and then maybe the amount of payments that she could afford to pay to the Commission.

Commissioner Perez commented that it should be put in a contract so that if they void the contract then we can again recount the legal owner.

The Administrative Director commented that the Commission can again put someone else on it.

IV. New Business

None.

V. Director's Report

A. Loan Program (GHC/USDA) Issues

The Administrative Director informed the Commission that earlier last month the Chamorro Land Trust Commission as represented by the Chairman, Guam Housing Corporation and the U.S. Department of Agriculture signed a Memorandum of Understanding that would allow low interest rate home loans for low income individuals. The Memorandum of Understanding outlines the responsibilities of the Commission, Guam Housing Corporation and USDA's involvement in this program. This is essentially a great opportunity for everyone here on Guam to access a home construction loan for low interest rates. This program is also opened to Chamorro Land Trust lessees. As part of the Memorandum of Understanding the CLTC is a guarantor on the mortgage for these programs. As part of the miscellaneous provisions on the Memorandum of Understanding there is an escrow account that must be established by the CLTC. This escrow account amounts to $500,000 and it is actually an escrow reserves. According to the Memorandum of Understanding, CLTC will set aside an amount equal to 5% of each loan on which CLTC is a guarantor until at least a total sum of $500,000 is on deposit on the escrow account. The escrow account shall be carried into two types of interest bearing accounts one being a $200,000 balance and that should be a fairly liquid account where the funds are readily available and an interest bearing account or bank certificate of deposits with a sum of not less than $300,000 with no longer than a one year maturity date, both totals $500,000. That is the largest obligation of the Chamorro Land Trust Commission at this point. None the less it is a good opportunity and I think that these funds are available. We do have them and if we were to use these funds and the remaining balance of what we would have on hand would still be sufficient for payroll purposes.

Chairman Damian commented that these are typically 1 to 2 percent interest rates for first time homeowners only. Refinancing is not allowed with this program.

Chairman Damian inquired if the two accounts have been opened yet.

The Administrative Director commented no and that we would need to coordinate with Guam Housing Corporation. Guam Housing is responsible for handling the inquiries and also the application processing.

Commissioner Matanane commented that there would be some snag because if the Chamorro Land Trust properties are included in the mortgage that the Commission or the Chairman or the Director would have a hand in making sure that it is a part of our inventory and there must be some signator anyway agreeing that we are working hand in hand with Guam Housing that when a client defaults on the loan that piece of property goes to Guam Housing. We need the fine stipulation that the property stays with the Commission.

The Administrative Director commented that it is included.

Chairman Damian commented that we have done the process as far as putting an education program together. Last week the Director and representatives from Guam Housing had a seminar at Adelup.

The Administrative Director commented that the Commission had 75 people attend the seminar.

Chairman Damian commented that this would also allow the Commission to put together a first come first served list from our master list and have those available as well to those people who want to apply for that number one. Number two this also now reduces the amount of notice of intent from the original list because now we are transferring a great deal of people who are inquiring to get into these programs we're also making another list on that as well soon. This is going to provide some mobility from the old list. The other thing is that there are meetings being scheduled so that we look at other parts of the education program mainly to go out and have town meetings at each of the villages to present these programs at the village level and to make it available that the applications are there so that when we make the presentation that they understand how that program works. Some of the beauty of these programs are number one, whenever the President declares a disaster that there is a time for them to recoup so that their responsibility to meet their monthly mortgages are put aside until they are back on their feet. It also applies to employees who are laid off due to economic reasons. Number three, I call your attention also to the issue that the federal government saw it legal to enter into these kinds of agreements despite the fact that we have some people saying otherwise. There's some validity to these programs and this is just going to provide more on our side when that issue steps up whether it is at the congressional level or the judicial level. We will use this to our advantage and that the federal government did not come in here blind, they knew where the Land Trust was and yet despite that went ahead and knew that there will not be any legal problems regarding going into an agreement with this. Right now it is more of a mechanical process that we are going through now. We of course have input in establishing guidelines that will benefit the Trust and its constituents.

Commissioner Matanane inquired if the Attorney General would be able to look over this to safeguard the Commission.

The Administrative Director commented that the Commission can request that.

Commissioner Perez inquired if we have an update on what year and month the Commission is at right now on distributing property.

The Administrative Director informed the Commission that we are working on December 4, 1995 applicants. On this day approximately 1,100 people applied.

Commissioner Perez commented that this would be an opportunity for a lot of people who applied for residential. They could qualify for the first home loan deal and this is an opportunity for them to seek a better home.

Commissioner Matanane commented that since it is not on the agenda he would like to bring up that he heard the Director on the radio and would like to have the Director to see to it who and what the second caller was talking about.

The Administrative Director commented that this was something that occurred on May 2004 and since then this individual has not come back to the Trust to follow up on her daughter's case.

Commissioner Matanane commented that to make it public known, he would like the Director to take a look at any complaints and we would like to see any complaints against our personnel.

Chairman Damian commented that we will be addressing those issues today as we move into Executive Session.

The Administrative Director commented that this new loan program has created additional activity at the Trust. People are coming in because they have a lease and are wanting to relocate to different areas where they can build homes, places where there is appropriate infrastructure. The Administrative Director is allowing that and he thinks the Commission would agree to allow them to take advantage of these programs.

Commissioner Matanane commented yes and that there are some clients who have already received for agriculture and are now requesting to receive for residential, they want to exchange that. By doing that it would upset the line for people who are requesting for property. Now they are being entertained and I believe I heard that they have been entertained. I believe that if they already have agricultural and they are doing agricultural work they should be put on the side for now because they already have property from CLTC and now they are requesting if they can exchange that to residential.

Commissioner Perez commented that she would say no but if it is residential then they could request to change but if they had agriculture first then we should put that on hold.

Commissioner Perez commented that they might have in the first place only qualified for agriculture but not necessary be qualified for residential.

The Administrative Director commented that there are also provisions in the law that allows the construction of a residence on a subsistence agricultural lot.

Commissioner Matanane commented that he would not understand for an agricultural person to give it up and then ask for a residential.

Commissioner Perez commented that it is going to cause ill feelings especially if the person is next to be called and then hears that because another person wants to switch over that we are going to make that change. Commissioner Perez cautions the Director that it not be a practice.

The Administrative Director commented that another issue that is troubling him is by law we must follow time and date and the Chairman's recommendation of establishing a list for these individuals who are qualified to take on these low interest programs is that something that the Commission would want to resolve to do perhaps?

Commissioner Perez commented that if a person is given property and he is number 5 and he is the first one to make a move to get the loan I don't think that we should deprive him of getting the loan if number 1 is not making an effort to get the loan. It should be who ever comes first in applying.

The Administrative Director inquired if that would be applicable to individuals who have not yet received their lease.

Both Commissioner Perez and Matanane commented no.

Commissioner Perez commented that if they don't have the property then they can't apply for the loan.

The Administrative Director commented that what he had been swamped with is by applicants who applied but are not yet up for a lease and are interested on applying for the loan.

Commissioner Matanane commented that in due time.

B. Revenues and Expenses for September 2005

Chairman Damian commented that we have not yet received a meeting date and time to meet with the Director of Department of Administration as per the previous meeting.

The Administrative Director informed the Commission that with the $500,000 taken out of the approximate $974,319.55 that the Commission has for reserves as per the MOU with GHC

and USDA it would leave the Commission with $474,000 which is fairly close to the few thousand dollars of our annual salary needs.

Commissioner Matanane inquired if we are getting the $474,000 from DOA.

The Administrative Director commented yes from the General Fund.

Commissioner Matanane inquired on when is the Director going to take action on taking out the $500,000.

The Administrative Director commented that it would require a meeting between the Commission and Guam Housing Corporation and possibly Dept. of Administration.

Commissioner Matanane suggested that the Commission put the $500,000 in a separate account and not to go to DOA.

Commissioner Matanane made a motion to have $500,000 put in a separate account and monitored by the Administrative Director for disbursement to Guam Housing as needed for the loan program. Commissioner Perez seconded the motion. There were no objections, MOTION PASSED.

B. Unauthorized clearing near Guam Raceway Park

The Administrative Director commented that the Dept. of Agriculture provided an unsigned draft letter to the Commission which is under consideration to someone who was clearing in Yigo where there are pristine areas close to the cliff line to allow for heavy equipment to pass through from the Guam Raceway Park to the Smithbridge quarrying facility. The letter estimates the clearing to be about 2,400 square meters of native forest that was essentially removed. The letter suggests that the fines that will be imposed would be $1,000 per violation and as much as$10,000 for civil fine.

Commissioner Matanane inquired on who cleared the area.

The Administrative Director commented that it was done by the Guam Racing Federation. A letter was issued to cease and desist all activities in the area. Mr. Simpson was informed that there will be an investigation and possible fines and that the case will be forwarded to the Attorney General's office.

The Administrative Director is waiting for Dept. of Agriculture's cue as they are the inspection arm of the environmental concerns.

Commissioner Matanane commented that the Commission should pursue that matter.

The Administrative Director commented that the area that was cleared is Chamorro Land Trust property but is not within the Guam Raceway boundary.

Commissioner Matanane inquired if Mr. Simpson is up to date in his license payments.

The Administrative Director commented yes.

Commissioner Matanane requested for a list of all the Commission's receivables and for a list of all commercial accounts that are behind. The Commission would need to send out notices to these individuals.

D. Website IAW P.L. 28-57

The Administrative Director informed the Commission that we have received three companies that submitted bids to build a website for the Commission and to install all the information as required by Public Law 28-57. The Director contacted the lowest bidder and contracted the company to put together a website and was assured that it would be up and running by October 28.

E. Public Law 28-68 – FY 2006 Budget

The Administrative Director commented that on the newly enacted public law regarding the appropriations and budget the Commission was authorized $492,266 under Chamorro Land Trust Operations Fund.

Commissioner Matanane inquired if this is $492,000 as compared to last year's budget of $494,000.

The Administrative Director commented that the Governor's Office requested that the agencies hold the line and any additional amounts that we may need we can get through the Governor's transfer authority.

The Administrative Director commented that on page 25 of the budget it talks about the approval of the ground lease which refers to the municipal lease agreement for the school sites. This was a requirement by law because by law the Commission cannot lease any properties to anyone for that matter so it had to be enacted by legislation.

On page 71 there is a list of road pavings. In the municipality of Agat there are some roads there such as West Santa Ana Street, Umang Road and Pagachao Drive which either end up or originate on Chamorro Land Trust property. Because it does not have the CLTC designation next to the names of the road, the Commission would have to assume that the Commission's roads are not included. The Administrative Director will follow up Dept. of Public Works.

On page 73 several of the Commission's roads are included in Dededo.

Chairman Damian commented that this list will change.

On page 88, Section 5 talks about the Chamorro Land Trust Commission appropriation of $492,266 from the Chamorro Land Trust Operations Fund to the Chamorro Land Trust Commission for its operations in fiscal year 2006.

Commissioner Matanane commented that there was an appropriation in last years budget for surveying services and inquired if it is still ongoing.

The Administrative Director commented that it was not included. The Administrative Director commented that he had a surveying project that's nearing completion in the amount of $107,000.

Commissioner Matanane inquired on where are we going to get that fund.

The Administrative Director commented that he was counting on the $250,000 that was appropriated in the survey revolving fund.

Chairman Damian commented that there is communications going on to address that problem.

On page 112 Section 29 talks about the Chamorro Land Trust Commission which is what is already existing.

Page 113, Section 30 talks about the Chamorro Land Trust Operations Fund.

Commissioner Matanane inquired if that is an extra $492,000 and if this is another operations fund.

The Administrative Director commented that this talks about the operations fund and what it is to be used for. This compels the Commission to create a fund and call it the Chamorro Land Trust Operations Fund to be maintained separate and apart from any other fund and subject to the legislature's appropriation.

Commissioner Matanane inquired if we had just put a motion to set aside $500,000 for this?

The Administrative Director commented that the $500,000 is for the MOU with Guam Housing.

The Administrative Director commented that according to the law the fund shall receive the proceeds of all land use permits, monetary contributions and fees. The Commission shall create within thirty days of enactment a reconciliation of all accounts in which such proceeds were deposited and shall transfer the remaining balances to the Fund. The fund shall be used for the operational expenses of the Chamorro Land Trust Commission.

Chairman Damian commented that this is something that we will bring up when we meet with DOA and also instructed the Director to get clarification from BBMR.

The Administrative Director commented that his concern is how the liquidity of these funds would be affected.

Page 142, Section 78 states expenditure on alcoholic beverages illegal. The Administrative Director commented that he had inquired from staff on their stand on having a Christmas party and they liked the idea.

Chairman Damian commented that as long as we don't fund the payment of alcoholic beverages.

Page 158, Section 104 talks about the land exchange for Mr. George Toves to provide public access to Ukudu High School site.

Commissioner Matanane inquired if the lot is in the Commission's inventory.

The Administrative Director commented that the lot that belongs to the Commission is Lot 10120-R20.

Chairman Damian inquired if it is just the access part to the school itself.

The Administrative Director commented yes and that is all it is trying to address. The Administrative Director commented that George Toves will exchange his private owned lot, Lot 5311-REM, Dededo with a portion of the Commission's Lot 10120-R20.

Commissioner Matanane commented that he hopes that the Commission's account number has not been changed this fiscal year should there be any lapses.

VI. Public Comments

Vicente Garrido (Maga'Lahi for Chamorro Nation) – I am happy about the last meeting on September 7 where the Attorney General has clarified himself that the Land Trust land is not unconstitutional. It should have been the correct statement that came from the Attorney General from the beginning. You saw what Troutman said in the past so it is good that the Attorney General has spoken and he said that Troutman does not represent the Attorney General and that he spoke on his own will. maybe he doesn't know what more to say about this situation and it is good again we are stronger now as the people of the land and that the Chamorro Land Trust land is the land of the Chamorros. I am happy about that and there are some things that he said and you have also said to stop their services. I am happy about that and if you guys are all in agreement and that what he has said now in his statement and that you have to make sure that is his statement. So it is up to you guys now to keep accepting their services from the Attorney General. Other things now is that there are a lot of things I am hearing and we have already discussed this in the past there are still people from the outside that are not our people on the Chamorro Land Trust lands. Especially the one up in Dededo, the one I hear is especially on Swamp Road and the one next to Guam Municipal Golf Course, I have also been hearing something about that area. I have been told by the

deceased former Mayor Jose Garrido that the area across the Guam Municipal Golf Course is possibly Chamorro Land Trust land there and let's just come out and say what race they are, Tagalog (Filipino) There is possibly 6 to 10 homes or houses that are meant to rent out and that they are leasing out to people and they are making money and I think they are still up there. I don't know what you guys are doing now but you should take them out and if you are doing it or not doing it have you ever done a letter of eviction notice or some sort and give them 30 days or at least just to protect yourself and for you to go with the police over there and give the people overseeing that land, the Filipinos and the other non Chamorros that are occupying Chamorro Land Trust lands and give them. If there are no documents to declare themselves that yes they have permission for them to stay there but the law has already been changed that's Chamorro Land Trust land now. We are just going say now that in the past, these people that are living on the land that are Chamorro now on the Land Trust, they should have already had what is that you call power permission and GPA and the water and all given from the Chamorro Land Trust Commission and if there is none of that then even if they have power they should not be there anyway because they did not authorize that. I know that if we do talk together we are going to say we feel for this individual but we do understand that there are still a lot of our people currently who have applied and have not been given land and that is what's making those people that are living there brave and that those people there should be taken out, they should be taken out and I do not know if you people can check the legislature to make some kind of resolution to do this more. But they should be given a letter of eviction notice so that they can get out because up till now our people are still applying for the Chamorro Land Trust Commission. That is all that I have to say and thank you members of the Chamorro Land Trust Commission, you are doing a good job and respect and sincerity to you all.

Chairman Damian requested Mr. Garrido to provide the information to the Director because we already have a road to follow from the law to give notice and to give them time to pack themselves if it is true that they are there contrary to law. Together we will find a way to give it to the police or the marshals to serve the notice of eviction to especially and more importantly the ones that are renting CLTC lands. Maybe by the next meeting that will be put on the agenda of the Land Trust so that there will be more information that we can distract from that and discuss it further.

Vicente Garrido commented that the former mayor lived on the road going into the entrance to GHURA next to the Golf Course and he informed him that right across the golf course is a family of Filipinos.

Patty Garrido who is here on behalf of the Ancestral Land Owners Coalition commented that they are pleased of the visit of Attorney General Moylan and that he is not in conflict with what the Chamorro Land Trust Commission stands for and does not find inorganic definition as far as the existing of the Chamorro Land Trust. We are very pleased and relieved of that but the other part is does the Commission currently now have the assistance of the AG for legal counsel or is the Commission going to secure a private legal counsel?

Chairman Damian commented that we at this point have the Attorney General on board to provide legal counsel however we have two options which is through the attorney general and that particular legal counsel will be doing nothing but addressing Land Trust issues as a special attorney general for the Land Trust. The second option is to go out and hire our own legal counsel without any connection to the attorney general.

Patty Garrido commented that at least the Attorney General's office is saying that they are going to continue to assist you until you have done that. I wanted to commend Director Tom Elliott for representing the Commission at the seminar last week regarding homeownership in conjunction with Today's Realty, the Governor's Office and Guam Housing Corporation. I understand that was the first one held like that I went and I was very pleased with the whole arrangement and it is allowing us opportunities to become home owners and improve the quality of our lives. I wanted to commend the Commission and the Director that you are participants in that because that is what our people need and we need to do more. I'm sure you know that there are many of our people out there already on Land Trust lands or praying soon they will get it. We need to continue to remind them that they can build on a residential and also on an agricultural. They need to be invited because some of our people are truly ashamed and even though you are trying to make the announcements on TV and radio that this is happening believe it or not some of them still don't get that invitation that this is happening at a certain date and time. I would request the Commission to make an effort to get the information out specifically to Land Trust recipients because you're going to see more participation. We really needed this and I just wanted compliment all of you for that and to thank you.

Chairman Damian commented that we will be sending meeting notices out and we are looking to meet and finalize schedules to go out and have town meetings at all the villages.

Francis Munoz (member of Chamorro Nation) I commend all you on the Commission because it is a beautiful thing that you are doing forward and it's a little slow but a lot is being accomplished. You have a map now to follow and that you have help especially in the area of legal counsel and the problems that sometimes you guys are stuck in and that nobody is representing you in the legal area. I know that kind of feeling, it is sometimes hard to challenge because there is nobody on our side to challenge this position or somebody on high ranking so I salute you for all your work that you have done. I have full support for the Maga'Lahi and our sister Patty, I support all that they have said and all that you have done especially you Tom. You know that all of you are doing your job and I respect and honor you and I recommend all of you for the good work that you have done. I know that there are more internal and other problems that are coming out and being put on the table and there are going to be a lot of problems about land. There will come a day and that hopefully you will catch and we will support you a little on the hard work that faces you. Thank you.

VII. **Executive Session** - Yes.
VIII. **Next Meeting Date** - None scheduled.
IX. Adjournment -Meeting adjourned at 6:30pm.