



Chamorro Land Trust Commission

(Kumission Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 475-4251 Fax: 477-8082

Felix P. Gumatjo
Governor of Guam

Michael W. Cruz, M.D.
Lieutenant Governor of Guam

Commission Members

Oscar A. Calvo
Acting Chairman

David J. Matanane
Vice-Chairman

Pauline Gumataotao
Commissioner

Carmen G. Tajalle
Commissioner

Andrew S. Leon Guerrero
Acting Commissioner

Jesse G. Garcia
Administrative Director

COMMISSION MEETING MINUTES **Agana Youth Center, Hagatna, Guam** **May 21, 2009; 1:05pm – 4:10pm**

I. CALL TO ORDER
Meeting was called to order at 1:05pm by Acting Chairman Oscar Calvo.

II. NOTICE AND ROLL CALL
Present were Acting Chairman Oscar Calvo, Vice-Chairman David Matanane, Commissioner Carmen Tajalle, Commissioner Andrew Leon Guerrero, Legal Counsel Delia Lujan and Administrative Director Jesse Garcia. Not present was Commissioner Pauline Gumataotao.

III. APPROVAL OF MINUTES
1. March 19, 2009
2. April 16, 2009

Vice-Chairman Matanane moved to approve the minutes of March 19, 2009 and April 16, 2009 subject to corrections. Commissioner Tajalle seconded the motion. There were no objections, MOTION PASSED.

Vice-Chairman Matanane – On the March 19, 2009 minutes I would like to have the Director to please follow up on the questions or the things that were tasked from the previous Director especially on the ones with the right-of-way which he promised he that would look into that. And the other minutes that was confronting the two terminated lease which the previous Director request for reconsideration which we had not approved but the Director was willing to go and try to negotiate with the previous terminated license and we hear over the weekend that there is still problems in there.

Administrative Director Garcia – So on the March 19 the two terminated leases that was terminated by the Commission.

Vice-Chairman Matanane – And also I requested for that right-of-way, he was saying it's about 80 and I asked wasn't it 40 for standard. So please look into that so at the next meeting we can probably discuss that.

Acting Chairman Calvo – Dave we did speak on that and on the last Board meeting and I had a chance to speak before Mr. Borja left the job that the Legal Counsel coming in now into that matter to give the opportunity to the two business people that we were looking in that whether to give that termination or not. So if Legal Counsel would highly take that as one of your objective to really look into that issue because we got to resolve that issue. We really have to, we really have to resolve that.

Rev. 04/21/2009

IV. PUBLIC COMMENTS

Bob Barber (UOG) – We cleared up the budget issues, we've cleared GovGuam's budget issues, we got funds, we started. I've got for you guys, I've prepared it, it's an ad hoc report just so you have in writing what I say. There's a lot of issues that I would like to talk with you in Executive Session but I first prefer to meet with the Director and continue for another week or two before we go to that.

Acting Chairman Calvo – Bob can you hold on a second because we have a new Board member Andy here okay so what this Andy is we did a program with the University where they go out with Dept. of Agriculture and all these people that own lease or farming and what not. They're going to give us what these properties conditions and so forth. And what we did on this Andy is we started with the Chamorro Land Trust employees and within their relatives too that are involved and also the University and the Dept. of Agriculture because those two agencies are the playing ball field. So I figured that's the best place first is to get with, you know instead of just ideally pick and choose from jacket. So what it is, is the people that hold lease from the Chamorro Land Trust whether it be an employee or past employee okay and how he acquired and what he's doing about the lease or his farming. So I just want to make that clear to you Andy okay.

Commissioner Leon Guerrero – I did catch that in your hearing.

Bob Barber – We have one key thing that we would like to address from you today that we would like to get some feedback from you. We've basically been now we have initiated the program for approximately 3 weeks now. During this time we have begun repair of some of the vehicles that would be used. We have ordered materials that the teams are going to need, GPS receivers, computers and other stuff the PO process takes a while. But most important was bringing together the team from Land Trust, Ag and Extension and the back ups so that we can start putting our heads together. So we started reviewing the lease forms, we started reviewing the law, we started reviewing the information that was given by the Land Trust and reviewing files. We've come up with some issues already that we feel you need to be aware of. In this time we have also gone out and we took a form and we have covered 30 acres now and have gone through what we believe would be pretty close to a complete inspection using the pile of the data force. Because one of the first things we had to do was we had to figure out because all of our agencies have overlapping data that we collect so we pulled all our data collection forms together and we took the best of each and have made a new form that we are going to utilize. I will be presenting this to the Director tomorrow when I have a meeting with him. And we then applied all this on 30 acres and it worked pretty good. We've gone back and tweaked it further. Now what we are doing is we're going through right now the files of the Chamorro Land Trust employees and former employees. Tomorrow we will actually go in the field and start inspecting some of these sites. In the process one thing that we feel you need to be aware of are some protocols we think we'll develop and they were eluded to in the MOA but we think we want to make it a little bit more formalized after meeting with the AG's Office. What we'd like to do in blocks of 200 as we think will go from the list of people we'll be visiting, send out a complete information package. A cover letter and explanation of what we're doing the data collection forms we're getting and encourage the people to fill it out as completely

as they can before we ever come but the real thing is set up and a whole list of government agencies that are here to help them implement their leases. So we would like to get that out and then we would like 2 weeks prior to going, starting phone calling the people and scheduling appointments. We've been made very aware of issues of potential trespasser or others as we're not sure exactly where they are so we want to make sure the people are aware that we're coming. Then a week before confirm the visit and then we go and visit. One of the things in the MOA that we would like to change what the legislature was asking of you guys what the farmers would like to see is to get Ag lands in the hands and of people who are going to engage in Ag. They want to see the largest areas of Ag lands in productive use and get people up to speed in producing it. As we go through the leases there's a huge number of subsistence agriculture leases from a half acre to an acre. In the MOA and then there's a much smaller number a considerably smaller number of leases over one acre and yet these have some very large acreages that may account for a significant portion of the land area. What we said in the MOA is we would start and go through starting with all the leases that are half acre or more. What the team have come up with and we had a lot of discussions back and forth on the relative merits of this is we would like to suggest that we actually start with all leases greater than one acre and move through those. There's two reasons for this, one is the bank for your buck, this initial buck that you've got and put into us doing it you would get far more knowledge of what's happening on the lands you control if we take these acreages over one acre and proceed with them first. Again still in chronological order of when the leases were issued but then meanwhile and then the second thing is the issues of compliance of these lands that are a half acre to an acre can probably be addressed through an aggressive education campaign that consists of mail outs from us, Land Trust, Extension and Ag. For us to do direct mailing to the people and through a mail correspondence to the people we could probably save an enormous manpower and make people aware of how they can rapidly bring themselves into compliance and then hold workshops to support it. We can be doing that simultaneous to continuing with what we're doing with leases greater than one acre. So the team would like to suggest, I've spoken to the Director of Ag and I've spoken to Extension Leadership and we both think this may be a way to go but you also have to decide if this is what you want us to do.

Acting Chairman Calvo – Whatever it takes in this program Bob, you know if that's the sense of direction that you feel that it should be done then I have no objection to that because ideally we're pressing on time on these issues. And like you said a bigger acreage you can do more than half an acre, an acre for that matter but not to say though that we're not going to go back to those smaller acreage. But if you can do hypothetically maybe a bigger acreage this week and then next week follow up with a smaller acreage but that itself that rotation I'll leave that up to you in how you guys work it out with the team, okay.

Bob Barber – Okay.

Acting Chairman Calvo – But we still got to focus at the same token with the smaller acreage. Now that's your discretion how you want to do that whether you want to do 5 acres tomorrow and then next week you can do the half acre or acre for that matter. But definitely we still need to encumber the other small acreage because the problem is might not be in the big acres, the problem might be in the small acres so we got to look

at it from both sides. So I have no problem with that and I'm pretty sure the Board does not have any problem with that in looking into that agenda.

Bob Barber – Okay. Later a couple of weeks from now we'll present how we're proceeding with each group. We'll treat them as two separate groups but we'll try to move forward with both. I think there are some very effective ways we can handle the small acreages, we'll come back with suggestions. Second, we found that there are two versions of the Ag leases out there right now and given the intent that I believe in this legislation you're proposing sending forward from what I heard in the December 25th we feel we need to make you aware of these two different Ag leases. And there may be others but these are two that we've found so far, the two significantly different leases. In prior to 2005 Ag leases had a clause that basically stated that the rate would be determined at a later date. After from 2005 all leases stated the \$1 for the lease and there is no clause in that lease as far as we have determined I believe you would probably want to have your legal counsel look at these, I don't believe there is a clause for changing that rate later. So we felt we needed to bring this to your attention that this could have impact on some of your programs you're planning and you may want to make some decisions on how you want to handle it. What we're doing is since that doesn't affect compliance to us either way we're just proceeding on. The other thing I just want to throw out to you these were the two issues that were really most important to get before you today but there's just a few other things that we can let you know so that as you talk and think on these things you're prepared for when it comes down. We've identified areas where we see definite concerns for compliance and now these include not getting authorizations for structures. We also have to develop a methodology for these people who pre-occupy the land and had structures. How do we identify if a structure is pre-existing or not? But clearly it's a violation of both forms of the lease to build a structure without authorization. Another question that comes out of this is quite frequently storage containers. 20 and 40 foot are brought in as barns basically as storage structures or even as offices without restroom facilities. It's an entirely different issue if they use it as a house that would be then clearly by the lease be in violation. We need a little clarification on how do we treat temporary storage buildings in terms of the structures and lease rules. The other is not planting 50 trees per acre. I mean this is a relatively easy one to do but we believe it's going to be a very common way that people are out of compliance. Not in two-thirds of production or maintenance and these are the kinds of things you want to find. But then there's also others not getting the leases require authorizations for any livestock besides that for family consumption so far we've seen very little in the ways of plans in the leases we've looked at. Question on the livestock and we believe it should be but we ask you to clarify do we treat aquaculture as livestock? Because one of the reason for plan for livestock is to ensure the waste is handled properly and doesn't harm the environment. Aquaculture also generates wastes so that would be an issue that you might want to consider. And then the leases mandate that the lessee has the utilities connected, further in the leases there's clauses that note that lack of funds or cost are not acceptable justification and then it also notes that they sign it at the very end of the lease if the utilities are more than a 100 meters away so we expect quite a few people to be out of compliance in terms of that. The saving grace for those people is there is absolutely no as far as we can tell timelines in place to utilities. Now in terms of surveys in the more recent leases they have a letter of authorization that says you have 60 days the older leases says it'll be surveyed but there is no timeline on that also. So we can't

once again we can document what's going on whether there is a survey in the file whether there is a farm plan in the file but since there was not a timeline placed on it we'll proceed with that and this is some of the issues I'd like to meet with the Director about and then come with some recommendations. I just thought you needed to be aware these are core areas after we reviewed the law and other. There is quite a bit in the law that is not reflected in the leases that relates to agriculture production and we're not quite sure we're still going through and looking at some of that stuff and so once again I'll be discussing this with the Director and maybe we can then get legal counsel to help us on some of this.

Acting Chairman Calvo – Okay, no problem thanks.

Bob Barber – Thank you for your time.

V. CORRESPONDENCE

Vice-Chairman Matanane – Mr. Chair if I may have we rectified the things that the Legislature has asked us to do? If we are going to this section of the agenda I think we need to clarify the previous and according to the Legislature we can't approve any lease or commercial. And I think its still under suspension for right now and if we had cleared it up and if the Chairman; have we complied with those?

Acting Chairman Calvo – What we anticipate on that Dave is what has been approved by the previous Board that agenda will still be entertained because that's already been approved into the Board. Now what's the new commercial or leases coming in that will be encumbered with the Legislature's rules and regulations. But what we have initially approved prior to Mr. Garcia coming in that agenda and before we had that meeting with the Legislature that would be because you know because that was already approved by the Board on the past Board. And with Mr. Garcia coming in now that will be so from here on whatever; Mr. Garcia and I had a conversation on how we are going to approach this issue. And yes we are going to be and this is where the Legal Counsel we spoke about it on may be about two or three weeks ago when we sat in, in getting that thing on the commercial lease and that's you know. Because we have I think, Jesse we have til June 8 right to present that or something.

Administrative Director Garcia – No on June 8 what's happening on June 8 is the Chamorro Land Trust inventory, property inventory. I should have a final listing and from there we'll proceed with our next steps of what to do, record it or what, what we need to do with it with Legal Counsel.

Acting Chairman Calvo – But what transpired in the past in the previous Board what we approved that itself still stands only on the new commercial lease that we're going to be looking at and the new ones that we whether it be commercial or farming or whatever that come. So whatever that was approved by the Board which I think we have about how many of that Terese that was approved by the Board prior to Mr. Borja leaving?

Recording Secretary responded that she did not have the numbers.

Vice-Chairman Matanane – But the latest the Chairman Pangelinan specifically request that we hold on to one specific latest approval of the Board. What happened to that?

Acting Chairman Calvo – And that's with that Guam Rock. That itself we have already approved it but according to the Chairman for the Legislature that we would hold off until we get that ruling from the Legal Counsel, once we get that so we can resolve that issue. But those ones will still be rendered and still be because that's already been approved by the Board. So anything beyond that is a different status. So that's how it's going to be played out. Andy, I just want to let you know because I know you're coming in there was some agendas that we approved on there on the last Board and maybe about four or five commercials and those are the ones that's already been approved by the Board, voted on and so. But anything beyond that new commercial lease or whatever would be when we get the actual what Mr. Garcia is contemplating in doing in getting all the land use plan and so forth to make that. And then of course with the commercial lease also which we are working with GEDA on that issue to see how we can forecast and get our commercial lease up to par to where its supposed to be. So that alone that's where we really stand on that.

1. Oasis Empowerment Center

i. Strategic Proposal to Establish the Dream Center at Ypao Point

Greg Calvo - Good afternoon Mr. Chairman, members of the Chamorro Land Trust Board my name is Greg Calvo I am representing the Reverend Robert Zimmerman. He is the Director for the Oasis Empowerment Center. I'm sure you have already before you the letter that was sent by Pastor Rob Zimmerman several months ago looking into the possibility of a commercial lease basically in the locality of the Ypao Point. A couple of things that really came out of this one, the Oasis Empowerment Center has been in operation for about five years. They've been operating an Oasis Residential Treatment facility for women recovering from drug and alcohol abuse addiction. There is also an out patient program that provides direct services to the as an out patient entity of the Department of Mental Health and Substance Abuse. The Oasis also operates the 2nd Chance Shop which is a self supporting initiative for women to work that would sell new and used clothing and other things that are donated by the community. And also there's a two jobs programs one of them is the ready to work program providing direct services to the Department of Labor the Agency for Human Resources Development and the Department for Integrated Services for Individuals with Disability. The organization also operates what's known as the Open Coalition which is a sub-grant of the PEACE Program under the Department of Mental Health and Substance working with facing the problems of addition, alcoholic addition to youth and then the young adults between 18 and 24. What has come out of the last year is a lot of work that has been formulated to look at the way the Oasis has operated. Women that are recovering from all sorts of addictions be it drug or alcohol not only need a safe place to recover the counseling is provided but many of the things that are as gaps are what happens after they leave the program. Many still find difficulty with obtaining jobs or maintaining some sort of employment and the Oasis in the last several years has recognized that there needs to be a dedicated program for women with children recovering from these issues. And so what has been looked at, Pastor Zimmerman has looked at two areas of endeavors. One is to work on a micro enterprise incubator project. By working with some type of activity that would provide employment these women to obtain a source of income and also work experience one of the things that have come out of the research is that something perhaps that might be linked into the tourism industry which of course one of

the strongest industry on the island. So he's come up with a program called the Guahan Links having a miniature type golf, looking at the culture providing a lot of things that would pertain to just developing the culture. The women would be working there and then they'll learn how to of course service the tourists, our residents, our families and it'll be a wholesome place to conduct a training activity. The other part is to create a Dream Center. The approach here these are the results of applications for two federal grants one under the Native American program which was submitted March 25th and one just recently to the U.S. Department of Justice what is known as the 2nd Chance Act Mentoring program. It's to develop a program to look at what is the individual who is suffering from and is coming out of an addiction facing all these issues, having family restoration an environment that would provide that but a source of income that would be steady and of course develop themselves into something that they really want to do. So that has been the concept that was developed and so the letters that has been before you was to look at the possibility of utilizing initially in the letter he was asking for I believe 10 to 20 acres but we are looking at what would be something into the future. He's willing to of course look at what is the Land Trust Board's ability to allow some land. The Ypao Point locality is ideal because it's facing Tumon Bay and we believe it will have a lot of traffic that will cause a good measure of success for these two programs. The other thing was to look at some of the housing units that are there. I know that we did some of those things, Andrew, in looking at some of the units at the Department of Public Works initially of some units that could and are in use for programs that would be good for the community. So we would look at refurbishing some units perhaps that might be there maybe this way at least a cost savings in terms of having a place to work out of but definitely a housing type system so that the women can have a place to stay. These are women with children because we are servicing already the women that are single and going through the recovery programs. So that's before you and it doesn't really have to be there that was the initial research that was done was that it had to be in a good locality so Ypao Point looked very feasible and ideal for this type of activity and Pastor Zimmerman is off-island so he asked us to represent him. I believe the Chairman of his advisory board Raymond Rupley would be available as well to respond in the days ahead but it's to initiate a request to see if there is a possibility of this and if there are other lands that are available that could be which this can be also presented I'm sure he's willing to listen to the Board's recommendations.

Vice-Chairman Matanane – You preferably wanted Ypao Point?

Greg Calvo – Mr. Matanane that was the initial research that has been done over the last year. I don't know to the extent what type of the research but certainly the marketing showed that the tourists were looking for family type attractions and in line with the coalitions initiative to provide as many non-alcoholic type of environment this would certainly be one of the things that we can offer to the tourists as well as to our families because the environment being for the families of our island.

Vice-Chairman Matanane – You're main focal point is on the women, the main objective of this particular organization.

Greg Calvo – Yes.

Vice-Chairman Matanane – So what's your revenue source?

Greg Calvo – Right now the Oasis is implementing five separate federal grants, has local funding through direct being vendors of the Department of Mental Health and Substance Abuse the Vocational Rehabilitation Program, the Agency for Human Resources Development because they have training programs and of course through contributions and through faith based sources.

Acting Chairman Calvo – Greg the only thing I need to know is how does this package in with the tourist industry? You're alluding that it will also encumber the tourism part and we're looking only for the women side. How does that coincide with your projects, with the housing and so forth?

Greg Calvo – Well first of all we were looking that at the Ypao Point on the far side on the west side. I believe you have like 10 unused housing units of course they are all and if it's a possibility to restoring at least one or two of them that becomes the center of what the housing needs would be for the women that would be in that program and then the acreage would be around that. I believe it takes about a minimum of about 2 acres for an actual miniature golf from my understanding but he's looking at whatever is the availability but he's working to make it also that we are amenable to, the location is a very, very good location.

Acting Chairman Calvo – You know the location that you are proposing up at the Ypao Point where those houses okay those houses are going to be demolished because of certain things that was in there back then. So that would be not at this point in time for you rightly to look at that area. As far as the property itself yes but we're working in having those buildings distract down for obvious reasons because that building itself used to be maintained back then by doctors and nurses and so forth, I don't know what it was. The old staff housing and also at the time even when the staff housing was there that was also being used as part of the I guess the mental ward in some areas. I know for a fact because we all lived up that area. So I know in some of those buildings they did house some of these but now that the new center is over by GMH that's totally different. But that's one thing that where that, that place would be and it's an ideal place like what you said you were looking at that. But what Mr. Matanane said you know what are your, is that the only place that you're really focusing there is another area that you might be looking at.

Greg Calvo – I'm only at liberty to mention what Pastor Rob has stated that that was the ideal location however he did say that getting it started is pretty much the top priority for the Oasis and of course having the housing right adjacent to it would be suitable so that the transportation needs would be minimized. However, the land in terms of usage we can look and we're having someone now work on the minimal requirements for an actual miniature golf in itself so that we would then just come there and open up for and of course pay the commercial rate for it because it would be self sustaining.

Acting Chairman Calvo – One of the things here Greg what we have done here in the Board in the past at least what I have done is when you make that proposal you have to come in with an actual plan of that proposal and the design what actually you are going to be bringing in to that. And like what Mr. Matanane is stating is if the profit margin there and all that stuff that we have to and also on that issue is who are the beneficiary,

the people on the same plate with you. So those are the issues at least to this Board that we get all these source of information and this is a start from where you guys submitting your letter what are your intentions for. But you got to be more specific, more elaborate into what you're actually going to do, what to expect down the line and so forth.

Greg Calvo – Definitely Mr. Chairman if I may we've already engaged in the putting together all the business plan but it's looking at probably another month or so before we can even submit it and of course looking at a minimal and basically an optimum type of uses of the land so we have at least a wide variety, a good range to present to you folks. But yes there will be a business plan and all the study for what would it take in terms of numbers to make it operate and looking that it'll pay itself as a commercial lease even from the start because it will not be long to my understanding it takes about a 90 day start up for a very good, well presented, well laid out simple miniature golf system that will highlight of the 19 holes the 19 villages of Guam. There are a number of ideas that have been put forth so the feasibility now as to what it is it's looking very good as a cultural package tying in with a couple of the groups that have participated with us in the Native American orientations and programs. That as you know the drive behind the Native American programs was to get Native Pacific Islanders to endeavor to do the things that would be good and tied in to what are their social work activities and do it for the social marketing. So it'll be something that we would like to do, the women and by the way we are moving very strongly into an after care now for those who are coming out of our prisons the incarcerated. And so we've been encouraged that these places of training would be training also to develop their entrepreneurial skills so that they would use this and start off into going into business of their own. So that's the intent if it's a positive thing that we can go ahead we would like to submit a business plan and as soon as we can.

Vice-Chairman Matanane – I would also like to ask of whether this supported incoming service is up and running or are you planning to run them?

Greg Calvo – Yes, the entire package would have full support from the Department of Labor and the Agency for Human Resources Development including DVR whereby the consumers that are assigned to us the current consumers for instance that would be the ideal places for them to have training. And in cooperation with a number of partners that we have in both the community and the faith based groups as well as the private sector.

Vice-Chairman Matanane – Mr. Calvo have you guys already received any grants from any source?

Greg Calvo – Yes, we're implementing five grants at the present time.

Vice-Chairman Matanane – But have you received any of it yet?

Greg Calvo – Yes. We're already implementing five grants over the last five years. Five currently at the present time and then we have submitted two grant applications in the last couple of months. But currently the Oasis has a grant with the, is a sub-grantee of the Guam Housing and Urban Renewal Authority under the housing for the homeless it's part of the First Lady's Homeless Coalition. Also the Department of Mental Health and

Substance Abuse is a PEACE grant to search into what are the ways that we can promote and reduce the rate of usage of alcohol consumption by our young people as well as young adults which are of course are the highest uses.

Vice-Chairman Matanane – The grant that you guys got is pertaining to the women coalition.

Greg Calvo – Yes.

Vice-Chairman Matanane – Not towards the mini golf course.

Greg Calvo – No, the grants that we are applying for yes, the two grants specifically point out to these two endeavors. But the basis of it would be to operate the far extent or the far reaches of what is it does it take to cause individuals that are coming out of drug addiction. Because our studies show that when they're in a sheltered home drugs do not come in to them and they do not use alcohol but the moment they step out then they are susceptible then what are the influences the community has. And so one way to do that is to have them work in a place that is a good environment, jobs that they want to do and not just to pick up any job that any Tom, Dick and Harry offers them but something that they really want to do so it's going to be far reaching for what they're going to do.

Vice-Chairman Matanane – Where are you guys operating now?

Greg Calvo – The UIU building we're in Suite 100 this is the Marine Drive right next to the Winner Building and next to the Century Plaza. The shelter home of course is in a confidential location.

Acting Chairman Calvo – Greg there is only one, two things I really want to find out, you're coming in not as a non-profit organization.

Greg Calvo – It is a non-profit but we're applying for a commercial lease.

Acting Chairman Calvo – The reason why I asked that is because if you're getting all these grants okay and you're getting all these people that are coming out from prison and so forth okay now they're going to be housed by you guys and also at the same time being given training. Now when these so called I guess I would say maybe patients that come out or whatever come out there and participate through your program is it a free thing for them coming into that program?

Greg Calvo – Absolutely, there's no charge.

Acting Chairman Calvo – There's no charge for them, okay.

Greg Calvo – This is why the federal grants and the local funds are provided so that we can provide these services to these individuals. Many of course are referred from our government entities.

Vice-Chairman Matanane – If you should get that piece of property then it wouldn't be confidential anymore because you would have to get to your objective which is the women and then it wouldn't be confidential anymore where you're going to be housing them.

Greg Calvo – The participants for that particular program will then sign an agreement that they would be before the public or work in a public place, your right, yes. But the other program that we operate will continue to be in another location, yes. This will be just this particular program and the women that would actually be there. These are the ones that by the way have already graduated from the basic. The grants that we submit are grants to develop individuals that will be moving out and recovering from these issues and it's a training program.

Vice-Chairman Matanane – I understand but what I'm alluding to is if you are going into business with the mini golf course and also the employment center your revenue source will be coming from there but you have not established that yet.

Greg Calvo – For that particular because they will get paid the ones that have already gotten out they will get paid of course. This is why the feasibility looks like of course I don't know what your rates are for the commercial lease but the feasibility looks like if it can be a stand alone of course we would...(interrupted).

Vice-Chairman Matanane – The reason why I asked you in the first place before we even start is is that the only place that you were looking at. I mean because you know Chamorro Land Trust has a plan for that particular piece of property just to let you know. According to the route to me there is a plan for that and that's my, we haven't developed the land use plan yet but we have a mind too that there are certain properties that has to be designated as to such you know.

Greg Calvo – We're before the Board and understand that what ever direction you feel and I'll convey it to Pastor Zimmermann as soon as he returns next week.

Acting Chairman Calvo – Greg on that issue because we're looking only this program is basically going to be designed for the women itself and the grants like what Mr. Matanane has stated is you're taking some patients out from where they're coming from to teach them or get them some sort of responsibility so they can go out to the community and start. So in actuality when you do these programs in there it's almost like they will be taught in many ways of what to expect out there on the community side because my thinking here is you're going to be build up an 18 hole golf course a mini golf course and I'm thinking in this how does this picture itself where it's like you're coming there to it's like a sport event. I hate to put it in that terms because you're saying we're going to take these bunch of women we're going to train them getting them ready but at the same token we're going to be opening up an 18 hole miniature golf course and that will be more or less like their I guess in a sense you might want to put it like it's for them to be relaxed or is that part of their entertainment and so forth you know.

Greg Calvo – It's a work environment.

Acting Chairman Calvo – You know I'm alluding there is the program you're presenting us is basically to take care and house these women and in the other side of that coin you're saying but we are also going to build an 18 hole miniature golf course. And that's my thought is you know your church or Pastor are trying to help these women out there and I have no problems with that because you know they should if they're out there and they need help it's almost like really what you guys are trying to do is almost like a counseling center. That's basically what you guys is wanting is to do a counseling center and how does that package go in as a counseling center and then you know it's almost like you know I hate to use this scenario like you put your little kid in where they baby sit and then they have these small games on the outside, the slide and the swing and you know so is that going to be part of their recreational?

Greg Calvo – Well first of all the women that are going to be moving into this phase of entrepreneurial and job development would have already graduated from the basic recovery treatment program. They would already have no problems whatsoever with the issues that have faced them before. The same things that have held them down the things that have caused them to with shame and to be pushed away from society they are going to reach a confidence level that showed that the choice for this type of movement came from the women themselves over the last year. They wanted a place where the male workers would protect them, a place that was a wholesome place, you will have children, you will have tourism. They can interact and they can begin to learn because there will be a program that will teach them how to speak Japanese, Korean and I believe there is one other language of which I don't know. But there will be a lot of interaction, a lot of tourism. One of the partners would be to show them how to move into the area of hospitality the hospitality industry itself and then of course marketing and how to handle everything from the admissions, how to issue, these are all part of the and it came close to a full presentation. But we've had to go back into that because you're right Mr. Chairman the essence of to what level of would they be able to accept the so some are able to do it right away some perhaps not. So the main training will still be off the site it won't be here obviously this is the public arena where they would know that a family can go there for a full hour and not have any problem at all of having somebody mix in with the soft drinks be able to buy liquor they'll know that. And they'll be of course disciplined and good management of the place so that it would be very difficult to have drugs come in.

Acting Chairman Calvo – But Greg the main objective here is you're saying that these women that are coming out have already graduated. Have gone through the drug program or whatever the programs and everything so when they walk out of that prison or where they're coming from is they're already pretty much set their goals in life what they want to do. It's almost like saying it's a second rehabilitation so what you're alluding is you're just giving them more of themselves to be more confident that yes, I have gone through these programs but then there's that testing period for them and this is where you guys take in that role that is what you guys are doing.

Greg Calvo – That's correct.

Acting Chairman Calvo – They've gone through that first phase but now how well can she adapt to that and by doing that you want to implement those programs now where to

get themselves involved and also maybe finding them a job within the tourism industry for that matter to give them that self confidence, right?

Greg Calvo – Yes, that's correct. As a matter of fact some of these that have already come out of this is that some of the women have already said that they would like to start doing some pastries of the Chamorro origin and things like that so they've began looking at what are some of the things that can even sell there. So I mean you're looking at individuals that have culinary skills already and they want to do something. Some have done some handicrafts so it becomes a place to sell handicrafts. With Ray Ruplely who handles the ready to work and the jobs project under the Department of Integrated Services for Individuals with Disabilities they are looking at places that are handicrafts that we can put up for sale there so it becomes a marketing place, yes.

Vice-Chairman Matanane – How long have you guys been established?

Greg Calvo – The Oasis Empowerment Center was initiated in January 2004. Pastor Rob Zimmerman was the founder also of the Lighthouse Recovery Center that was established in 1998. He saw the need for women housing needs way back then but at that time the priority of course under HUD was the housing for men that are homeless and recovering from drugs and alcohol.

Vice-Chairman Matanane – Just give me a number, how many clients did you service in that 2004?

Greg Calvo – Mr. Matanane that one I might not have but I know they have been averaging like right now for instance there are 8 currently and they go through a minimum of 6 months and they're very full there's a waiting list. As a matter of fact that is why they had to do out patient counseling.

Vice-Chairman Matanane - But right now you have 8.

Greg Calvo – 8 active, right. But within the total servicing and because the other thing would be too there's constant servicing or aftercare for those who have already graduated of course.

Vice-Chairman Matanane – You mentioned that there is a waiting list but how many can you accommodate?

Greg Calvo – There's an application in for housing to increase the housing with HUD but that again is the grant application. But with this one it can be a training facility for everyone that has gone through in the past five years and then the ones that are on the waiting list is the ones that can be eligible for this type of confidence building and entrepreneurship.

Acting Chairman Calvo – So when you're saying entrepreneurship and this is why you're going to be getting all by grants your money and so forth okay and you're looking at a 19 hole miniature golf course and of course you have to maintain the building. Let's say hypothetically you do get that place up there okay, you have to build a building structure and so forth and all these things okay those are financial things that you're going to

spend okay and you mentioned earlier these are going to be offered as a free program for these women to come in there and it keeps boggling my mind is how are you going to pay all of that you know grant money is so much only you can get. And if you have maybe right now you can cope with 8 people but then let say you're going to build a building you know you got to look at it. These are the issues you have to look at Greg you know and that's why I said you got to present that kind of a master plan to us. That's what I'm alluding, that's what I want to know because I want to know the entire overhaul of what you have because it's not just getting 8 women and having 18 holes of miniature golf course okay. They're high expense, maintenance and so forth and you're getting a bunch of women in there I hate to use that word bunch of women but you know the only thing I ask Greg is why is the men not allowed.

Greg Calvo – The Oasis is just expanding Mr. Chairman. It was just recently the last year that through the Department of Corrections the RSAT program and others that and this is why they asked us to spearhead the applications for the 2nd Chance Act because we've been servicing the Oasis. I've been under prison fellowship myself for 12 years but the Oasis program as well has been working side by side with them for the last 12 years but they've been doing everything voluntarily. Where they've just been supporting even the men even though it was only primarily a women's group because many of the women also have their husbands that also have the same issues and so they've been trying to meet in a very whole realistic approach what are the things and then of course there are children. And so the services have been to children in a very informal way completely uncompensated for the last 5 years. So this would be an approach to look at women wanting to build themselves up with or without the support of their husbands or with men in their lives because many are single mothers and just to give them a second chance in life.

Commissioner Leon Guerrero – This sounds like a great program Mr. Calvo but Vice-Chairman you did mentioned earlier that the property was possibly up for something else, is it pretty safe to say that they have a good opportunity to possibly get that property or not?

Vice-Chairman Matanane – Well you know there are other properties if they have or are they just eying for that one particular piece of property and they're asking for 10 to 20 acres and for 20 years and this will be supplemented by a grant from the federal government. I don't know the mechanics of how that grant is going to be granted.

Greg Calvo – The grant will be the initial funding and we're prepared to in the business plan to detail all of that out. Just for clarification Mr. Chairman if the housing in itself the housing units are already not feasible then fine that's acceptable. That was purely a very convenient way to operate an incubator for Micro Enterprise at a site where they will be working but transportation then to transport them to another housing site that will be no problem whatsoever. We will work with whatever is available and we certainly want to give it a wide range and of possibilities simply because we know it can be a stand alone project and it can be something that the women themselves that are in the recovery in the times that they're successful can say I worked there. They're the ones that have selected the miniature golf because we got some of the jokes that they are certainly not going to build a bar. They are not going to do something that would put them in an abusive environment again. So they are looking at wholesomeness, they're

looking at family and so that's what we're looking at. So they chose and many of them would want to move on to other things that they want to do but this would put them in a place as a start up. They would go through this it's my understanding that it's a 3 to 6 months period. They must graduate from this as well because they are not going to be handling a miniature golf unless they want to go into business as that again but it'll be something that will give them encouragement to do something in the days ahead.

Acting Chairman Calvo – But that alone Greg would this program that your putting in with the Pastor is what are the timeframes for these clients to be in there and if I'm not mistaken I'm looking at this operation it's not an 8 hour operation that you're looking at it's pretty much 24-7 right?

Greg Calvo – It's looking at really a 12 hour because that's the other thing Mr. Chairman I'm glad you brought that up it will not go into the night because night activities after 10 o'clock is where the ruthless environments that have been placed them that have placed them in predicaments have come out. So they want to also close in a very wholesome hour, 8 o'clock might be a good time for families to go back. But another thing it's going to operate 6 days a week because it won't be operated on Sunday.

Vice-Chairman Matanane – Won't you consider Mr. Calvo any other area other than Ypao?

Greg Calvo – Yes whatever is the direction of the Land Trust Commission. It's a start up thing, we're looking at where is it that we can service this type of training concept and then yet be still within reach to the tourism industry.

Commissioner Leon Guerrero – Mr. Calvo you did ask for about 10 or 20 acres approximately.

Greg Calvo – Initially Pastor Rob said lets aim for the sky because I think we're heaven bound but anyway the whole thing is to put what is it before the Land Trust that is to be available. But we'll take whatever is a portion that can be set aside for this segment of the population that quite frankly in the past has always been in the shadows.

Commissioner Leon Guerrero – Actually my question to you is I'm assuming you're looking at about 10 to 20 because you were looking at the housing as well right?

Greg Calvo – That's correct.

Commissioner Leon Guerrero – Now let's assume that's not available and you were to just concentrate on the miniature golf course how much acreage would you need then if that was all that you needed to concentrate on?

Greg Calvo – Okay Pastor Rob has already has stated that it was a dual presentation and you're right Andy that if the housing was to be considered separately then of course we're looking at just strictly a miniature golf facility. At this time I'm not though I know the minimum amount of acreage but the parameters of what is it that would make it at least feasible you are going to have a place to barbeque. I'm mean that part of it I don't know so if I may reserve that part for Pastor Zimmerman to respond in paper as soon as

he can. But it'll be in the feasibility plan because the business plan would show what would it take to start it with or without the help of our government. But what would it take if we had a partnership and then with all the other resources Mr. Matanane that would be there. We've been encouraged that the direction is partnerships and so the stakeholders come to the table. One thing for sure the women are really full stake holders they want to be a part of what is it that is going to be successful.

Acting Chairman Calvo – Greg on that, here again coming back onto that miniature golf course and the reason why I bring that back because that's fine the main course of the building there is to get these women already going into their second phase of their lives and also to have family gathering whether it be everyday for that. But some of these women have kids, families and so forth and that's why I brought this issue of it's almost like you go to a nursery and you put your kids and there's an outside playing for these kids but the program itself is basically just the golf course. If this family come there on a Monday or a Sunday for that matter let's say on a Saturday whether they bring their two kids and what not okay you see it's supposed to be a recreational things together with the family because that's what I'm thinking is you know. Because there are going to be families so I'm just saying if you design it just strictly for women golf course then the families of these individuals their kids where would they be put in? So that's why it's very vital and very important what is the big scope of your picture. What are you going to put in that arena? That's what I want to know like you said is there going to be like a small barbeque pit on the side or is there going to be you know so in essence to that it's like what you're really doing is doing a miniature park.

Greg Calvo – But it'll still be the miniature golf as a main thrust and I assure you that while Pastor Zimmerman did put in the range of 10 to 12 simply because he was looking at initially and I grew up in Tamuning and that place was a huge place so I thought for some reason it was larger that I so I might have advised him to aim for the moon. And in terms of that when we knew that there was going to be a feasibility study that we would have to, this one was to show what direction we would move in but Andy correctly pointed out that housing was a part of that thrust and if that's going to be eliminate we will adjust and take what is it that we can. By the way it will be compatible with the current lease that is on the far side the Chamorro Cultural Center because that will be tied in where that will be some of the places as well that we would then make it as compatible as we can. Maybe something adjoining that if I may just make mention that, if it's adjoining it might be good.

Vice-Chairman Matanane – You know Mr. Calvo what really bothers me is that you're coming in as a non-profit organization it seems like your focal point is on the miniature golf course and then you will be a profit making business. How can we relate to that? You will be a non-profit organization that will have the lease and then you will have a profit mechanism.

Greg Calvo – Mr. Matanane I'm sure that you saw that on the attachment was the menu of services that we had all these things about the residential treatment facility, the outpatient program, the 2nd chance shop, the jobs projects the ready to work these are all ongoing at all the various locations. These things will operate whether or not we have the miniature golf.

Vice-Chairman Matanane – It's ongoing already.

Greg Calvo – Right, these things will continue this will be where many of the graduates would gravitate to so that we really have a more meaningful hands on as it is right now we do have that but at various localities, various places.

Vice-Chairman Matanane – Even your support employment service right? Even your support is ongoing already?

Greg Calvo – Yes these are ongoing but one of the things that we would utilize the incubator itself the miniature golf as a locality for training. For instance if a number of the consumers because they have already expressed interest in terms of bush cutting they are the ones that are going to maintain so that becomes a vendor already that would then contract those services. So the main thing is that it will be operated as and Revenue and Taxation would tell us what's the direction to go. I'm sure that obtaining a business license would be one of the things that we would have to do on this one. But a non-profit can obtain a business license.

Vice-Chairman Matanane – Of course but what I'm saying here is the focal point is on the women but then it seems to me like you are trying to go to the other side where you are going to be making..(didn't finish).

Greg Calvo – I assure you that all the income that will come in here would go straight into the program. As a matter of fact it's being built so that none of the staff that are ongoing other than providing the logistical support there will be no paid staff. I know one thing for sure there is no way that I would ever be paid by this that's for sure.

Commissioner Leon Guerrero – I understand where Mr. Matanane is coming from I guess I'm assuming I'm looking at the big picture and when these women come and actually are employed by this miniature golf course so they get paid right?

Greg Calvo – Definitely that's true.

Commissioner Leon Guerrero - So that's where some of the moneys go and then the additional moneys the additional profits that are made would go into the other programs and continue these programs. Because I think Mr. Matanane is looking at is what are we doing with all these profits these extra moneys you're making. Is it going to go to a special fund or is it going to go back to some of the other programs that you're working with right now with these women?

Acting Chairman Calvo – I think what Greg we should do is we have pretty much given you an idea of what we want and I think it's best in the best interest that you get all your facts what this Board has alluded right now and I guess with the Pastor or whoever is spearheading the program on the next Board meeting maybe we can and then that way we can have a better explanatory on those issues.

Greg Calvo – That's true Mr. Chairman I want to thank you for the time that you've given me. It's our understanding that we were just supposed to submit the letter had we

known that we would have already needed to have the no problems we would have asked you of what you wanted.

Acting Chairman Calvo – No the letter was good because that gives us and also in general and gives you we feed you back on what are the things that we look at. That letter is to make that request given us and at the same time because we want to know what are your intentions for it and what it is for. So that letter that you did send that's a start and then coming into this Board and to now resolve this issue. Like I said you just have to give us a real master plan and whatever you are going to do like what Mr. Leon Guerrero said feasible in the housing and so forth and maybe you want to break it if you can't get the housing so all of these things you have to comply and put into one package.

Greg Calvo – As a matter of fact if I may take then is the sentiments of the Board that I'm sensing that we would just set aside the housing because we've initiated other areas to look for housing as well but we'll just make it strictly a submission for the use of a miniature golf facility in its minimal requirements.

Acting Chairman Calvo – If you do come in and you do propose and I don't Andy, you might want to also look into this is you know an 18 hole golf course is for 10 to 20 acres you know depending on how distance you're going to shoot that golf you know. So in general you got to design that program and I know that's going to be involving engineering work and all that stuff. So I think once you get all that package in and then you know you can get with Mr. Garcia that you guys are ready to come. Okay I think that would be more on fair play.

Commissioner Leon Guerrero – I think you should come with both packages the miniature golf course plus the housing area and just the miniature golf course presentation alone. So at least you have two packages. I don't think we're saying right now that the housing area will not happen but we're saying the probability of it not happening is higher but at least bring both packages and then maybe we can look if it's not Ypao I'm sure we can look at an alternative site for you. I'm pretty sure there is something within the area and I do know you want it within the tourist area, Tumon more preferably because of the fact that they are there and the market area is there. So maybe we as the Board or the Chamorro Land Trust can help you in that way.

Greg Calvo – The other thing also was we did not put into the statement but we certainly want to say that somehow and correct us if we might not have understood but the Chamorro Land Trust Board was also intended to look at what was it that would encourage our people as a people in helping one another, but something along that line and maybe I can get some more information on that. It's a way to package something before the Chamorro Land Trust Board to say this is also good for our people and that as you are stewards of the land can you consider this part of it that also encourages the rebuilding of our families and to sort of come up behind so that our own people can be of help to one another. Thank you very much for the time I didn't really mean to take too much time here but this is fine. On behalf of Pastor Zimmerman who didn't know he just had to leave it was a training that he had to go to but he'll be back by next week and certainly just the fact that you've received the letter of intent he'll be very pleased to hear that and certainly we know that whatever we submit was never intended to say okay

because we're non-profit you got to do it. No we're going to pay our way but it's going to be something that is going to be good for all of our people.

Acting Chairman Calvo – No problem, okay Greg thanks.

2. Isla Rock Guam, P.D.J.V., LLC

i. Proposed Plan on Lot 5219-1-1, Barrigada

Item not discussed, Applicant not present.

3. Opal/Bee Vermin Farm & Amot Taotao Tano

i. Request for 10 to 15 acres for the growing of redwood earthworms and herbal plant farm

Bernice Nelson – My name is Bernice Nelson and I'm requesting land for my botanical garden and the worms.

Acting Chairman Calvo – Do you want to elaborate on your botanical garden?

Bernice Nelson – The botanical garden is I'm trying to get all the plants that are disappearing. Right now I have like three that's hard to get and it's already growing and get all the suruhana and the culture to bring it back.

(Chamorro translation done by CLTC staff Lorraine Nededog)

Acting Chairman Calvo – All those plants that are not alive you're going to make them alive.

Bernice Nelson – Right.

Acting Chairman Calvo – You are going to make it alive.

Bernice Nelson – Right, because I have the worms that I'm growing that's fertilizer and soil that I'm using on my plants that will grow and later on I am going to be selling some of the casting for the fertilizer to other farmers.

Acting Chairman Calvo – But this land you are asking for 10 to 15 acres that is what you want? That is a big piece of land.

Bernice Nelson – At least 6 acres or 5. I keep picturing they're too big for me okay and there's a lot of trees to plant and that's disappearing too.

Acting Chairman Calvo – Because you know 10 acres to 15 acres that's a big hunk of property.

Bernice Nelson – Yes, I understand that.

Acting Chairman Calvo - So the plant that you are going to plant are they the ifit, lada, mango or what other and whatever other plants are they fruits like sour sap and avocado and all those others. So the land you are requesting for is like an orchard type

and the 10 acres that you are asking for is it efficient for you and it depends on the land that you are going to open.

Bernice Nelson – The land is for the worms I'm harvesting, I'm raising worms for fertilizer and the soil that I'm using to benefit for my gardens. Then we are going to build some kind of pavilion to bring the suruhanu to use the medicine that is disappearing. Like one of the medicine that is hard to get and we went to NCS down and it's already there's nothing anymore but I have it at my house. Yeah, so I'm going to plant all around the property the big tree to protect from the wind and then once we get all that and then we're going to have like tourists from you know the schools and like Japanese and we'll have tea for them to drink not medicine.

Acting Chairman Calvo – Anyway Jess what I was alluding to Ms. Nelson here is really just complying with her on the size of the lot and everything and the kind of medication is she's going to plant that kind of trees you know that she's going to be planting a lot of local trees. And I'm just asking her basically would the size of the property be feasible for her or not and in that area too. Ms. Nelson what are you looking, where about are you looking because a lot of these areas that you're looking for are jungle.

Bernice Nelson – If there is land to build like a forest you know, not to cut all the plants there's a lot of things that we're going to do and it benefits.

Acting Chairman Calvo – One of the things that you have to do is also and this also includes with the farmers is to present us a plan of what kind of trees you're going to plant and so forth and if possibly if you could bring something that's that type of tree that you're looking to plant if you can get a picture of that so we can showcase it. Don't be just like you know we had one client that did that where took even some roses or whatever but has to be you're looking on the cultural part of these trees whatever kind of trees you're looking at and identify the trees, what kind of trees in your plan. There's so many trees that you can line up and so forth but that's one of the things that at least this Board looks forward is on that issue because it's easy to say I'm going to plant one thousand coconut trees you know but what you're saying is you're going to plant a different variety type of plants and identifying those plants. You don't have to be at least just to be specific what's the name of that plant you know so we that way you'll know what kind of plant that you're going to plant like wild tomato and the nunu tree, all that stuff so that's what it is.

Bernice Nelson – (Presented an article on her worm farm) That's my worm farm that I started up with a handful last year. Now I have 21 bins like tin tubs, bathtubs which I recycle and then I have 30 gallons of bins.

Acting Chairman Calvo – What we can do at this point in time is we'll look into that and Mr. Garcia will be I guess be getting with you on this Jess on her what her plans for on that property areas.

Administrative Director Garcia – There's also a public law on that allows for the Amot Chamorro to be planted in north, central and south. The Commission needs to identify I think its one acre up north, central and south for this program.

Bernice Nelson – Yeah one acre is not going to plant all the trees.

Acting Chairman Calvo – No especially trees because they tend to, especially if you're going to plant the ifit tree because those are not the only plants that you are going to plant. You're going to plant whatever you can pick up on the Chamorro trees that we have growing, you might have a lemai tree, various types of trees, all those kinds of trees.

Commissioner Tajalle – You know being that you're going to be farming this type of or to provide service for the suruhannus how many recipients do you have that comes to inquire for the plants?

Bernice Nelson – I have one suruhana that constantly comes over because I'm not well known yet but now they're starting and people will call me up and I say yes just come on over. I don't charge or anything I just give them. So it's more like donation, if you want to donate something then you're welcomed. But later on it's going to benefit the kids that will learn about our culture because it's disappearing, the suruhanu is disappearing there's not a lot anymore. When you become suruhana they charge more to other people and they're not real they just want some money so that's what I'm trying to get all together.

Acting Chairman Calvo – I have no problems supporting this program I don't about the other Board members but with this kind it's very healthy for the younger ones the generation and for the older people that you know still use this. For this kind of that you want to go into venture in I have no problem really in supporting this because this is part of our culture and if we don't take this at least someone like you is taking that direction you know. And at least 10 years down the line you know you have something to look back and your family members for that matter. And then also be a teaching thing for these kids to know how these plants look and what it does and how and the thing I like about that is you're also going to let them try it as they come.

Bernice Nelson – Let them drink the tea. They'll go out and look at the gardens and then they'll pick the tea that they want to try and then they'll bring it and then we'll cook it for them to drink and there's a lot of good out there.

Vice-Chairman Matanane – Preferably up in the north right?

Bernice Nelson – It don't matter as long as I can get the land to start it out.

Acting Chairman Calvo – But not necessarily 10 to 15 acres right?

Bernice Nelson – Yes it'll be less, 5 to 6 just to start up. Where I'm at there's a lot of land on the side that nobody is staying you know using it because I only have a half acre and but Quan said that they cannot give me more than that because it's residential. But we used to have 400x400 on that lot I have a land permit long time in '75.

Vice-Chairman Matanane – So you do have a lease with us already?

Bernice Nelson – Yes.

Vice-Chairman Matanane – And you're applying now for farming.

Bernice Nelson – For farming.

Acting Chairman Calvo – It will be under farming not residential.

Bernice Nelson – And I cannot farm on the residential I cannot raise worms on the residential but like I said I have some already nice plants growing.

Vice-Chairman Matanane – But then can we say that you are going commercial rather than farming right?

Bernice Nelson – The worms would probably be like commercial you know like the farmers.

Vice-Chairman Matanane – You have already your piece of property that was given to you now you are applying for a farming which is alright you know if you can but then what about the other guys that are waiting for it? On the commercial side where she's applying for really a commercial rather than farming so I don't know.

Bernice Nelson – The worm that I have is just to help me with my, you know and then if some farmers want to get it from me that I can get a little money to help open more. And try to make tea for people to buy and you know like tourists then we go down to the hotel and get the tourist to go around and see what we have and what we have to offer from Guam.

Vice-Chairman Matanane – We got to check into this because if you're really applying for another Chamorro Land Trust property would it be farming or commercial?

Bernice Nelson – It's going to be farming. It's going to be you know more of the local medicine.

Vice-Chairman Matanane – Let's see what's the rules on this. I'm willing to support you on that and I support that but we got to be very careful about this because you know people will be saying hey come on. So I think Mr. Chair we should table this and have Mr. Garcia to see and of course the attorney to see where we can accommodate Ms. Nelson.

Acting Chairman Calvo – Maybe what legal counsel just to clarify what Mr. Matanane's saying how do we identify this because it could be a commercial issue. Because there will be some profitable part on her part on that issue so even though she is not selling but to also save the culture itself. But there is two planning stages that she's doing saving the culture and the same token making that planning stages of planting other products and selling it out.

Vice-Chairman Matanane – Ms. Nelson so you would be selling out some plants?

Bernice Nelson – Just the tea, to dry the tea for them to try.

Vice-Chairman Matanane – What about the worms?

Bernice Nelson – The worms I'm using it and if somebody wants like the farmers that want to use it too you know then I have to make little money to you know for my health and all that stuff.

Acting Chairman Calvo – Of course and that's understandable.

Bernice Nelson – So in order for me to operate or to plan to give it to the local people I have to make money for them too.

Legal Counsel Lujan – There's already a lease existing?

Acting Chairman Calvo – She's got an existing lease but it's not a farming lease it's a residential but she's requesting for an agricultural.

Bernice Nelson – Because where I'm at the zoning is for residential so they cannot give me more than I ask for.

Legal Counsel Lujan – Just so I can get clarification for when I do my research for this lease that you are requesting now this is your intention for that land is to raise worms there?

Bernice Nelson – No to plant and raise worm on the side. One side would be worm but more of the medicine because there's a lot of medicine you know the plant.

Legal Counsel Lujan – And what exactly would you be planting?

Bernice Nelson – It's a lot of herbal medicine.

Legal Counsel Lujan – Herbal medicine, okay.

Bernice Nelson – Like babena and titimu.

Legal Counsel Lujan – But also on the land you would be raising the worms there.

Bernice Nelson – On the side.

Legal Counsel Lujan – And you wouldn't be selling this, this would just be provided to suruhanu upon request and you would be accepting donations?

Bernice Nelson – Donations because I'm not going to charge you know the people that want to use it the medicine but if they want to donate that would help out.

Acting Chairman Calvo – Ms. Nelson you earlier stated that you were wanting to save the culture and you stated that you also wanted to save the earth part of the plan the different type of trees so I think in what she also wants in this is she's also going to be

planting other but the main focus is really on the herbal but she'll be also planting other like trees.

Bernice Nelson – Yes like avocado, you could use the leaves for the medicine so it's going to be a big tree and calamansi that's medicine too.

Acting Chairman Calvo – So it varies with different type of the medication that they use for the local but there are other exceptions to that part where she is also going to be planting trees like maybe a couple of ifit trees for that matter but her main focus of her agenda is her part of the medication, you know on the Chamorro.

Legal Counsel Lujan – And this would just be a lease with you and not some kind of corporation or organization.

Bernie Nelson – No.

Legal Counsel Lujan – It's just in your name? Okay.

Bernice Nelson – It's not a non profit for the medicine the worm would help cultivate the..(didn't finish).

Legal Counsel Lujan – But not a non profit organization it will be in your name as a tenant.

Bernice Nelson – Yes.

Legal Counsel Lujan – Okay, thank you.

Bernice Nelson – So I have to get in touch with Jess to find out?

Vice-Chairman Matanane – With Mr. Garcia and to see the place and also to check and verify whether you're qualified to go under the farming or on commercial.

Bernice Nelson – Yes I have a bonafide letter from Agriculture already they come out and like I said it's a residential. Thank you.

VI. PENDING BUSINESS

1. Ramon Torres / Ernest Torres survey authorization

Acting Chairman Calvo – If I'm not mistaken that was already taken care of Ernie Torres. We had a meeting on that and they are going to take care of the survey and so forth they are going to be paying for that. But that alone already I know that is pretty much taken care of they are going to be the ones to pay for the survey because that was really what the hold up on that issue for the longest time. But Mr. Ramon Torres, the son Ernie did come down and they are willing to take that survey part. I don't know how far they're at now but once that's all done and everything you know it's just for us to because they do have they were already given a lot up in Yigo. But it's just that it wasn't really surveyed you know but they already it just needed to come in there to survey but

they were already given a lot for that piece of property. It's just a formality to just to make it legalized that it's all done and so forth.

2. By Passed Project

Administrative Director Garcia – We're still continuing with the Saturday by passed listing project for them to come in on Saturday to update their file.

Acting Chairman Calvo – You know Jess I wanted to and this is a good time to really clarify this by pass and I had a chance to talk to Andrew this morning. You know when we say by pass it doesn't mean that you're by passed. It's almost like if you're number 1 and we give a list of 100 and number 1 doesn't come in but number 100 comes in because for whatever obvious reason number 1 hasn't showed up. And the by pass really the way we designed that with Joe Borja at the time was to upgrade all the data to make sure their phone numbers, the home residential whether they moved and some of these people either they moved to the mainland or some of them passed away but number 1 will still be number 1 okay. But it's not really we're not really by passing number 1 it's just merely we're just trying to make it's just we used that word by passed because the next one in line if number 1 doesn't show up and number 2 comes in objectively I'm not going to wait for number 1 if number 1 came in you know. I think it's only fair because he or she comes in there to get all the necessary paperwork whether it be their birth certificate or whatever documents they need to bring in which the workers would ask them you know what documents they would bring in for them. So that itself on the by pass really it's not. We're not saying that we're by passing you if you're number 1. You're still going to be number 1. It's just 1 to 100 and number 100 came in but number 1 hasn't moved for whatever obvious reason you know whether he doesn't have the time for that matter but that alone is you're still in that position. All we're really doing with this is to upgrade all these records and everything and did we find some, yeah and it's really just petty stuff it's just like some of them and I had the opportunity to work with some of the staff and what it is, is some of them are just pending because either they didn't pay their \$50 or they haven't submit their birth certificate or their marriage certificate or decree and things of that nature. So that's what it really comes down but it's not what everybody thinks that when you say by passed, man I'm number 1 they by passed me. No you're still number 1 no matter what. Now if you're ready and that's why we did the advertisement and I wanted to clear this out because when we initially we were supposed to give out letters but you know when you try to mail out 3,000 some letters and we drop in your mailbox I mean whether you read it or not I don't know. What we did was advertise it in the newspaper and also put it in the PDN where you can check your name and in some occasion you may not know. But guess what your brother say hey Dave I saw your name on the list, wow I didn't know you're up. You're up yeah that's true we're just letting you know that your number is up. Now if Dave doesn't show up okay and you show up okay am I going to penalize Andy because I have to wait for number 1? No that's not and the whole purpose but it's still an ongoing project and this is what I wanted to clarify on the by pass. It's not that we're passing everybody. We're not jumping from 1 to 100. You're still within that position. You haven't moved until you come in and then you know but we put that out there basically to make it known to all those people okay. Now like I said if they don't come in and we correct that I don't think so the Chamorro Land Trust should be held accountable because we're trying to make things right and that's what basically what it is. So I just want to really air and clarify that portion of by pass. It's not, we're not by passing

anybody and I know that everybody has that one idea that we by pass. No all we're doing is really upgrading all the paper works making sure and did we find some of them. Yes, there are a couple of them okay some of them already passed away and if someone passed away and number 50 comes in and say you know what this belongs and we have some cases of that. Because Joe and I have worked on this where they didn't even know his brother who lives down in Florida didn't know that his brother applied for it and he was entitled as long as you know he said can I claim that? Yeah as long as but you see he didn't know about that but all these years he did apply and there are instances that we have. So we are really just upgrading all these paper work just to make sure the Chamorro Land Trust is up to par with so that's what it is really. And I wanted to really make that understanding to and also to the media. To make you guys understand that it's not about by passing because everybody has this wrong idea that I'm number 1 and I know that you guys hear out there in the public where they say I'm number 1 but and that's the reason why I want it to be publicized out there because they can have a better idea of where they stand. Now if you don't show up you know and number 100 comes in am I going to say wait because number 1 hasn't come in? No, I'm going to entertain number 100 for that mere fact because I'm not going to wait for number 1. Although number 1's slot is still there, he's still there it's just for him now to come in and make things right the right way. Just to come in there and say you know what you're missing in your file your survey or you're missing in your file you're date of birth, certificate or whatever and this would be given to the agency to the land agency and that's what it's all about. So I'm glad that we put that on the agenda Jess.

Administrative Director Garcia – If you guys don't mind maybe we should go ahead and take the Rugby Club and Hals Angels because the rest are all internal business.

Acting Chairman Calvo – Yeah, no problem.

3. Guam Rugby Club & Guam Hals Angels Football Association licenses

Tim Wenden - Good afternoon members of the Board we're just here to ask the status of our lease extension.

Acting Chairman Calvo – Well you know back in December 31, 2008 it was a meeting Board that was decided with the Hals Angels Club to dispute the lot of 1057 in Wettengel and you guys were there in that meeting back then. And what it was, was and I did say at that time to the Rugby and the Hals Angels to the way that property was designed back then was the playing field was the Hals Angels and then Rugby came in on the later part I guess a couple of years down the line quote me if I'm wrong on that but where you guys are practicing right now or playing and quote me if I'm wrong Mr. Shiroma on this is on their field that was the original practice field that you guys had at one time or another, right?

Ivan Shiroma – That's correct.

Acting Chairman Calvo – Now the other side of that field is basically now because since Hals Angels had really first staked claim on that way back which during your dad's time and I made it clear to the Board back then that you guys have to settle this dispute between the two of you to come out to some sort of resolution or some sort of agreement because the field is not going to go to begin with okay. And Hals Angels

they have been there first, Rugby I hate to say that okay. They've been in that field a lot longer than you guys and it's really a sport event for everybody whether it be football, whether it be on the rugby but the field that you guys are claiming okay, the Hals Angels had that way before you guys and all they're willing to negotiate and work with you guys on this issue. Now on our last Board and I told this to Ivan that you guys have to really sit down and work out the details on how you're going to work out that field because my position on this right now it will go to the Hals Angels. I'm not going to dispute that and you guys can work out the details on how you're going to work out that field because that field is not going to go anywhere.

Tim Wenden - But our agreement is not with Hals Angels.

Acting Chairman Calvo – I know you're agreement is not with Hals Angels, that's true, but they have first priority of that piece of property way before you guys.

Tim Wenden – So why did you authorize the lease?

Acting Chairman Calvo – Well what ever was authorized back then I can't dispute that and I have to go look back more into that.

Ivan Shiroma – I'll answer that question, because we were by passed.

Acting Chairman Calvo – Well that's one good answer.

Ivan Shiroma – And one of the Board members asked how long were we established, since 1982, ask them when were they established.

Acting Chairman Calvo – When were you guys established?

Tim Wenden – In 1994.

Ivan Shiroma – It's obvious they're just trying to ignore us. They don't want anything to do with us they just want to deal with you guys.

Tim Wenden – We do acknowledge.

Ivan Shiroma – There is nothing appraised to our organization that my dad developed that whole place since 1982 and these guys just come in they made a handshake agreement, build us a field and you guys can use what we have now. They said yes, everything was fine. Now they are trying to apply another piece getting greedy now without even consulting us. Now they just want to ignore us just listening to him now and they just want to deal with you guys. So who's the Hals Angels now since we were there and we developed that land?

Acting Chairman Calvo – And it's true, not because I'm favoring the Hals Angels, I know that for a fact. And whatever transpired back then okay and this is a dispute that also the rugby because wanting that because you guys can still share that field no matter what. They're willing to work with you guys. They're not saying that you are not going to be stopped to play you know and there have been other activities up there with you

people making international play and everything which you guys haven't even paid your part of the fee to the Chamorro Land Trust.

Tim Wenden – Yes we have.

Acting Chairman Calvo – You're paying your monthly but you have been doing some I guess off-island I know on a profit margin area I know that you have done that and I just wish Mr. Borja was here but be that as it is my decision to this is the Hals Angels would stand to that decision unless these other Board members change their minds. Because they have been in that position a lot longer and they're not saying, they're willing to work with you and I made that clear to you guys on that meeting is for you guys to work together. But if you guys can't but head together you know then somebody has to because I'm not going, the field itself is going to be there it's going to be a play you just have to work the details in when you're going use to the field. Because that field itself you know belongs to the Chamorro Land Trust.

Ivan Shiroma – Just ask them if they remember making an agreement to build the Hals Angels Youth Football Organization a practice field. That's the only reason why we gave them the existing rugby field. That was our arrangement.

Acting Chairman Calvo – I know that.

Ivan Shiroma – They made that agreement, they said yes, we'll take care of it. Now since my father passed away they just completely forgot the whole agreement because there was a handshake agreement there's nothing in black and white. Mr. Morrison why don't you stand up in front of everybody here?

Tim Wenden – Also from my understanding on the site development plan there is the multi-use practice field but how can we develop it unless we got a lease to develop it?

Ivan Shiroma – Another thing the reason why they want it is they want to be in control of that. That belongs to us, we were developing that field way before them. Now if you say lets share it they want to be in control so they want it in their map, no. You already gave me a field now you want to develop a second field under your control under your boundaries. That happened while we were waiting for our lease to be signed. So yes, I was by passed. Since 1982 or whenever Land Trust was established we were waiting for our license, commercial license to be signed. It never happened. All of a sudden they got the rugby field and the secondary field and they had it subdivided and it's in their map.

Acting Chairman Calvo – I know that the field that you guys are playing right now was a playing field at one time or another. I know that and it was a playing field for the Eagles at that time.

Tim Wenden – From my understanding it wasn't a playing field it was small practice area.

Acting Chairman Calvo – Practicing field.

Tim Wenden – It was not a full sized field either.

Acting Chairman Calvo – Yeah but getting back to that decision is when the Hals Angels were at first at that and this is where we have to do the honor of doing wrongs in the past you know and I'm as far as I'm and I don't know how these other Board members feel but it was we decided in the last Board that and I made that clear with you to you guys to talk to each other and I don't know whether you guys ever collided each other. Because I'm not really here to dispute and argue okay because if you guys can't get together you know at the end of the day it's only those kids that's going to hurt out there okay because you can still share that field and they're willing to share that field. They're willing to work the details with you guys. It'll be different if they're going to say we're going to lock you in and that's it. That would be a different scenario. But they're willing to work with you guys and I don't see why you guys can't work together because this can be an argument back and forth. Well we got there first okay but the bottom line at the end of the day who really is going to lose out? It's those kids that want to play out there. So you know sport is about uniting each other. That's what's sport because I love sport.

Tim Wenden – I hundred percent agree with you.

Acting Chairman Calvo – Because sport you know I played from basketball, baseball you know those are my games. I played football okay, I never played rugby though but it's just a new thing. But other than that this issue has to be resolved with the two of you. But my decision on this right now and if not then what we'll do is we'll table it out again but I stand firm that the whole scenario property will go back to the Hals Angels and you guys have to work the details. I'm pretty sure if you guys come to real gentleman's agreement there's something that can be worked out. Don't tell me you can't because you know a sport is always about two teams but at the end of the day you go across and you shake hands to each other you know whether you win or lose this isn't about winning or losing. This is not about because I got here first or I know that since I've been here, it's about being together and that's what I'm alluding for. And I really don't want to argue this point because that's not my position is to argue here in whose. And I'm just letting you know where I stand on this either you guys have to get together. You work it out with Mr. Shiroma and the Hals Angels. You guys, I've told you guys and this is not only just the first time. It's been a problem with you guys that you know and if you feel that it's none then submit your complaint back to us if that's what you feel. That's the least I could tell you right now. I don't know how the other Board members feel, Dave?

Vice-Chairman Matanane – Yes, put it in writing please. Put it in writing your complaints and Mr. Shiroma also would have to submit something in writing as to justify why he should have the field and you guys we want to see it in writing rather than just verbally.

Acting Chairman Calvo - The dispute here Dave really and it's really sad because we're fighting for property that everybody is taken for a sport event and it seems like you guys can't butt head each other. And the Hals Angels not because I'm not supporting the Hals Angels for that fact because they've been there because rightfully they were given that opportunity first and they've been in that field for the longest time and it's only fair that you two have to work with this details. And that's my support to this issue is you

know because that playing field can be worked out between the two of you and I made that clear to you guys you know. I don't know how many times we're going to come back and hit each other on the back on this. I'm just saying right now that that's my firm decision okay and you may not like it but that's fine okay. You may disagree with me and that's your prerogative you might not you know but I stand firm on what I initially stand on this issue. Because it's a playing field, it'll be different if you guys want to move out to another place that's your discretion but I don't think so you don't want to do that. Because you can still work the details out there okay. Like I said at the end of the day whether you win or you lose you come across you shake hand have a smile go out there and go out in the barbeque or whatever for that matter. So I'm just telling you that because we've been with this with you guys for the longest time and until you two come to an agreement because I'm going to tell you if you come back I'm going to tell you the same thing. I'm going to tell you the same thing. I'm going to stand to my decision and that's all it is. You may not like it but that's okay.

Tim Wenden – It's going to be very sad for the kids.

Acting Chairman Calvo – Exactly, you're right it will be very sad for the kids but why make the kids sad when you can work the details? Because at the end of the day you guys can work the details and this is what I'm trying to get across. Now I don't know how better way I can put it because you can still work. They're willing to work with you guys okay, they're offering out. They're willing to come out and help you guys whatever it takes. Have you made that offer to them?

Ivan Shiroma – Negative.

Acting Chairman Calvo – Have you made that offer to them?

Tim Wenden – Well we're just wondering how they can't maintain one field now how are they going to participate on the practice field?

Acting Chairman Calvo – You have to work the details on that that's what I'm saying.

Ivan Shiroma – So screw me right?

Tim Wenden – No, not at all.

Acting Chairman Calvo – No, gentlemen I don't want to hear that kind of you know but I'm just saying they're willing to cooperate. Have you guys reached over and say you know what lets work together as a team because that's what it's all about. It's about being a team you know. This is working together.

Ivan Shiroma – Mr. Chairman they still haven't honored their agreement of building us a practice field.

Tim Wenden – Which we cannot do until...(interrupted).

Ivan Shiroma – They haven't called me they made no effort to contact me. I'm out of the picture in their eyes. All they want to do is deal with you guys to acquire that second field.

Acting Chairman Calvo – You know Ivan and rugby this is a point of argument that you guys have been fighting back and I really don't want to get caught in between into that segment okay. Either you two put together or one of you guys have to step out of the arena that's all it is. Because if you guys can't work together okay because it'll be a continuing fight because I got here I got there. No, and like you said it's a sad day for the kids but why make it sad okay when you can do something about it and that's what I'm trying to say. You guys can do something about it okay.

Tim Wenden – We do, the field is maintained free of charge for them to use that's what we do about it. Saturday and Sunday we go down we maintain it we organize sponsorship.

Acting Chairman Calvo – And that's fine whatever you guys do to those things that's your prerogative what you do there but at the end of the day is work together. That's all I'm saying is you guys got to work together. Now that's my thoughts and I don't know where these other Board members stand. But to me that's an issue that you guys have to rectify because if you don't even want to reach across the street and they want to reach over to you and you guys are not reaching out. No it's pointless because right now you two just have to work together.

Tim Wenden – I can't see how they're reaching out because Ivan hasn't contacted us either so.

Acting Chairman Calvo – Well I'm not going to dispute that because you can say one thing he can say another thing and I don't want to dispute that okay.

Ivan Shiroma – I got to come to you? (referring to rugby)

Vice-Chairman Matanane – Give them a timeframe for you guys to submit your complaints both of you of why you think that should work together as the Chairman is saying. But we'll hear your complain in writing and Mr. Shiroma also submit something in writing stating that you have the prerogative to take care of that field or which ever.

Ivan Shiroma – We're under renovation at the moment so I don't know what he's talking about we can't maintain it.

Vice-Chairman Matanane – You can state that also.

Ivan Shiroma – It takes a lot of hard work and fundraising but yes they're construction companies and you know they have their resources but I don't. I have to work hard and fundraise. So we're tired of waiting for them to build us that second field so we decided we'll just go ahead and fundraise and start doing it without their help.

Vice-Chairman Matanane – Can we say we can receive before our next meeting your complaints in writing so we can iron it out?

Ivan Shiroma – Also Mr. Chairman I like to make it known that my lease I just got it just last year.

Acting Chairman Calvo – Okay.

Ivan Shiroma – I've been asking for that lease ever since Land Trust was created. Only last year I got the lease. These guys came into the picture already they had a lease plus that second piece of property.

Acting Chairman Calvo – And you got a point because you're by passed okay. But that's something that I can't do at this point in time but I can correct that issue and that's what I'm going to do I'm going to correct the issue, okay. How they got theirs back then I wasn't a Board member and I wasn't there to sign that okay. But I'm telling you since I'm a Board member here right now and the Chairman okay I'm going to do the right thing. Now whether you guys agree with me or not that's up to you because I'm not going to dispute this you know. I mean you guys are all grown men you know. Let's be gentlemen about it because at the end of the day it's for the kids, it's not for me or Andy or for Mr. Shiroma.

Tim Wenden – Well it's for the kids as well, it's about kids, I mean all the kids here.

Acting Chairman Calvo – So work together. Why is it so hard for you guys to work together? Tell me. Why is it so hard? What's so hard to work together? They're willing to come across and say you know what lets work with the field. What is so hard about that? Tell me, because if you can give me why that it is that hard.

Tim Wenden – We want to develop our system.

Acting Chairman Calvo – Well you guys can work and develop the system together. That can be worked out, details can be done. I'm just simply telling you guys.

Ross Morrison – Many years ago when we met with Mr. Shiroma back in 1992, 93, and 94, yeah, there was an agreement they said you can come and use this practice area. It was about 50 yards long and it's got 50 yards wide maximum. It was just a scrappy area entwined and like that moving to the wetlands. That was great and we came in and start developing and help restore it. At that stage it was also found out that it was Chamorro Land Trust rock not so much as Chamorro Land Trust but it was under their control. The Rugby Club, do you mind if I give you some background just so you'll know because I think some of the facts were a little bit misconstrued here. The next stage the Rugby Club made some investigation the initial agreement that was tuned at that stage the Government of Guam was using an Adopt A Park facility. So the Rugby Club entered into that agreement with the Government of Guam and proceeded with a development plan to actually build a proper practice field, a proper rugby field and from there it was going to be moved to a second rugby field and from there a joint practice field, all multi-purpose which could be used for rugby and football and soccer and baseball. Now that has actually been moved forward and that is documented in the lease agreement. The Rugby Club is not backing away from that undertaking at all. But also in the lease agreement it is pretty clear it's subject to funding and timing and that's

exactly what we do. We're a volunteer organization, we're non-profit totally. All of the funding that comes from organizations within Guam is donated by our sponsors. There was a very small amount that was contributed by the International Rugby Board. The Rugby Board in effect does not it should be to capital improvements, it contributes to development, pays coaches that sort of thing that's where the money goes. So moving back to the land situation the rugby moved from the Adopt A Park agreement when the field was actually built with donations with volunteer labor. We were then advised that the Adopt A Park agreement was going to be replaced by a Chamorro Land Trust form of lease. We made an implication for that lease knowing that at that stage there was no undertaking, there was no lease for any rock. That was confirmed as far as the advice that was received to people at that stage I was not on the Board. The land was basically vacant and it was available for development. That lease was formally put through the process with the Chamorro Land Trust Commission and it took a considerable period of time. The field was constructed under the Adopt A Park situation in 1998, 1999. If I'm correct the lease was not formalized and signed until 2002. And just for the Board's knowledge the Hals Angels field is a separate field it has always been there. It's been there for a long time it's completely separate. It's basically there like since 2002, the Rugby Club land that was designated off by the Chamorro Land Trust Commission is completely separate passage of land. It was completely undeveloped except for the practice area that was very, very small. So that gives you a little history on that. The condition of our lease we had to the Rugby Club here had to participate. We had to have it surveyed off which we paid for obviously a quite large expense. We had to provide permanent boundary features to the Wettengel School which was completed. The whole idea was there was also a construction about a practice pitch involved there, it's there. The undertaking is still there it's documented we're still moving ahead with that. What we are finding is that last year we came for a review because obviously Chamorro Land Trust wants to review what we've done in terms of performance to make sure we've done what we're going to say. Yes, we've done a development plan, yes we've moved ahead and provided the Wettengel fencing, yes we've done development programs for the youth of Guam, yes we have now a high school program, yes we have a middle school program. This has all been done with volunteer labor, sponsors, Guam sponsors agreements. What we're trying to do because we have now got so much pressure from young children in terms of the number of players, we've had to develop a second field which is documented and provided on the list.

Ivan Shiroma – Even Hals Angels there's a lot of pressure on us to with little kids.

Ross Morrison – So we've moved forward with that, okay, it came up for review last year. You know we need to say hey we've gone through the formal process, we want to give you a review of what we've done and give you a tip of approval and that's when Mr. Shiroma objected. You know, hey I object, and I'm not quite sure what okay. On a personal note I work for a company called Morrico Equipment and personally Ivan's comment that there has been no effort of assistance is absolutely untrue. I run an equipment company we have an equipment. We have offered to assist and we use assist we're not going to go in there and provide and build a field just for Hals Angels. The Rugby Club is stretched of resources as it is.

Ivan Shiroma – When did you offer that?

Ross Morrison – Directly to you and you and I stood in Morrico when you came in asking for a diesel, now I'm not going to get into a speed at that end. But the assistance has been made. We are not of a caliber, we don't have the resources such as big strong construction companies to just go and build another field for another organization when the Rugby Club is trying to do their own to develop and that field is to provide for the youth of development of Dededo. That's what we have. So what we're looking for in a fix as much as Chairman Calvo says hey you guys got to get together. Give us your assistance what do we need to get to get our own? We got a second practice field it's slighted for development subject to time and development. We're not backing away from that. Never have never will it's documented that's why we're there. At the end of 21 years when we're dead and gone that field will be there for the community of Dededo. That's what we're there to do. If there's a thousand kids running around playing rugby, right. If there's a thousand kinds and a hundred and fifty kids practicing football, right. If they're playing soccer, whatever, right. That's what we are there to do. We're finding that we're sort of we're getting the impression we've been under a 12 month stall. We've had no development on the second field and your instruction is fair enough because it was a dispute to Mr. Shiroma. But the impression we get and even from this meeting is hey, the Rugby Club is got to go and build them a second field a practice field. We're trying to do it. So in a nutshell I just want to put some facts on the table. That's where we are. We don't have much else to say. I want to make sure that the Board does understand that there obviously must be two different leases here. We don't have a problem with that. We don't have an issue with it. We're really concerned that the easement to the back rock has been moved completely. We're not sure why and who's authority but it certainly restricts tour buses from entering the facility and it certainly restricts some equipment being moved that are there to help us with the assistance of the field. Once again we've had nothing to do with that and it's out of our control. But so all we're asking for is look give us some direction as to what we need to do. We want to move on and trying to get the development done as we said we're all volunteers, we're not paid, we doing this at the end of 21 years it goes back to the Chamorro Land Trust Commission. We've built chairs, we've built toilets, we've got packing area, we've done it very closely with the Mayor. Just give us some guidelines but we don't want to find we've been hamstringing by an individual or an organization as opposed to the Land Trust Commission who is what we've sat done and have a formal lease agreement with. That's what we're bringing to the table.

Ivan Shiroma – Mr. Chairman nobody is disputing the fact that these guys put in a lot of development. That is not an issue. They're doing a good job. Rugby is a good sport. I support it my niece plays it. If that thing was around I would have played it myself and I hope you would have been there. But that's not the issue. The issue is how they acquired the property and the hand shake agreement if that means anything to everybody here. And the fact that I'm local and they're not all of a sudden they come in and acquire this property for whatever, how they did it when we're waiting for our lease and they got theirs plus an additional piece of property. There's a wrong here. We need to right that wrong. I don't want to play the racial card but the Chamorros are not going to get screwed no more. We were there since 1982. By his own words he went there in 1998, 2001 and all of a sudden they got a bigger piece than what the Angels had. He also mentioned that there was a 50 yards by 50 yards that my dad developed. So if my dad developed that for a practice and we gave it to them do you think he would just give it to them and that was it? Does that tell you that there was an agreement made that he

should build us another field for our little kids who are under pressure for practice. Like you guys you cannot practice on the game field. So just listen to his words. My dad gave him that piece of property and that's it, thank you Mr. Morrison, take that, good bye enjoy yourself. Because obviously a deal was made, obviously he hasn't honored it. Why is our field still in disrepair? Because maybe if you guys built the practice field we'd still be in existence, now we started this year. If you come to your agreement and everything is fine. Don't try to get greedy and get an additional piece. It's not going to happen and I'm not going to back off either because I'm born and raised here I don't know about you.

Commissioner Leon Guerrero – There are two leases? One for Hals Angels and one for the Rugby Club? Two fields? I'm assuming two fields?

Ross Morrison – We have a lease, we're not sure what situation is theirs.

Commissioner Leon Guerrero – Okay you have your field and they have their field, right?

Acting Chairman Calvo - At this time.

Commissioner Leon Guerrero – Now what's this about a practice field? I mean is that where the dispute is? Is that the actual dispute that there's a practice field?

Ross Morrison – I'm not sure to be honest.

Mac McDermott (Rugby) – He's got a map of where the practice field is supposed to go and the existing rugby field, the playing field now the field that's being built and also shows where the practice field would be built.

Commissioner Leon Guerrero - Just forgive me for my ignorance I really don't know the details but Mr. Shiroma is saying that an agreement for a practice field was made by..(interrupted).

Ivan Shiroma – Can you look me in the eye and say yes or no if that was agreed upon?

Ross Morrison – Ivan I wasn't there, I'm sure.

Ivan Shiroma – You're the original guy that led the Rugby Club what do you mean you're not there. Now you're playing ignorant or amnesia?

Ross Morrison – Any body who made an agreement was possibly my brother Alan Morrison. So that's what I'm saying you need to get your facts very clear.

Ivan Shiroma – So he's not family right he has nothing to do with this.

Ross Morrison – He's family, he doesn't live here.

Ivan Shiroma – And you don't know what was agreed upon. Your own brother and you don't know what was agreed upon.

Ross Morrison – I wasn't there Ivan so I can't state that. I don't know, I got the impression that yes a hand shake agreement was given. I said I had the impression and it's documented in the lease. We're not backing away from that Ivan we've stated that.

Ivan Shiroma – And neither are we, sir.

Commissioner Leon Guerrero – So who has control of this practice field?

Ivan Shiroma – I do, own my lease that is what I have now.

Commissioner Leon Guerrero – So legally you have the practice field under Hals Angels.

Ivan Shiroma – Yes.

Commissioner Leon Guerrero – Okay so what's the dispute about?

Ivan Shiroma – I think they're trying to acquire it back, that extra piece again.

Commissioner Leon Guerrero – The same piece you have?

Ross Morrison – Which extra piece that you're talking about?

Commissioner Leon Guerrero – Your practice field?

Tim Wenden depicted areas on the map of location of fields.

Commissioner Leon Guerrero – So what's the dispute? I'm just curious.

Ivan Shiroma – They're trying to ask for a renewal of that, I objected. (Mr. Shiroma depicted layout of fields on map) When my lease was still being considered they got this recorded and subdivided and now they have this big piece. So little Hals Angels only has this when normally this whole thing was ours. On my lease now they gave me 10057NEW and that means everything was right back to me including this rugby field. So am I going to chase this guy away? No, because they're doing good for the high school kids and middle school but they are not going to get this (showing area on map). This is what they're trying to get under their control, it's under my control. They're trying to renew it it's up for renewal.

Commissioner Leon Guerrero – So there are two leases for the same property, I guess that is understood.

Ross Morrison – We don't know because we have never seen an alternate lease. We have a 21 year too it's just about a 5 or 7 year review time and that's what we're looking for, we're just looking for a review.

Ivan Shiroma – In my lease on 2008 this is what I got back. Obviously it's a mistake because it includes Wettengel School but am I going to tell the school to get out, no.

Would I tell rugby to get out maybe but I'm not like that because they're doing good for the kids. Just don't try and get greedy and get another piece that's all I'm asking the Board to consider.

Tim Wenden – This is the first that we've known that Ivan's got a lease for the entire property now so now there is more of a problem.

Ivan Shiroma – It's a Sunshine Act you can find anything there. If you want a copy I can zerox you a copy of this.

Commissioner Leon Guerrero – So Mr. Chairman I guess what you've requested from them.

Acting Chairman Calvo – Gentlemen I think it's un-rational for us to keep fighting who's who and who's not and I told the legal counsel that we're going to look into this based on the contract and everything because we really need to solve this problem once and for all. And what we have to do on this issue right now is for legal counsel to look into it more and look at the basis of the contract and what you know, who really was there first and how it happened and so forth how the piece of property fell off and then someone's property backyard for that matter. So I think for us to keep arguing right now with I said this, he said this, we hand shake this, this is something that I think we're all humans and we're all gentlemen around here but I'm looking at it right now that nobody wants to compromise. So at the end of the day if it takes for the Chamorro Land Trust to do the compromising and whether you guys agree with it that's going to be the final decision. So it'll only be a fair play that you submit your complaints and I'll have my legal counsel look into this more in details on what really transpired because there are other pressing issues on these things and I want to make sure that when we make that final decision it's what it's warranted.

Vice-Chairman Matanane – Mr. Chair also the one I requested you guys in writing what's your complaint and Mr. Shiroma in whatever statement you would make as to your complaint. Please put it in writing and can you guys give me a timeframe when you are going to submit that?

Tim Wenden – When do you need it by?

Vice-Chairman Matanane – By the next meeting.

Tim Wenden – Two weeks?

Acting Chairman Calvo – No, if you can submit that letter earlier so we can give it to the legal counsel to review it.

Vice-Chairman Matanane – And also Mr. Shiroma.

Ivan Shiroma – Yes.

Administrative Director Garcia – Why don't you make it two weeks because we need to put the next agenda package before so in two weeks and if everything is in order.

Acting Chairman Calvo – But if we can get the letter earlier than that Jess if possibly, anything in the next two weeks okay. If you want to do it tonight, tomorrow in that way we'll give it to the legal counsel and then we'll figure this out. Because this is just a dispute right now I don't think so we're not settling anything at this point in time. So I think it's wise for us to just do a recess on this thing for now, okay?

Tim Wenden – And this will be on the agenda for the next meeting?

Vice-Chairman Matanane – Yes.

Administrative Director Garcia – If everything is submitted.

Acting Chairman Calvo – If everything is submitted and that will be what the recommendation of the legal counsel based on what the legal counsel will come up with that will be what we and it will be up to the Board to render that decision.

Ivan Shiroma – Thank you members of the Board.

Tim Wenden – Thank you very much.

4. FY10 Budget

Administrative Director Garcia – On the budget on our last oversight budget hearing they're giving us until July the ending part of July to submit our plan of what we need and on my Director's report I'm going to report out that so it'll come in.

Vice-Chairman Matanane – Your indication is that they wanted you to fill also the positions that you are requesting?

Administrative Director Garcia – That's why it's important that my report will come out on the agenda.

Acting Chairman Calvo – But on that budget Jess like I and you sat in that budget with us Dave when we sat and you know broke down the budget, I want to submit that budget the way we.

Administrative Director Garcia – But I think the budget, the one that we worked on is good but I think it's going to be more once I do my report.

Acting Chairman Calvo – Yeah, whatever what we discussed, the bodies and what it takes to and also the upgrades of these other employees and what not, okay. So the budget that we talked about with Dave when we had that you know I want to go with that budget not what we initially have at this point.

Administrative Director Garcia – Not what they gave us.

Acting Chairman Calvo – No, it's the new budget that I want to go into.

Vice-Chairman Matanane – You know what Jesse if you submit even with the position and the salary and once that budget is approved it's approved. I mean you don't have to second play that oh, we need the ASO or whatever position. So please put what you need.

Acting Chairman Calvo – When is our budget hearing for this?

Administrative Director Garcia – They're giving us until the end of July. They'll call us back.

Acting Chairman Calvo – When we do submit that budget I want that budget to be submitted the way it is.

5. Transmittal of Commercial Rules and Regulations

Administrative Director Garcia – I talked to our legal counsel before the meeting and she still needs time to review it.

Legal Counsel Lujan – I know this is a pressing issue and so my review should be done before the next Board meeting.

Acting Chairman Calvo – By the next Board meeting which is in June so it will be more than ample time. It's usually the 3rd week of the month, June 18. Do you have more than ample time with that legal counsel?

Legal Counsel Lujan – Yes.

VII. DIRECTOR'S REPORT

Administrative Director Garcia – I guess in your packet you'll see that I submitted a letter to Oscar of the problems that I see within the Commission. I have a recommendation on the end. First of all the inventory of the Chamorro Land Trust properties to date the inventory of the Chamorro Land Trust properties is not organized as property lots are incorrectly recorded. That's with the two public laws and one document that was recorded at Land Management and those are still not corrected Chamorro Land Trust properties in our inventory. So what we're doing is we're working with Dept. of Land Management and our staff with Desmond Mandell to finalize that list and I gave them a deadline of June 8th to put it together so that thing should be done. Once that thing is done then we can move on to putting in the land use plan together. We've been working with GEDA, Tony Blaz, Mike Cruz and Larry Toves to come up with a land use plan. They gave us a proposed MOU to review and once we get the Chamorro Land Trust inventory properties corrected then we can proceed with the MOU. Right now currently our staff is reviewing the MOU to see if everything is in line. What I've noticed also that Chamorro Land Trust properties lack infrastructure. We give out the lessee permission to go and apply for water, power, telephone, utilities, give them authorizations to do surveys. They hire their own private surveyors with their own money. They come back with the survey map and then they ask for the water, they don't have enough money to pay for the water. Most of our clients of the Chamorro Land Trust would not be able to afford the GPA or Guam Waterworks fees that are required to put in the infrastructures. So you know we're giving them land that can't really be used you know. Some of the

corrective action for the infrastructure part is that if we're giving out the property we should have it first surveyed and subdivided and put in the infrastructures and stuff like that after the land use plan is completed. As you guys are well aware the files down at the office the Chamorro Land Trust office if you guys have been there you guys have seen the files of how they're put together. It's not in an organized fashion, it's not easy for let's say for you Mr. Matanane to come down and look at the file you won't understand what's going on in the file it's just papers put in it's not in an organized manner. We need to get that thing done, we need to put it into an organized fashion where anybody can come in and open it up and understand what's going on with that thing. We don't know if it's been processed so there are systems that I've been working on to try to get these things. We continue to issue out leases or licenses to these people and we don't even know what's in our inventory so I'm just trying to put all these things together.

Vice-Chairman Matanane – You have a certain method on that if anybody wants to come in and take a look at the files that they have to go throughout that file and who's the last one.

Administrative Director Garcia – You know it's not put in that way when a client comes in there's no land agent that is going to, it's not really organized so I need to put it into an organized and if we are going to keep bringing in people to process then I won't have enough time to do it. Even with our shortage of staff and stuff like that you know I need to get more staff and concentrate on doing this project to get it in order. I don't want to continue misleading these people to say that we have all these lands and then in actuality we don't have it because with our inventory and our breakdown of the applications we may not have enough. And then the other thing that really gets me is the funding source of how do we get our funding for the Commission. You know in Guam Code Annotated, Title 21, Chapter 75 there's funding sources there that the Commission needs to implement for our clients. They got the Chamorro Home Loan Funds, the Chamorro Home Development Funds, the Chamorro Educational Fund, the Chamorro Commercial Loan Funds, the Chamorro Loan Guaranty Funds and the Chamorro Land Trust Operations Funds. There's things here that we need to work on to get these programs that are our mandates and by law for us to provide the clients and you know going through all of the documents that I've reviewed so far to implement these funds we pretty much need to run it like a bank. There's loans that should be given out for our clients that are building on the residential lots and stuff like that you know so it's pretty much going to be run like a bank, interest rates to be collected, going into the fund to give out again when we get the interest rates collected and stuff like that. The collection of commercial lease payments and other stuff like that these are what supports our mandates and in order for us to know how much we're going to have it in revenue for each year it's going to be difficult to do with the type of staff that we have. I'm looking at looking for some kind of financial management officer or an auditor to come in and then a full time legal counsel to handle this part of the program the loans. I'm not saying that we don't need legal counsel for our regular business but just to handle the loan part of this fund of our program. I think we need to have our own legal counsel in house. So it's going to take funding to get all of these things done plus in our support staff to go out and do all of these inspections out there for compliance and enforcement to the program. It's going to take a lot of work but you know the first thing that needs to be done is the inventory and updating the files so we'll know where we're

at exactly. And from updating the files of the residential, agricultural and commercial leases we can determine how much we're going to be bringing in and from there we can determine how we are going to go with funding all these other mandates we're mandated to do through the law.

Acting Chairman Calvo – Jess, if I can just respond to some of those questionnaires that you just brought in and you and I have talked about this and you and I have gone to GEDA and so forth and I do sympathize and understand on where you're coming from on all these things. But you know sometimes the Chamorro Land Trust I really look at it like we're really a real estate broker in realty if you are going to look at it because we basically lease out property. We don't sell, that's the difference. We don't sell the property and alluding to what Mr. Garcia is saying you know it encumbers also with the commercial leases and so forth. But getting back to that issue of getting all these things I guess one of the most heaviest objective here is really getting in with the employees and that's why it's very vital and very important that we really hit the legislature on this budget that we need to really establish our you know because with the staff that we have you know 3 months is not even going to be enough to be quite honest with you. If I'm going to look at it in that perspective you know, Jess. But if we get the right people working in there and doing what they're supposed to do we can accomplish this mission maybe at a shorter time. But that's why on that budget issue when we get our budget issue on July and you package everything I want the legislature to really look at it on what we need to accomplish this mission because they're the one that's incorporating what we need to do. But it's funny because I was looking at this Chamorro Land Trust on the issues that you know when Chamorro Land Trust was established and that came of \$1 a year and I was reading this in the law that was written back then by J. Bordallo and everything and J. Bordallo really structured this out the right way. But I think the anticipation of that \$1 was really based just for the Chamorro but a lot of the infrastructure should really fall in the hands of public I mean the legislature in appropriating this money, okay. Given that because we need the commercial side but that's only so much because you know in due time if we're going to provide water, power and so forth that's costly to the Chamorro Land Trust. So holding off on these progress that Mr. Garcia is alluding what we're going to do I have no objection to that. But what I want to do Jess is entertain what we have passed in the past, you know get that out of the way. You remember what I talked to you about those. Those people that are already actually holding a piece of property okay, these are people that already have the authorizations and everything. There's nothing we can do with that one.

Administrative Director Garcia – Yeah there's nothing we can do but you know we should not issue out any more until we complete this.

Acting Chairman Calvo – Yeah and we may get bloody Mary but that's okay, I don't care. I mean the Legislature might hammer us why are you stopping it. But like we got to stay on course this is what they want to do this is how we're going to solve this problem and by doing that we have to use that and I've always state that in the beginning and you know this Dave. I've always said when I first got into this Commission that we need some sort of land use plan to put together to structure that okay. Because we want to really identify all of these lands but because we didn't have the staff, we didn't have the resources to get all these so we've been reaching out really to the legislature. It's not only this Board but I guess in the past or whatever and so

given that opportunity they're saying that they're going to reach out so lets see how true their words are and when we present that to them that would be their call. And if Tan Maria and Tun Juan continue to knock the door, go knock down at the legislature because that's where you're going to knock because I'm not going to answer the door no more.

Vice-Chairman Matanane – I want to make a comment Mr. Garcia, my main concern is the inventory and the receivables. That's all I'm asking and I would like to see in our meeting being reported out. That's all I'm asking since the previous so many years ago.

Administrative Director Garcia – But in order for me to provide that information we need to suspend the operations until we get all of this information because it's hard for us to continue moving on with wrong information. I want to get it right and then put it out. If we continue to keep it wrong it's going to stay wrong all the way and that's not what I want to do. I want to temporarily suspend processing anymore and get all the files in an organized fashion where you can read it and understand it, know what's due and stuff like that.

Vice-Chairman Matanane – But Mr. Garcia as far as I've heard from the inquiry from the legislature there's only 39 accounts.

Administrative Director Garcia – Yeah but it's not only the 39 accounts it's the land inventory of all the residential and agricultural.

Vice-Chairman Matanane – But at least the receivables if the receivables can come first that's fine. All I'm saying is we got to know who's behind you know who are we going to look for, for them to come in and pay. That's all I'm asking is that 39, is that 39 I believe.

Acting Chairman Calvo – I think it's a little bit more than that if I'm not mistaken.

Vice-Chairman Matanane – And you know it won't take 2 weeks to reconcile that. I don't think so I mean you just pull out the folder and he didn't pay this month which Mr. Diaz had showed me a detailed.

Administrative Director Garcia – Yeah, but what we're doing is you know even if we give you that information today regarding the commercial accounts are they being charged the right price? Is it too low? Is it too high?

Vice-Chairman Matanane – All I'm saying Mr. Garcia is the receivables. We have already leases out there and some of the lessee has not paid us. All I want to know is who owes us, when are we going to collect it and what's due us. That's all.

Administrative Director Garcia – That's why I'm requesting for this suspension so I can put all of this information together and have an accurate account. I can't continue to allow these people to do it and then we're not fixing it. We need to fix it and then proceed.

Acting Chairman Calvo – But we can work around that, Jess, only on the commercial side because really our hindering part and what Dave is alluding to is just on the commercial side.

Administrative Director Garcia – Yeah on the commercial side but the problem is Oscar and Dave in our organization today you know our staffing pattern. You know we have some staff that are on leave and stuff like that, that are on sick leave you know we can't force them back and he handled the commercial program. So in order for us to get all of these we need to reconcile all of the files and get an understanding of where do we stand on these commercial lease collectibles that we need to collect.

Acting Chairman Calvo – I think to resolve that issue Jess and I'm not disagreeing with you to what you're alluding on what you want to do and I know it's a heavy bomb shell to you coming in and getting these things to be done. I think and it's always been my take on this Board and Dave can attest to that and even when I got here was on the commercial lease because that is really our bread and butter at this point in time, okay. If ample time is needed for you to concentrate and focus on the commercial because the residential and the other lease agreement we can suspend that at this point in time.

Administrative Director Garcia – The commercial leases and what ever we have those can continue. It's not to process any more applications until I reconcile all of the files.

Acting Chairman Calvo – What the legislature wanted from us basically is also is the compliance of what the rules and regulations okay. And yeah, you're right for one thing is was it right to charge a mom and pop store for an acre of property at a commercial lease. Was there ever an appraisal value on this piece of property, okay. Now I know that those things have to come in to play but that will only play on because we can't penalize what already is in the contract. It's what we're looking is on the new lease agreement coming in whether it be commercial that itself. We can still identify what will be the actual cost of this piece of property where mom and pop rents out, okay. Let's say hypothetically we're charging them \$500 a month but with the new you got to understand this has changed now, okay. When these people had this property was maybe 5 or 10 years ago, okay. The value of that piece of property at the time maybe wasn't that great, okay. Now, and that was one of the things that we discussed on here on December 24th when we had that hearing was the comments that were made and also what the package was the way it was presented over to the legislature was you can't grandfather those into that because you know 10 years ago this whole area didn't have a building but you know John built a store now it's surrounding with whether it be commercial or be homestead for that matter, okay. What we're looking ahead is what this piece of property now that we have okay and we can go back who ever is going to come in now okay that's why it's important for the other for the lease or license that are coming in now. Now that the surrounding is different let's say for example if you were to build one here in Agana okay of course the stake of it would be high but if these guys had this 30 years ago I think you know PDN wasn't really up at that time. So we got to rationalize on this issue and you're a banker yourself and you Dave and this is up you look at that objectively in because the feasible part really it's going to be hard to really determine that. And quote me on this legal counsel because this is where you play too on the role on how do we make this adjustment, okay. How do we do 10 year lease contract that was being \$500 now and then all of a sudden we're going to come back to

them and say you know you were only paying \$500 but as of today you are going to be paying 3times that amount, okay. So you know where I'm coming from. So that is the rational thing we have to look at because there is that gap that we have is the old lease and the new lease.

Administrative Director Garcia – That's why when we review the files we're going to figure this all out and I need time to have all of those things pulled.

Acting Chairman Calvo – And that's fine and dandy Jess, that's healthy.

Administrative Director Garcia – That doesn't mean that they're going to stop paying.

Acting Chairman Calvo – Oh no they are going to continue pay, they are going to continue to pay. But let's say hypothetically that we come up with that type of let's say the legal counsel says you know what since this contract was given at \$500 a month, class example, but that was 10 years ago. But now because there's new developments around there, there's new stores and what not okay you got to understand that thing is going to go up in value. Now if this tenant is up to par in paying his or his business you know it'll not be fair for that individual and maybe the new people that are coming in might not find that very unlikely but time goes on, things go up. So that's all I'm alluding is if time you need I have no problem with that and if that's what it takes. But we really need to get this commercial thing down the trench. Because that's our really, if we can get that, I can deal with the farms and the small issues but the commercial lease is basically is to focus full heartedly on that one. That's my biggest concern and I think once our legal counsel you know finalize whatever in what has to be done then we'll be on the right. The good thing about this is we don't have like a thousand files that we got to go through. It's a minimum file but even if it was 1, 5, 10 or 15 the point is and I know where you're coming from is you know you want and I want to get that too straight. I want to make sure that that file is really what it calls for.

Administrative Director Garcia – But even with the legal counsel today stating that she won't be ready with any rules and regulations until the next meeting.

Acting Chairman Calvo – And that's fine.

Administrative Director Garcia – So you know during this period I should have the spreadsheet and worked on the questionnaires to ask the clients when we call them in to find out all these information and stuff to update their file. Because the files what I'm looking at majority of the files down there it's incomplete or documents are missing and stuff like that so I need to make sure that it's all in order.

Acting Chairman Calvo – Yeah and that's okay and I understand that portion and maybe I don't know, have you tasked someone in the department to start?

Administrative Director Garcia – Yes, already somebody in the commercial side I have them doing the questionnaire so once we stop this thing we're going to finalize it.

Acting Chairman Calvo – Okay so that's good.

Administrative Director Garcia – It's just that I didn't want to break any news to anybody until we discussed it in this meeting and that's the issue. So if the letter that I submitted is going to be granted then I need to know from you guys what you guys want me to do, when you want me to start it and stuff like that. Because it's going to take me time to get all of these things. I'm going to have to get resources to get it done. So if you guys approve it give me when is the start date so I can get all the resources to implement what I need to do to get the files reconciled and all the information that we need.

Acting Chairman Calvo – Well with the legislature I asked the legislature at the time 90 days, okay so we got more than ample time.

Administrative Director Garcia – Yeah, that's for the budget but for me to..(interrupted).

Acting Chairman Calvo – To implement that and to finalize I know where you're coming from and that's okay, I have no problem. I have no gripes to that for you and I know what you are alluding to what has to be done. But you know what I'm trying to get across. You got my support put it this way.

Administrative Director Garcia – But when do you guys want me to ...(interrupted).

Acting Chairman Calvo – Let's just put it this way, when is our budget hearing? On July, right?

Administrative Director Garcia – It's going to be sometime in July.

Acting Chairman Calvo – Okay so by that time is that fair enough?

Administrative Director Garcia – No but that's to give them our personnel and our needs but what I'm saying is when do you want me to start?

Acting Chairman Calvo – Start today if you want.

Administrative Director Garcia – To do the internal review of everything so effective tomorrow morning I'm going to have the staff start pulling files and start getting all the information that we need to reconcile the files.

Acting Chairman Calvo - Exactly, you have my support. Dave, you okay?

Vice-Chairman Matanane – Yes anytime.

Acting Chairman Calvo – You got our support, Jess.

Vice-Chairman Matanane – The auditor's report I believe the Board is tasked on two items that we need to rectify. I believe it was Hawaiian Rock's lease that we had to clarify whether it's legal for us to.

Acting Chairman Calvo – Oh you mean the Guam Rock?

Vice-Chairman Matanane – Yeah.

Acting Chairman Calvo – That's legal we approved that through the Board.

Vice-Chairman Matanane – No, not Guam Rock, the one that Hawaiian Rock has gone into archeological survey and something like that.

Acting Chairman Calvo – Yeah, that was legal because we gave them the authorization back then.

Vice-Chairman Matanane – No but the auditor is questioning whether it's legal for us to lease it that way.

Acting Chairman Calvo – Actually you know when they came into on the old Board room that we were there they actually came in there to do a study of the place okay and they asked for actually about a year and everything okay which at the end of the day they really extended another 3 months because they weren't enough. They wanted to know what they can get out of that place and so forth but was it legal, yeah, as far as I'm concerned that was board approved and that was under Chairman Del I remember when they came in back then.

Vice-Chairman Matanane – No the new audit I believe the Director has things that he has to do and I believe there's two items that the Board has to address according to the auditor. So you need to look into that and we can have the attorney here verify it whether it's legal that we have issued out that particular license. I believe it was one year then he came back and asked for another year.

Acting Chairman Calvo – If I'm not mistaken at that time when we approved it there was a legal counsel that was sitting in at the time and they had no problems, that was done properly at the time. There should be a minutes on that. But I don't think so it was under your legal counsel.

Legal Counsel Lujan – It was different firm?

Acting Chairman Calvo – Yeah, it was a different firm. Actually at that time we originally had and it was under Doug Moylan and we only had two legal counsels there which was the late Troutman and there was another one. These guys only showed up may be 2 or 3 times through the entire Board sessions.

Legal Counsel Lujan – Was this a recent meeting?

Acting Chairman Calvo – No, no it wasn't. It was really represented by the AG at the time during AG Doug Moylan and I know the late Troutman sat in once or twice there but very minimum but there was another legal.

Commissioner Tajalle – Is this the Guam Rock?

Acting Chairman Calvo – No this is not the Guam Rock this is the Hawaiian Rock now.

Vice-Chairman Matanane – Anyway can we look into that and I think we need to respond to that because the auditor has given us on the back of the audit it shows that you need to answer some of the...(interrupted).

Acting Chairman Calvo – Do you have a copy of that audit report by any chance?

Legal Counsel Lujan – I think I do if not if I don't have it I think Rebecca has it.

Acting Chairman Calvo – Okay we'll furnish you one and we'll see what the questionnaire that Dave is alluding.

Legal Counsel Lujan – So just to I'm sorry what was the legal opinion that is being requested regarding the OPA's report?

Vice-Chairman Matanane – Concerning the Hawaiian Rock lease of Fadian.

Acting Chairman Calvo – That Fadian what it was at that time was they came just to make a study and they asked for one year to see what they can get out of there which they did come in to there but there was no I don't think so there was any money involved in that thing you know to that contract. And I think that's what the audit is trying to clarify, okay. Because they were only there to just to do a study of the land put it this way.

Legal Counsel Lujan – I'll take a look at the OPA report and then I'll talk to you again about it.

VIII. EXECUTIVE SESSION

None.

IX. ADJOURNMENT

Vice-Chairman Matanane moved to adjourn the meeting. Meeting adjourned at 4:10pm.

Transcribed by: Teresa T. Topasna: 

Date completed: June 5, 2009

Approved by Board motion in meeting of: June 18, 2009

Administrative Director, Jesse G. Garcia:

Date: June 18, 2009

Chairman (Acting), Oscar Calvo:

Date: June 18, 2009


