Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932 Phone: 649-5263 ext. 651 Fax: 649-5383

Eddie Baza Calvo
Governor of Guåhan

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

Michael J.B. Borja
Acting Chairman

David J. Matanane
Vice-Chairman

Amanda L.G. Santos
Commissioner

(Vacant)
Commissioner

(Vacant)
Commissioner

Monte Mafnas
Administrative Director

REGULAR BOARD MEETING
AGENDA

Department of Land Management Conference Room
3rd Flr. ITC Building, Tamuning
Thursday, April 17, 2014; 1pm

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES
1. February 11, 2014

IV. OLD BUSINESS

V. NEW BUSINESS
1. Robert Baumgartner – Application status.
2. Debbie D. Santos – Request for continued occupancy.
3. Guam Resource Recovery Partners - License status.
4. Hope Cristobal – Request to acquire at least 10 acres for culinary herb farming.
5. MedPharm Group of Companies – Request to lease Lot 1, Block 3, Tract 100C, Dededo for a parking facility.
6. GEDA Lajuna RFP

VI. PUBLIC COMMENTS

VII. DIRECTOR'S REPORT
1. Revenue collection report for the month of February and March 2014

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

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David V. Camacho
Acting Director

COMMISSION MEETING MINUTES
Department of Land Management Conference Room
3rd Flr., ITC Building, Tamuning
Thursday, April 17, 2014; 1:05pm – 2:37pm

Acting Michael Borja – Before we begin I would like to just you know state that our Administrative Director Monte Mafnas passed away on Monday evening. We pass on our condolences to Elizabeth and his four children and our hearts and our prayers are with the family. Monte I believe had a lot of great vision for the Chamorro Land Trust. He did quite a few things in this short tenure that he was in office and a lot of the visions he had we're enacting in many different ways today. Things like making sure that we issue out lands that have infrastructure, finding ways to obtain the funds to get that infrastructure and then most of all working and coordinating with all the other different Government agencies so that affordable homes can be made available for the Chamorro Land Trust recipients who in some cases may not be able to afford regular sized homes. In fact even had a chance to look at Guam Housing Corp and some of the things that they are already working with the Chamorro Land Trust on and getting affordable homes as cheap as $16,000 that withstand typhoons and you can easily build on the property. Those are the kinds of things that Monte was doing in trying to make sure that it was good for the people of Guam and that they had something to work with when they finally got their land. We'll all miss Monte and we do remember him in our prayers.

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

II. ROLL CALL
Present were Acting Chairman Michael Borja, Vice-Chairman David Matanane, Commissioner Amanda Santos and Acting Director David Camacho.

III. APPROVAL OF MINUTES (February 11, 2014)
Vice-Chairman David Matanane moved to approve the minutes of February 11, 2014 subject to corrections. Commissioner Amanda Santos seconded the motion. There were no objections, MOTION PASSED.

IV. OLD BUSINESS
None.

V. NEW BUSINESS

1. Robert Baumgartner – Application status

Applicant not present.

Acting Chairman Michael Borja – I know he's been at our last meeting and he's had some issues with his application. Is there any update on that at all?

Margarita Borja (DLM) – We completed one of his requests. We took care of one of his requests. What he was coming here today for was to get approval from the Board on whether or not he'll be able to, he was authorized five acres on the agricultural lease unfortunately he doesn't have money to survey the whole five acres so he's coming in to request from the Board to survey acre by acre an acre at a time.

Vice-Chairman David Matanane – Does he have a lease already or is he occupying the lot without the lease?

Margarita Borja (DLM) – He's occupying it.

Vice-Chairman David Matanane – Okay, no lease.

Acting Chairman Michael Borja – No lease because it's not surveyed.

Vice-Chairman David Matanane – I suggest we work with the lease first before he (interrupted).

Acting Director David Camacho – As of this time Mr. Chair the lease has already been prepared being the fact that he's a pre-occupier and all those things.

Acting Chairman Michael Borja – He was grandfathered right.

Acting Director David Camacho – Yes and the lease for one acre is (didn't finish).

Margarita Borja (DLM) – No this is his residential. We took care of his residential.

Acting Director David Camacho – The residential oh she's talking about his agriculture.

Acting Chairman Michael Borja – So if he surveys one acre at a time, I don't know five times the survey is kind of like five times the cost isn't it?

Margarita Borja (DLM) – According to him he's gotten approval already from the previous Director in 2005 I believe, Tom Elliott to go ahead and proceed with that.

Acting Chairman Michael Borja – And in the last nine years he hasn't done it?

Margarita Borja (DLM) – He's only done an acre.

Vice-Chairman David Matanane – Does he have any documentation on that?

Margarita Borja (DLM) – The authorization to survey that we have on file for the agricultural was only for one acre but it did indicate that he was awarded five and will be only doing one acre at a time.

Acting Chairman Michael Borja – Well on this case would be to only allow the lease for that one acre whatever has been surveyed and registered.

Acting Director David Camacho – And that's what I want to mention to the Board if he's going to go in and survey an acre at time that's going to be five different lot numbers and in essence we'll be issuing out five leases so I don't think that that's very feasible Mr. Chair. Either he accepts the one or he has to find a way to survey the (interrupted).

Margarita Borja (DLM) – Survey the five.

Acting Chairman Michael Borja – So one or none. I mean if he gets it all done and he gets his five or he gets this one and that's it.

Acting Director David Camacho – Because under the law it's only authorized for one lease on an agriculture and if you survey five parcels it's going to be five leases, different lot numbers.

Vice-Chairman David Matanane – And he has to go in line with the sequence of 1995.

Acting Chairman Michael Borja – But he has a residential property with Chamorro Land Trust, this is prior to CLTC being (interrupted).

Commissioner Amanda Santos – Plus agriculture he said.

Acting Chairman Michael Borja – He has two different leases with us?

Margarita Borja (DLM) – Two types of applications, one for residential and one for agriculture.

Acting Chairman Michael Borja – So does he understand then that we can't do piecemeal?

Margarita Borja (DLM) – No that's why he was coming. According to him he already got the approval but now that that administration has gone and he's coming before you guys now. So he didn't complete the process within that timeframe so now we're coming back and saying we just can't.

Acting Chairman Michael Borja – Well I mean nine years seemed to have been ample enough time.

Acting Director David Camacho – It all boils down on the approval of the Board. It's not, Elliott is the Administrator, the Director at that time and I believe he asked to go to the Board for anything that's on this type of issue to be approved from the Board.

Acting Chairman Michael Borja – Well do we need to move on anything here? I mean he needs to be properly notified that we cannot issue a different lease every time he does a different set of surveys because he's only allowed to have one lease. Can that lease be amended or is it a separate lease?

Margarita Borja (DLM) – If we were to do an acre at a time unless we just not do a lease until all the five acres is; I don't know how you want to do that.

Acting Chairman Michael Borja – Well you know I think we also have to put a time period on this because nine years and one acre is (interrupted).

Acting Director David Camacho – Mr. Chair I don't think and I'm aware of this I don't think that we can survey it for one person one at a time. He has to wait and save some funds or money to pay for the surveyor and survey it at one time because I don't think the; as I said the survey division will not approve any. You know if you go down to survey five lots and all those things. You're going to survey it and then you're going to come in again whether you're going to combine it.

Acting Chairman Michael Borja – I don't know how you divide five acres into five lots unless they're all very narrow and long.

Acting Director David Camacho – He just have to wait until he has the funds to survey the five lots.

Acting Chairman Michael Borja – Okay alright we'll table this but he needs to be made aware of in writing okay and we need to put some time period that would be practical for him but nine years is not practical, it has to be something within like the next year.

2. Debbie D. Santos – Request for continued occupancy
Applicant was not present at the time of initial discussion but arrived later and Board re-entertained request.

Acting Chairman Michael Borja – Debbie Santos submitted a request to continue her occupancy of a house on a property that she had received and Chamorro Land Trust had put a guaranty on the house and then they (interrupted).

Acting Director David Camacho – We paid for the guaranty.

Acting Chairman Michael Borja – We paid for the guaranty because they quit paying so we ended up paying for the house.

Acting Director David Camacho – Yes and right now she's asking whether she can come in and reoccupy it with the agreement of paying $300 a month.

Acting Chairman Michael Borja – Well how much is it that she owes?

Margarita Borja (DLM) – $76,000.

Acting Chairman Michael Borja – How much?

Margarita Borja (DLM) – I think $76,000.

Vice-Chairman David Matanane – How much was she paying prior?

Margarita Borja (DLM) – I think $300.

Vice-Chairman David Matanane – So about the same amount.

Acting Chairman Michael Borja – So Chamorro Land Trust paid $76,000 dollars because we guarantied the loan and she (interrupted).

Acting Director David Camacho – We paid $67,764.97 out of the $73,000.

Acting Chairman Michael Borja – And when did this happen? What year?

Acting Director David Camacho – 2003 when we paid off the loan guaranty. The delinquent started since 2001. In the year 2003 that's the time that we paid for the (interrupted).

Acting Chairman Michael Borja – So in the last eleven years nothing has been paid and they've been occupying the home?

Acting Director David Camacho – They were occupying it but they moved out as to when I believe they moved out since last year, a year a half ago. Some of their stuffs are still there.

Acting Chairman Michael Borja – Okay and are they residing in that home?

Acting Director David Camacho – No not at this time.

Acting Chairman Michael Borja – And so they haven't made any payments at all to this home since they defaulted on the loan.

Acting Director David Camacho – None.

Acting Chairman Michael Borja – Any comments from the members?

Vice-Chairman David Matanane – If you look at it Mr. Chair going down the line here she's also requesting that her son Anthony Duenas to take over the lease. What lease? There's no more lease for her.

Acting Chairman Michael Borja – She lost it when she foreclosed right?

Vice-Chairman David Matanane – That was the status back in 2009. In September 17 she discussed for 9/23/2009 request but that wasn't entertained at all. The chrono it's showing here.

Acting Director David Camacho – The last when they entertained this is in 2009.

Acting Chairman Michael Borja – Was Mrs. Santos advised or informed of the meeting to come and attend? Did she state whether or not she was going to be able to come?

Teresa Topasna (CLTC) acknowledged yes.

Margarita Borja (DLM) – I believe we talked to Guam Housing regarding the situation and Mary Guerrero mentioned that it would be best for her to come in if her intention is to want to repay back the loan and get prequalified with Guam Housing and determine whether or not and then she mentioned that we should also get an appraisal or if you're interested in just having her purchase whatever we paid back.

Vice-Chairman David Matanane – But that's moot already because of the fact that the original agreement has already been defaulted and we have already cleared that. So in essence she's applying for another lease another loan. We cannot just continue. The one that we already cleared and taken care of has been moot.

Acting Chairman Michael Borja – So what have we done to this house at all it's just been sitting vacant for the last ten years?

Acting Director David Camacho – The last time that I know about this is that she's still occupying the house. I was surprised when she came in about a couple of weeks about a month ago and she mentioned that she had moved out.

Acting Chairman Michael Borja – But she's still there?

Acting Director David Camacho – She's not there anymore. I think I believe that they left off-island then they came back.

Acting Chairman Michael Borja – Well one of the other things too is we haven't gone to lease out this property to someone else?

Acting Director David Camacho – And that's what we're trying to do with Guam Housing whether somebody that's prequalified whether they could take over that or pay that thing off through their prequalification or find somebody that can you know take over the payments.

We're working with Guam Housing on that. Both ways we're working on Santos again whether she can prequalify and if she qualifies she could pay off whatever payments that we did so she'll start paying again Guam Housing.

Acting Chairman Michael Borja – So basically then everything still is pretty much, it's our property again we paid it. They made no other payments, they're not present, I don't see any reason to move forward on this request.

Vice-Chairman David Matanane – Well on September 3, 2009 Mrs. Santos was asking for her son Anthony Duenas to see if he can qualify and maybe (interrupted).

Acting Chairman Michael Borja – But that was five years ago. So nothing has been done since then and apparently a couple of weeks later the Board tabled discussion on her request and so she hasn't done anything at all.

Vice-Chairman David Matanane – I see your point Mr. Chair.

Acting Chairman Michael Borja - Only in the last; five years after that she comes back to find out what the status is. So the status is we own it, we had to pay it off so it's ours. You said she defaulted so the lease is already terminated right. You can't just reenact it back again. I mean if she came in and said here's $67,000 that might be a different story to pay us back on it but it's still and we have to be fair whatever the rules and laws say we do we have to follow. Okay, any other questions on this?

Margarita Borja (DLM) – So how would you like us to move forward on this did you want us to get an appraisal and give it to the next person in line?

Acting Chairman Michael Borja – Yes we need to get an appraisal on the house so a qualified applicant that might be eligible for a loan through Guam Housing can prequalify for a house already done. I don't know what kind of condition the home is at but we do need to get it appraised.

Commissioner Amanda Santos – How many bedrooms?

Acting Chairman Michael Borja – I don't know. Do you know how big it is? It's concrete? Roof and everything right.

Margarita Borja (DLM) – Yes.

Commissioner Amanda Santos – Where is the location at? Dededo?

Acting Chairman Michael Borja – In Dededo.

Debbie Santos – My name is Debbie Santos and I'm here to, I actually reside on 428 Green Street in Dededo which is a property for Chamorro Land Trust. Actually we defaulted on the loan and that was actually a guaranty loan between SBA and Chamorro

Land Trust. So I'm just trying to find out if there's any way possible we're able to see if we can still continue to keep the house and make some kind of payment. I understand the loan is already paid by Chamorro Land Trust but we want to see if we can go ahead and continue to make some sort of payment towards it and still continue to keep the house.

Acting Chairman Michael Borja – What year did you default?

Debbie Santos – It was a while back. Me and my husband were working and then our jobs were only by contract and then my husband got injured at work so you know he was out and he was forced to resign otherwise he would be terminated. So we were out of a job for a while.

Acting Chairman Michael Borja – Okay so I think it was back in 2001 that the default occurred and then by 2003 Chamorro Land Trust had to pay the balance because it guarantied the loan. It's something that since then I guess the Chamorro Land Trust had been advised that we can no longer guaranty loans like this. It was an endeavor in the beginning but it turned out to not be something and this may have been the case that might have changed the opinion. Well if it started in 2001 we're already talking thirteen years later ma'am. The property now because of the loan default and all that it came back to the Chamorro Land Trust and as a result you basically lost the lease as a result of all that and to just return it back again without you know. I mean if you came in and said I have a full payment that might be a different story but we were not in the business of doing loans either. There are others and that's why SBA was involved. Nowadays it's the Guam Housing Corporation. I don't know if perhaps there's a way the Guam Housing Corporation could still be involved in any of this. Have you had a chance to speak with them?

Debbie Santos – I did talk to Addie and she's at Guam Housing so she asked me to provide documents, W2 forms and stuff to turn in so that she can see what we actually prequalify for. I explained to her it's a Chamorro Land Trust land and I was instructed to go ahead and contact with Guam Housing to see if they could work with us.

Acting Chairman Michael Borja – Can you still please continue to do that I mean when you were not here when the matter came up on the agenda basically what we came out and said is that it's ours now all and clear and that there's no other recourse we can make on this. But you know I'm not saying that we don't have any compassion I understand from your letter the situation that you're living with you're a person and you have issues like we all do. But work with, check with, try to do it as quickly as you can to see what you got going what Guam Housing might be able to do. If there's a way you can prequalify for a loan to cover for this then perhaps. But our point here is that now we own the house and we have to figure out a way to recoup this back. The only thing we can do now is we have to get it appraised, find out what the true value of it is so that the next qualified applicant who might qualify for a house at the price it's going to be appraised at can move on in and that's just the way it works. But do still check and find out what Guam Housing might be able to do and you know the unfortunate thing is back in those days Guam Housing didn't have the kind of stuff it can do today. Like for example I spoke with them yesterday they're making all these great affordable homes that aren't even made of your regular standard

concrete homes and a home that can go as low as $16,000, cheaper than a car. You got a home that's going to withstand typhoons and it's not going to rust and it's not going to blow away. It's kind of cool what they can build nowadays and unfortunately that wasn't what was available back at the time you guys built your home but it might have been a much better deal at the time because then you could afford it. You could afford the payments as well at $16,000, it's not a very large home obviously but at least it's a home you know you have the plumbing, the kitchen, the bedrooms, everything. Who have you been working with here, anyone, Margaret?

Debbie Santos – Margaret yes.

Acting Chairman Michael Borja – Okay get to her as soon as possible. Probably not anything you can do today or tomorrow but definitely before the end of the month get some kind of information on what you can find out from them okay.

Debbie Santos – Okay so if that doesn't go through is there, I mean am I still entitled to apply? Do I have to reapply for a land?

Acting Chairman Michael Borja – I think you would have to reapply.

Debbie Santos – So I would have to reapply.

Acting Chairman Michael Borja – Have to reapply. But see what they can do I mean you know if there's a way we can clear this now. The thing is over the course of the last dozen years nothing has been paid. You sat on that as well of having to pay that and that's money that we could have used to do other things. The Chamorro Land Trust doesn't make a lot of money out of our land leases for agriculture and residential so it was quite a bit of money that was taken out of the chunk of the budget from this organization back when it happened. So that's where we stand but please work with her and see what we can do, let's see if there's a way we can work through this okay. But I just want to let you know that already we felt that there was nothing we can do in the meantime but you know especially since you weren't even here but see what Guam Housing can explain to you since you have already made contact with them. Get that financial check on you as quickly as possible with them because that's what they do, they look to help people get qualified.

Debbie Santos – Okay.

Acting Chairman Michael Borja – Thank you very much.

Debbie Santos – Thank you.

3. Guam Resource Recovery Partners – License status

Acting Chairman Michael Borja – The license status was brought up in our February meeting and we had legal counsel in fact there's no legal counsel here today right?

Acting Director David Camacho – No.

Acting Chairman Michael Borja – We had legal counsel give us an opinion on the status of the license because of non-payment of the account and today we have a check in the amount of $44,000 to bring the account current. With that being said that satisfies that issue so Guam Resource Recovery Partners thank you very much for coming back to good standing on that we appreciate it. So as far as the letter that was issued out it's been responded to I consider this item to be closed.

4. Hope Cristobal – Request to acquire at least 10 acres for culinary herb farming
Applicant was not present at the time of initial discussion but arrived later and Board re-entertained request.

Acting Chairman Michael Borja – I know she came in at one point to discuss this, she has somewhat of a farm plan here but has she made any applications for agricultural lease?

Acting Director David Camacho – Yes she did as of this point in time our land agent is showing her around which properties are available and if the property is suitable for her request.

Acting Chairman Michael Borja – So she's applying as a farmer like we've done in the past where we have to have a farm plan? Has she been advised of all that?

Acting Director David Camacho – Yes she did submit a farm plan.

Acting Chairman Michael Borja – She submitted a narrative of what she's trying to do but as we've done in the past I think ten acres is a sizeable amount for initial start-up. In all the other past ones we've started them off at five acres right.

Acting Director David Camacho – I did mention to her that the Board as of this time is looking at three to five acres only; minimum three and maximum of five acres. I also told her it's all based on the availability of the property that she's looking for.

Acting Chairman Michael Borja – She has some interesting stuff that she's doing like all the other farmers that have come in and want to do large scale farming. We do need to get a farm plan in accordance with our requirements and as we mentioned what we've done in the past five acres to start. It's probably the best way to move on this as well. So just continue to work with her on this but whatever other requirements she has to do I also don't want to step out of line and jump her to the top for any reason if there's other people that come before her or if she's doing this as a license. If she's doing this as a license then it's a little bit different so she needs to understand her options.

Acting Director David Camacho – I believe she's going through that aspect of obtaining a license for her project or for whatever she's doing. I'll converse with her and I'll inform her.

Acting Chairman Michael Borja – Because the law allows for farming specifically for things that are medicinal. I mean that's the one aspect in the law that really sets aside something different in agriculture for medicinal farming. In hers I don't these are medicinal

plants she's talking about, she's talking about herbs. I mean there could be certain herbs that could be considered medicinal and she needs to probably look at that aspect of it as well. Was she informed? This is like the third person that's not here on New Business.

Acting Director David Camacho – She's aware that it's going to be in front of the Board members.

Acting Chairman Michael Borja – I know she came in on our last meeting as a walk-in to talk about wanting to do some farming so she presented a plan so there's a little bit more form of planning on this. Does she have a specific area that she's kind of wanting to do this at? Did she say?

Acting Director David Camacho – No specific area but any place that is available for her needs.

Acting Chairman Michael Borja – Well let's just not put her on the rocky parts of Malojloj.

Acting Director David Camacho – Mr. Chair she's not going to plant. She's setting up tables and all those things.

Acting Chairman Michael Borja – Okay, alright.

Hope Cristobal – I'm Hope Cristobal and I'm an applicant for land and I'm not sure if it fell under commercial or under agricultural. I thought I was applying for agricultural lease but I would like to get more clarification on it. I have been shown; first let me just address you Mr. Chairman I'm just happy that you're entertaining my application here and Commissioner Santos, Commissioner Matanane and Mr. Camacho, thank you for putting my application on the agenda for today. I truly appreciate it. I have been farming for at least five years. I'm a backyard farmer I am profiting and I see potential for this particular produce. I see for example in one of my customers you know they import lots and lots of herbs just one particular herb. Just the other day another herb farmer for example on one herb received an order for twenty eight pounds for that day.

Acting Chairman Michael Borja – Twenty eight pounds of an herb?

Hope Cristobal – Of one herb.

Acting Chairman Michael Borja – Wow that's a lot of plants and leaves.

Hope Cristobal – Yeah and so there is a demand out there and I don't know of any large farmers of culinary herbs and I do farm Italian parsley, basils, thymes, mint. I'm trying to expand to other herbs like dill, different kinds of mint. I know that there's potential to increase this activity but I can't do it with backyard farming. I encourage this couple and they have been able to actually be quite competitive out there. So I know there's a need and there's a demand out there and I've seen in the kitchens where I deliver orders from California of herbs that are not up to par with what we can produce here. And so getting

more space and potentially getting better at it because there's lot of help coming from NRCS and other agencies that are willing to help farmers especially new farmers in improving the products. I really truly appreciate finding my application here for discussion. I was able to go out and take a look at a lot. I'm not sure what size it is. I'm guessing it's a little more than five acres.

Acting Chairman Michael Borja – Someone took you?

Hope Cristobal – Yes Mr. Aguon took me well showed me the place and I went there last Saturday, spent a couple of hours.

Acting Chairman Michael Borja – What village?

Hope Cristobal – It's up in Dededo along Swamp Road where most of the farmers are located. I think that whole tract is just farming. The soil is nice on some areas but this particular lot has a lot of scrap metals, old junk cars, a hose. Apparently it had been dug up for use for the soil to be used at the Municipal Golf Course when it was being built so there's a depressed area there that supposedly can be used for composting but you know. For the most part the land has nice soil but areas of it the northern part of it is solid bed rock. So I could probably you know use raised beds there in that.

Acting Chairman Michael Borja – With these kinds of herbs, these plants, do you build those coverings for them?

Hope Cristobal – The high tunnels yeah. Well those are available and you know if I have a soil and water conservation concern those high tunnels can be made available by NRCS.

Acting Chairman Michael Borja – What is the NRCS?

Hope Cristobal – The Natural Resources Conservation Service under USDA. So there's a lot of help out there. It's just that I can't use it because I don't have property. So I'm looking forward to expanding the farm. I've got the techniques down pack and I've been doing it for about five years.

Acting Chairman Michael Borja – Do you have other people that work for you to be doing this?

Hope Cristobal – No just me and my daughter.

Acting Chairman Michael Borja – So if you did this you'd be out there by yourself?

Hope Cristobal – Well no I would imagine there'll be with an expansion you create jobs. Yes I see that.

Acting Chairman Michael Borja – In the past when people have come to us with ambitious agriculture plans like this you're asking ten acres here what we've always asked

people to do is we ask them to start with perhaps five. It's the availability of the land and start with five. In the original inception of this program I think twenty acres was the going amount and what we've found over the course of time is that twenty acres did nothing. They really didn't do anything and so we've had to cut back. Five acres if it's going really, really good and you're really doing very well if there's adjacent property another five we add that on. We also have I think you did it in a narrative form a farm plan. I think the farm plan sort of does it in a graphic where it just kinds of shows how you're going to do this, what you're going to be planting. I kind of like your ideas on your windbreak. But I don't understand what these trees are.

Hope Cristobal – Or more agroforestry and using casuarina for windbreaks for example. I'm more of the mind to use bamboo for windbreaks because it's in the grass family and they grow very fast and I don't have to wait for ten years for a casuarina to (interrupted).

Acting Chairman Michael Borja – Just so long as you don't have a power line nearby.

Hope Cristobal – And there is no power, no water in this lot that I was shown.

Acting Chairman Michael Borja – So then what would you actually have for water?

Hope Cristobal – I would probably use a catchment system, you know use SARE, Sustainable Agricultural Research and Education grant to maybe implement a catchment system with a pump that is solar powered. I mean there's a next door neighbor that's using solar power.

Acting Chairman Michael Borja – Next to this property you're looking at?

Hope Cristobal – Yes across the street. People are living there and they're using solar power I don't know probably for a pumping or could be for their electrical but minimal. I mean there's a lot of things that you can do these days to make things work but yeah the neighboring farmers do have water so I would have to find a source.

Acting Chairman Michael Borja – There's a water line somewhere there.

Hope Cristobal – There's a waterline somewhere. Yeah the neighbor Frank B. Cruz has about he says I have twenty six acres here; I said oh, okay great. I don't mind Frank being my neighbor he's a good guy and he's a hard worker, he's farming papaya right now. There's a lot of pig holes, they're about the size of hippopotamus and rhinoceroses out there. I counted it must have been six huge holes. There were a couple of snares there people are trapping them. I hope they catch them all.

Acting Chairman Michael Borja – Well yeah or then your produce would be all gone. You're going to be growing food for the pigs. So everything you're planting is going to be in the ground or were you looking at (interrupted).

Hope Cristobal – It has to be on raised beds. But herbs need partial shade so the concept is to you know grow big trees and provide the part. That's what I have in my backyard I've got lemai trees there I've got quick mansanita trees that are like umbrellas and you just cut the bottom part and let the umbrella work over the mint and then I have avocado trees. So I have partial shade I'm able to work that out just using but you know they do attract bugs so the high tunnel is also a very attractive concept and that can be incorporated there. I would like to have the opportunity to see if there is another lot because I would have to spend a lot of time pulling out metal scraps.

Acting Chairman Michael Borja – Well the joke we kind of had as an inside joke when yours came up we actually had a guy who had asked for some agricultural property and they assigned him to some property in Malojloj out there by the convent which is right on the coastal side and he came back and said there's no soil it's just all rock. So we said sorry okay let's look for something else.

Hope Cristobal – You know the convent was self-sustaining they had goats and the goat droppings were used as pelletized fertilizer.

Acting Chairman Michael Borja – Well Mr. Camacho is there something else is there another option on the land? Because that area in the Malojloj I don't where you live ma'am (interrupted).

Hope Cristobal – I live in Tamuning.

Acting Chairman Michael Borja – The thing about is there's a lot of agricultural stuff down south but you know that can be kind of a heck of a drive for many people but if everything was raised that would be perfect there. But you know when you talk about the scrap metal I went on a hike a couple of weeks ago looking for some Japanese gravesites with this Japanese group and we went up there in Yigo behind that War Memorial and went up on top of this hill and nothing has ever been up on top of that hill that has been built except for what the Japanese had but there was tin everywhere and that was something from the typhoon. The typhoon blew all that back in Pongsona I think and it blew it up this hill and it was in the jungle everywhere which was really surprising to see. There wasn't even a ranch up there it was just grazing cattle.

Hope Cristobal – What I'd like to do is have the soil tested because you know that service is provided by the Cooperative Extension over at the University of Guam. I'd like to have the soil tested because I saw paint buckets there and you know so I don't know what was dumped there if it's not conducive to I don't want to be eating herbs grown on a toxic soil. I mean it's you know the pig droppings are great I mean you know it fertilizes the soil but I wish they catch all the pigs. They also spread diseases and it's a conservation concern because they damage the soil.

Acting Chairman Michael Borja – Ma'am please work with the Commission on lets seeing what we can do to find an alternate land and then look at the plan that you have for something in five acres like what we've done in the past for some of these other models that

we had. See what it is that we can work with on this. How did we do it in the past? Are they agricultural leases?

Acting Director David Camacho – Agricultural.

Acting Chairman Michael Borja – What we're doing now in a lot of these agricultural leases is we're trying to word them specifically so that it enables you the ability to qualify for a lot of USDA programs and especially if you're doing the water and land conservation kind of stuff. Because there's a whole like you've already discovered a whole host of different kinds of programs that are available for farmers that the USDA is just waiting for people to come and they can help. But we had to have them word it a certain way so that they can get a piece of (interrupted).

Hope Cristobal – Part of just to mention it and I'm sure it happens everywhere you know there's a lot of pilferage going around. I'm privy to some information because I'm in the Farmers Coop and for example one of the farmers there just had three hundred pounds of his cucumber harvested overnight. And of course Ernie Wusstig up there had another three hundred pounds of his corn just you know within an hour just before day break whatever. Twice, twice he wakes up in the morning and his corn is harvested. It is happening in that area and I'm told by two farmers that it is a concern. This lot that I saw is an elongated piece, it's bounded by Frank by the side so I'm sure he'll protect me. But on this side it's a road and it's going to require some that's why I would just like to have an opportunity to compare it with another lot because I would have to set up some security fence. You can't have a high tunnel there somebody is going to vandalize it or you have to live there. So it's pretty bad the area. I understand people finding their crops gone.

Acting Director David Camacho – Not to discourage you it happened to Frank Cruz's papaya. He was supposed to harvest it within three days when he came back it's gone.

Hope Cristobal – Yeah it's really sad what's happening there. I think I have some very good neighbors, I've got Joe San Agustin who used to be on my Board the Soil and Water Conservation Board he's adjacent or contiguous to this lot. And then Frank is on the other side that's great, Joffre is over there, I've got some really good people there but I don't know who's harvesting in the middle of the night. You know you have to really; plants can't run away. No it's not the pigs.

Acting Chairman Michael Borja – No the pigs would destroy it.

Hope Cristobal – Yeah the pigs are a problem. Hey five acres is small you can find those pigs you know. Thank you so much I really appreciate it.

Acting Chairman Michael Borja – Thank you for coming again I know you were here a couple of months ago to initially make a request so continue to work with Margaret and Dave for a plan and we'll see what we can do to find another lot somewhere else that might be helpful.

Hope Cristobal – Thank you very much.

Vice-Chairman David Matanane – I'm pretty sure Andy can draft up a plan or go up to Department of Agriculture and (interrupted).

Hope Cristobal – You ask him he's your classmate.

Vice-Chairman David Matanane – I know.

Hope Cristobal – Thank you.

5. MedPharm Group of Companies – Request to lease Lot 1, Block 3, Tract 100C, Dededo for a parking facility

Renerio Ramos – I'm the President and General Manager of MedPharm Group of Companies. We have a request for a lease or any other possible use for the land that is available next to our property. Right now we are facing a lot of difficulties because in our building in the pharmacy there are about three hundred to four hundred people are coming over every day and on top of that we have employees of MedPharm who are also housed in the same building. And we have practicing physicians who are scheduling for patients on the ground floor and because of that there is no more space available for parking. Some of our employees are parking right there outside the road and it poses a lot of danger because we have no choice but we have to utilize some of those available space outside of the building. We are requesting if possible with your department if we can be granted an available lease on the property next to our lot.

Acting Chairman Michael Borja – Okay when you obtained your business licenses for all these businesses that are located in this building didn't Public Works have any kind of comments about the parking that you would have when you were doing that? I mean usually they're pretty big sticklers about that that's why in some places you have parking spaces that are big enough for a moped and you have to park your car in there. You have to account for so many spaces available to your customers and workers that you think you may be receiving. The restaurants have big parking spaces. Was this not brought into account when you guys; did you build the original building or you acquired the original building?

Renerio Ramos – No we acquired it from the Bank of Hawaii.

Acting Chairman Michael Borja – And they didn't require you when you were setting up business in there to put any restrictions on your parking?

Renerio Ramos – There was none. At the time when we moved in we didn't anticipate that there would be a great number of patients.

Acting Chairman Michael Borja – You didn't think your business was going to be so good. It's always good to have a lot of business. The Chief Planner did provide some comments on your request. Do any of you guys, Dave do you have any input on this?

Acting Director David Camacho – The only thing that we have Mr. Chairperson is that the property next to their business is available. It's about three thousand square meters.

Acting Chairman Michael Borja – I'm trying to picture where this is at. There is an open field next to it that belongs to Chamorro Land Trust?

Acting Director David Camacho – There's some squatters on the property in which they have already been advised to move out their buildings or (inaudible).

Acting Chairman Michael Borja – How are they squatting?

Acting Director David Camacho – It's a box type of housing that they put in. Its plywood put together and all those things. So they're being relocated and one of the things they're offering is that they'll help the people if they need help to relocate as to where they want to go and what place they're going to be at.

Acting Chairman Michael Borja – And what's this area zoned at?

Acting Director David Camacho – Agriculture.

Acting Chairman Michael Borja – Agriculture? That plot of property next to all these?

Margarita Borja (DLM) – It's behind.

Acting Chairman Michael Borja – This property we're looking at is behind.

Renerio Ramos – Behind the building yes.

Acting Chairman Michael Borja – This used to be like First Savings and Loan right, Bank of Hawaii?

Renerio Ramos – Yes.

Vice-Chairman David Matanane – Up in Dededo?

Acting Chairman Michael Borja – Up in Dededo.

Vice-Chairman David Matanane – Now I got a good picture now.

Acting Chairman Michael Borja – Because this is also the area where the flea market is at.

Acting Director David Camacho – The flea market is in front.

Acting Chairman Michael Borja – But behind that area there's squatters?

Acting Director David Camacho – We call them squatters because they're not authorized; they're not even qualified recipients of Land Trust. They just built something to stay in.

Acting Chairman Michael Borja – So your intent Mr. Ramos is just to pave over this area to make it into a parking lot and that's all?

Renerio Ramos – Yes sir.

Acting Chairman Michael Borja – Not to be an extension of the flea market on weekends.

Renerio Ramos – No, no, no it's just for our only use for parking.

Acting Chairman Michael Borja – Okay because I think the Dededo Municipal Council would have some serious issues about some of that stuff and I don't want to get in their way because they got a good thing going on there on their own. The comments from the Chief Planner is that the lot should be restricted for ancillary parking use only and any development on this property should not be construed as an extension of the zoning designation. So if it's still zoned as agricultural just because you paved it it doesn't mean it suddenly becomes commercial. What would we be charging for something like this?

Margarita Borja (DLM) – Based on appraisals; two appraisals.

Acting Chairman Michael Borja – The percentage of two appraisals?

Acting Director David Camacho – Yes.

Acting Chairman Michael Borja – You were explained with the cost of what the lease would be?

Renerio Ramos – Not yet. I haven't been given that information yet.

Acting Chairman Michael Borja – Okay, two appraisals of the property would have to be taken and once we've gotten that is it the average of the two?

Margarita Borja (DLM) – Yes and certain percentage.

Acting Chairman Michael Borja – And then there's a percentage of that it's usually about?

Margarita Borja (DLM) – Between one and ten percent.

Acting Chairman Michael Borja – Between one and ten percent of the appraised value for what you would be charged on an annual basis for using the property. It can only be at a five year term. We're restricted by law now of nothing going beyond five years. So if it's agricultural I mean we have not found anyone else or is it not suitable to have leased this as an agricultural property for anybody?

Acting Director David Camacho – No mostly around the area are residential and apartments. There's some apartments close by and on the front side it's all businesses.

Vice-Chairman David Matanane – How big of a lot is that?

Acting Director David Camacho – It's about three thousand square meters.

Acting Chairman Michael Borja – Now would this be considered a commercial?

Acting Director David Camacho – It's not yet into parcel inventory.

Acting Chairman Michael Borja – No but I mean what kind of a license? Would this be a business?

Acting Director David Camacho – It'll be an agriculture license.

Acting Chairman Michael Borja – But it's not to a qualified individual.

Acting Director David Camacho – It's commercial.

Acting Chairman Michael Borja – So if it's commercial we haven't issued the rules and regs right?

Acting Director David Camacho – I think we should if it's going to go through we should treat it as a license itself, it's not a commercial license.

Acting Chairman Michael Borja – Yes but it's not a residential or agricultural either.

Acting Director David Camacho – Could we do a further check on this?

Acting Chairman Michael Borja – Yes okay that sounds good. Mr. Ramos we have to look into the specifics of how we can work with you on this. There are certain bureaucratic issues that we have to deal with with the way the laws are right now and it keeps changing every year. What we'll do is we'll entertain this with you. Who are you working with right now on this? With Margaret? Okay she'll keep you abreast on what's going on and what needs to be done as we proceed on this thing. I can understand your need, you got a good business going on over here. We'll try and see what we can do but I can't give you any guarantees today on what it is because there are some stuff that we have to look into and they'll have to work out those issues to see how we proceed with this, okay?

Renerio Ramos – Okay.

Acting Chairman Michael Borja – Any other questions?

Renerio Ramos – How big exactly the area is?

Margarita Borja (DLM) – Thirty seven hundred square meters it's a little bit less than an acre.

Renerio Ramos – Okay thank you.

6. GEDA Lajuna RFP

Diego Mendiola (GEDA) – Hafa Adai Commissioners, my name is Diego Mendiola from GEDA and with me is Mr. Mike Cruz. Today we're here to give you a status update on the RFP for Lajuna Point in Yigo. The last time we were here in September the Commission expressed its desires and goals to provide infrastructure and surveys along with the properties that are being leased out for agriculture and residential. To that end the Commission also authorized GEDA to issue this RFP for Lajuna Point to meet those goals. Since then GEDA has put out the RFP and we have received two proposals by the deadline to submit the proposals. As GEDA is the procurement official for this RFP we had formed an evaluation team to evaluate the proposals. They were ranked and the ranking for both proposals were communicated to the offerors. Since then we have begun discussions with the first ranked offeror and so that's the status for the RFP for now. The first ranked offeror is requesting authorization to enter the property and do some testing and so we're here to ask the Commission if they would grant the Executive Director to sign an agreement with the first ranked offeror in order to do some testing. However, as negotiation discussions continue with the first ranked offeror and an agreement is reach we will bring that agreement to the Commission for final approval before moving on and if negotiation fails as per procurement then we would move on to negotiate with the second ranked. And again we would bring whatever agreement that comes out of those to the Commission for approval.

Acting Chairman Michael Borja – Just a real quick summary the Lajuna area is the area up in Yigo where we were looking to have mineral extracted from the land payable to us through GEDA and the monies to be used to help with infrastructure development of other properties as well as this property. When the extraction is all completed which will be done in a kind of a terraced method then it should be brought to a condition that is suitable for housing at a future date and that's what the RFP had asked to do and that's why we have two proposals that came about. So the request now is for the company who is the first ranked on the proposals is asking to have a letter of intent, an authorization to look at the land to do sampling and to do testing for the purpose of understanding what is available for the mineral extraction.

Diego Mendiola (GEDA) – Yes sir.

Acting Chairman Michael Borja – Any questions?

Vice-Chairman David Matanane – Is there a timeframe for them to be inspecting the place? We should give them a timeframe.

Diego Mendiola (GEDA) – Yes sir they have requested for six months.

Vice-Chairman David Matanane – And nothing else will be done until such time the report from the inspection is cleared from us?

Diego Mendiola (GEDA) – Yes sir. We'll work out the details for that and we're just asking for the Executive Director to have authorization to sign that. We just want both our legal counsel and their legal counsel to be okay with the language to protect the interest of the Commission and once that is done if the Board would grant the Executive Director authorization to sign then he'll be able to sign once that agreement is (interrupted).

Vice-Chairman David Matanane – Hypothetically, this is my question, after the final inspection after they go into the area then whatever their findings are if it's a negative or a positive for them would they continue with the proposal? Let's say for instance they have already inspected the place and then when they come back with the inspection and to them it's a negative for them or a positive would they be able to continue to go ahead and set a proposal to continue with our program or would he back out? That is the question that I'm asking because you know we're moving the cart before the bull I guess, that's my question.

Diego Mendiola (GEDA) – I don't believe we're moving the cart before (interrupted).

Vice-Chairman David Matanane – The way I look at it they haven't even inspected the place have they already submitted, they have the proposal?

Diego Mendiola (GEDA) – Yes they have.

Vice-Chairman David Matanane – They have right. Now after the inspection would they be able to put off on it because of a negative inspection if they already accepted it? Have they accepted it? They haven't right?

Diego Mendiola (GEDA) – No.

Vice-Chairman David Matanane – That's what my question is.

Acting Chairman Michael Borja – Is there any provisions at all of being rated number one for the proposals is there any kind of down payment or any kind of security deposit that they put that's refundable or non-refundable up to a certain point?

Diego Mendiola (GEDA) – Yes sir.

Vice-Chairman David Matanane – Because they can always pull out.

Mike Cruz (GEDA) – And if they pull out then part of our negotiations is to ensure that the Commission gets paid for that time that you've lost because they've been busy doing their study.

Vice-Chairman David Matanane – I understand Mr. Cruz that they could always pull out because they haven't even secured anything.

Mike Cruz (GEDA) – So we're hoping that if they do pull out (interrupted).

Vice-Chairman David Matanane – At least fifty grand in order for them to go ahead and inspect it and if they really want it because they have positive then they're supposed to.

Acting Chairman Michael Borja – So are they paying something just to be able to do the inspection?

Diego Mendiola (GEDA) – They have communicated that they will put down a non-refundable.

Vice-Chairman David Matanane – Is GEDA going to make that proposal before they come into the lot?

Diego Mendiola & Mike Cruz (GEDA) – Yes.

Vice-Chairman David Matanane – That's what I want to hear from you guys because evidently you're not telling us that.

Mike Cruz (GEDA) – You're absolutely right Mr. Matanane.

Vice-Chairman David Matanane – Are you telling me now that they can pull it out anytime they feel because we don't know what you guys are proposing to them.

Mike Cruz (GEDA) – The fee is still subject to negotiation.

Vice-Chairman David Matanane – Like I said GEDA took care of that so you guys got it, I'm just giving you a heads up. Alright thank you.

Acting Chairman Michael Borja – So then the request is for us to provide an authorization for the Administrative Director to sign an agreement to allow them to access and test the land.

Diego Mendiola (GEDA) – We will ensure that is, you know our respective attorneys will make sure that CLTC's interest are (interrupted).

Acting Chairman Michael Borja – And it comes with conditions like a security deposit that's (interrupted).

Mike Cruz (GEDA) – No liability to the Commission, no risk on the Commission's part and no guarantees (interrupted).

Vice-Chairman David Matanane – And what you guys and EPA and all those if they find something in there and then they say hey no way where are we going to be. You know where I'm coming from Mike?

Mike Cruz (GEDA) – Yes sir.

Acting Chairman Michael Borja – So we need a motion then to authorize the Administrative Director to sign an agreement that allows them to have access to the land for testing purposes.

Vice-Chairman David Matanane – With particulars of GEDA, with the particulars from GEDA.

Acting Chairman Michael Borja – Yes with restrictions.

Vice-Chairman David Matanane – So moved Mr. Chair.

Acting Chairman Michael Borja – Do I have a second?

Commissioner Amanda Santos – I second it.

Acting Chairman Michael Borja – The motion on the floor is for the Board authorizing the Administrative Director of the Chamorro Land Trust Commission to sign agreements with GEDA and the number one ranked proposer to allow access to the Lajuna land property for purposes of evaluating the property. So moved and approved.

VI. PUBLIC COMMENTS

1. John Benavente – I'm leasing a Government land since 1992 now this is a long term lease. Chamorro Land Trust came in and interfered, assigned people on that lot. I have a public law on that lot. Now in February I came in to talk to Dave because there's one person there that he loves to make trouble.

Acting Chairman Michael Borja – Somebody that is on this property.

John Benavente – Yes. So I was only complaining about this for the Chamorro Land Trust to come in and tell that guy to stay on his side because the whole lot there is under public law. Now the reason why I got that land way back is for me to bring in cattle. But too much political on this island we cannot go forward with that. Now I changed my plan again started planting avocado, they started uprooting the avocado that I brought in from Hawaii. So how can I go forward on my long term lease? I cannot go forward. I have a piggery area, I'm the only one that has a building permit there and sometimes I lose pigs from there. Now I cannot protect my things there with too many political agency coming in and assigning people there.

Acting Chairman Michael Borja – Okay, where is this located at?

John Benavente – This is up in Mangilao, Kinney's Road.

Acting Chairman Michael Borja – In Kinney's Road up in Pagat?

John Benavente – Well I don't know why they call it Pagat.

Acting Chairman Michael Borja – Where Kinney's Café is that area?

John Benavente – Yeah that road in.

Acting Chairman Michael Borja – The Deros are back there right?

John Benavente - Yeah, yeah, yeah.

Acting Chairman Michael Borja – And in 1992 you received this property this is prior to the Chamorro Land Trust right?

John Benavente – Right, right, right.

Acting Chairman Michael Borja – And then after the Chamorro Land Trust the previous folks, the people at that time started assigning people to that property? That's what happened?

John Benavente – Well that's how it became I don't know how the Government came through of assigning people there without truly investigating where all these people came from.

Acting Chairman Michael Borja – But your concern right now is there's an individual residing (interrupted).

John Benavente – There are certain people there that I came in to complain to stop harassing. I planted, I put up my fence they uproot my fence. They hired the Mayor to scrape out the pipe. I mean hey I borrowed money and I spent a lot of money from my pocket without any having investors from other (interrupted).

Acting Chairman Michael Borja – So the Mayor is aware of this issue as well?

John Benavente – Oh the Mayor is well aware about it.

Acting Chairman Michael Borja – This is Mayor Blas?

John Benavente – Yeah. But you know political is political but we have to follow what the law is.

Acting Director David Camacho – This property falls under public law Mr. Chair and I believe Margaret could explain more. There's certain people that were residing in that area when the public law came in and part of the public law is not for those people to be removed from that place. It was given for him but those people that are already staying there would not be removed and that's his problem now. In far as the enforcement side I

did request or instructed some of the Land Agent to address it and to communicate with GPD because that's a criminal offense that we cannot enforce that at all. Uprooting of plants and causing malicious mischief on the property it all boils down to the law enforcement side. So even though we go out there our hand is tied.

Acting Chairman Michael Borja – So has anything happened did the police go out too?

Acting Director David Camacho – Well I need to consult with Mrs. Borja on this and the Land Agent that has been instructed to follow up on this. I know for a fact that our two Land Agents who are assigned to do inspections and all those things are communicating with some of GPD personnel to address all the issues that we're being confronted of out at the Land Trust property.

Acting Chairman Michael Borja – Mr. Benavente you communicated you said you were already talking about (interrupted).

Acting Director David Camacho – He did came into my (interrupted).

John Benavente – Yes I came.

Acting Chairman Michael Borja – So Mr. Camacho is aware of who these individuals are that are causing problems?

John Benavente – Oh I mentioned them.

Acting Director David Camacho – It's the neighbor but again it all boils down to the law enforcement side you know for them to enforce whatever is happening. We cannot remove the individuals because they have rights there.

Acting Chairman Michael Borja – They have rights there as well.

Acting Director David Camacho – Under the public law and again through that issue I believe according to our Land Administrator that Mr. Benavente defaulted on some lease and right now we're checking into it as to whether he still has the rights.

Acting Chairman Michael Borja – Okay, alright so Mr. Camacho and Margaret Borja are working on this with you. You've already chatted with them and spoke with them. You guys have his information his phone numbers and contact information?

Acting Director David Camacho – The question that we're going to ask him is whether he had communicated with the Police Department or any police personnel on this.

Acting Chairman Michael Borja – Have you ever called the police because of these problems?

John Benavente – You see the problem about that again it is a civil matter.

Acting Chairman Michael Borja – Well if they go and start destroying property that you've put up like fences and stuff that's nothing civil.

John Benavente – It's going to boil down to a civil matter.

Acting Chairman Michael Borja – But have you ever called the police?

John Benavente – Yes and I can prove to you how thick the police report that I have from way back.

Acting Chairman Michael Borja – Okay so there's a history.

John Benavente – Well there's a bunch of history and our Government here do not understand that law that came in to that was given to me. I have two kinds of laws, 115-18 where it supplies a lot of agriculture land. The other one law was approved by the Legislature but on the last sentence, no land use permittee shall be terminated. On the question there when I first came in there was an aerial photo when I first applied for that lot and there was nobody there. All of a sudden when I got mine approved I got a bunch of people there.

Acting Chairman Michael Borja – And this was back in 1992?

John Benavente – Right and if they really investigate those people where did they come from they came from other lots. That's a bunch of family, one family only.

Acting Chairman Michael Borja – But what does Chamorro Land Trust have to do with this?

Acting Director David Camacho – Those people that are staying there have been there since before Chamorro Land Trust.

Acting Chairman Michael Borja – This is all before, this is a Land Management problem not a Chamorro Land Trust problem right?

Acting Director David Camacho – It filtered down to the Land Use program.

Vice-Chairman David Matanane – After that they transferred that into Chamorro Land Trust.

Acting Chairman Michael Borja – The properties became in the inventory of the Chamorro Land Trust?

Acting Director David Camacho – The thing on that public law is that anybody that's residing within that property on that law cannot be removed.

Acting Chairman Michael Borja – Okay well I don't think sir we can solve anything, you've brought it to our attention it's for the record. Mr. Camacho and Ms. Borja are already working on this. I ask you to continue to work with them on this thing. If you feel like you're still not getting anywhere you are more than welcome to come back on our next meeting to let us know that. But please continue to work with them so we can get this thing resolved. What I don't want is anything to result in any kind of violence of any kind.

John Benavente – Well it's going to end up like that because that's how the Government are doing.

Acting Chairman Michael Borja – I can't really comment on that but I just don't want any kind of violence coming on you or anyone involved in this thing even though there's probably some short tempers already and have been for many, many years. I can understand you're absolutely frustrated about all of this because you're trying to do something for the benefit of yourself and your family and somebody else is destroying it for you. That's not right. But let us continue to work this because they need to now bring in the Guam Police to see if there is something that they can do to work this all out. Some of the issues though seem to be matters that are not really in the hands of Chamorro Land Trust but really in the hands of Land Management and there's kind of a difference there.

Acting Director David Camacho – And again Mr. Chair (interrupted).

John Benavente – No, excuse me, those people now are given a lease by the Chamorro Land Trust. They entered into my public law.

Acting Chairman Michael Borja – They were oh okay. Let us still continue this research to find out what's going on and especially if the individuals causing all the problems is part of the Chamorro Land Trust let's see what we can do to figure this out. Some of the things that happened back in the days when the law was first implemented you know there's a lot of good and a lot of not so good things that happened back then and things like this come to the surface for us to try and deal with you know in the present. And how it happened you know, don't know but we have to try and make some corrections for you. Let us have a chance to have them work at it because basically the staff of Chamorro Land Trust kind of commingles with Land Management so there's a lot of good workers that are out there that are all helping together for both Land Management and Land Trust. So you've brought it to our attention sir, I can't say we can do something today on it but let them work on it okay.

John Benavente – I'm not saying to do something today or you know. I mean I've been asking already for some time.

Acting Chairman Michael Borja – Okay.

John Benavente – So since you guys have the power on that there's people there that's building and I don't know how the hell they just came in because the relative of this told them to come in. Now there's no such thing as one relative telling other people to come in and build.

Acting Chairman Michael Borja – Right well that's something we have to then go out and do an investigation on (interrupted).

Acting Director David Camacho - It's been done, two of our Land Agents are looking into that issue. As to what he reported we're looking into that issue.

Acting Chairman Michael Borja – So they're going to document all of this and I think they go out and also document it with pictures and stuff because if they're violating the requirements the lease requirements then there's some issues we could deal with them on that okay. But thank you for bringing it to our attention and they're working on it. We've already had a couple of Land Agents go out to take a look just to try and get the (interrupted).

John Benavente – I hope it's not their relative again.

Acting Chairman Michael Borja – Who?

John Benavente – I hope it's not their relative again.

Acting Chairman Michael Borja – Well there are a lot of interesting things that (interrupted).

John Benavente – You know why they hate me in the Government of Guam? If I know something is right there is no such thing as wrong for me. I put things in the right order.

Acting Chairman Michael Borja – Okay thank you.

John Benavente – That's why they don't like me in the Government of Guam.

Acting Chairman Michael Borja – There's a lot of good people too in the Government of Guam okay, there are. I'm not in the Government of Guam.

John Benavente – Oh I was there before.

Acting Chairman Michael Borja - I've never worked for the Government of Guam as a regular employee but there are some good people in the Government of Guam.

Acting Director David Camacho – I invite you, you're welcomed to our office any time to do an update on your complaint okay.

John Benavente – Alright thank you.

Acting Chairman Michael Borja – Thank you Mr. Benavente for coming I appreciate it.

VII. DIRECTOR'S REPORT

1. Revenue collection report for the month of February and March 2014

Acting Chairman Michael Borja – Seeing how we just received a big check today.

Acting Director David Camacho – I was going to mention that we did send out the notice the 90 day notice to GRRP but since that time today's fruitful we received the balance of $44,000 to cover the (interrupted).

Acting Chairman Michael Borja – And that pays from July 2013 to April 2014.

Acting Director David Camacho – Other than that we have the financial report on the back of your folders. All together it's a grand total of $60,295.05 for February 2014.

2. P.L. 31-77, Ch. 12 - GPA - $875,000

Acting Chairman Michael Borja – I want to ask again there was that issue with the GPA amount, what is the status on that?

Margarita Borja (DLM) – There's no response from them. They continue to keep invoicing them though, every month they invoice them.

Acting Director David Camacho – Every month we send out an invoice on that and (interrupted).

Acting Chairman Michael Borja – And they're not responding to it?

Acting Director David Camacho – They're not responding to it.

Acting Chairman Michael Borja – Okay shall we do a lawyer letter kind of thing too? Can we get legal counsel to review that law just to be absolutely certain and has anyone made personal contact from anyone at GPA just to sort this out?

Acting Director David Camacho – I did it's not through the AG's office not through this attorney but I went through the front office attorney Sandra Miller and Arthur Clark I mentioned about this even Bernie Artero and they advised to keep up the documentation and the issuing of that invoice. And according to them at the same time they'll be looking into the matter of GPA or the utility agencies as to what they could advise us to do to enforce that. There's another thing that you even brought it up to Kathy Fokas and whatever she has now or that has been brought to her she's going to relinquish it to Catherine Finney that was supposed to be waiting for a drug testing for the process.

Acting Chairman Michael Borja – And who is this? This is going to be the person assigned to us?

Acting Director David Camacho – Finney the attorney that's going to be with us.

Margarita Borja (DLM) – Christine.

Acting Chairman Michael Borja – She's somebody new?

Acting Director David Camacho – She's been on the island before she (interrupted).

Acting Chairman Michael Borja – But she's new at the AG.

Acting Director David Camacho – Yeah she came back after the announcement and she applied for the position, she was off-island. Everything is in order the only thing that we're waiting for is the drug testing that it has to go through the process.

Vice-Chairman David Matanane – Have you have any idea whether their building is up already?

Acting Chairman Michael Borja – Oh have you not seen it, it's a palace. You see this Camacho building over here it's like three times the size it looks like a palace. You got a brand new road in front of it too. It's nice. From what I hear too they got this set up so that the dolphins are swimming out there and you can see the dolphins from the executive offices. It's a very large building. But they're enhancing it I don't know if there's going to be a traffic light put out there but it looks like the way they're building the road there might be a traffic light.

3. Commercial licenses
a. GTA
Acting Chairman Michael Borja – On the commercial licenses are there any other kind of leases, licenses coming up for renewal for easement properties that the utilities are using like the telephone company?

Acting Director David Camacho – No.

Acting Chairman Michael Borja – My understanding is GTA is coming.

Acting Director David Camacho – Yes GTA the expiration is up until I think November or December of this year but they already sent their intent of renewal.

Acting Chairman Michael Borja – Okay and the cost of that is based on the appraisal?

Acting Director David Camacho – Yes.

Acting Chairman Michael Borja – So are we looking at a sizeable change in the rental?

Acting Director David Camacho – It's a ten percent increase I think. Mr. Chair there's an amount that they're going to deliver to us and we're trying to find a way how to keep it in the CLTC.

Acting Chairman Michael Borja – I agree.

Acting Director David Camacho - If that payment goes through it's going to go to the general fund.

Acting Chairman Michael Borja – No I think what we need to do with some of these commercial stuff is we need to assign it to GEDA to manage it for us so then we can have a fund over there.

Acting Director David Camacho – It's a sizeable amount.

Vice-Chairman David Matanane – Assign the amount over to a certain bank.

Acting Chairman Michael Borja - No, no I mean we got to be careful we can't create it on our own.

Acting Director David Camacho – According to Dan Tydingco the check is there it's not signed but it's about $500,000.

Acting Chairman Michael Borja – Oh I thought that they needed an armored car to bring it the way you made it sound, that's going to survey the whole island with it or something.

Acting Director David Camacho - There's another one that is coming in and I have yet to address it with Dan about the (inaudible) that was available.

b. Pacific Micronesia Tower

Acting Chairman Michael Borja – I can see these other ones these communication companies that have the antenna sites and all that kind of stuff; a while back we had a company that came to us asking for a site up in Yigo where the water tower is near the Andersen gate because they had communication antennas on that water tower that are no longer serviceable (interrupted).

Acting Director David Camacho – Yes we addressed that already that's coming in for the, what's the name of that company?

Acting Chairman Michael Borja – Are they still pursuing it?

Margarita Borja (DLM) – Is that Rios?

Acting Director David Camacho – Yeah it is as a matter of fact we did identified the adjacent lot next to the tower and because as you said the tower itself is not even or the water tank is not advisable, safety reason they're going to take it down and put it on the side of where the Waterworks boundary line is.

Acting Chairman Michael Borja – They're going to remove that water tower?

Acting Chairman David Camacho – No they're going to fix it. According to Waterworks they're going to improve it but they're going to remove the antenna within the Waterworks to the side of the area.

Acting Chairman Michael Borja – So are they still looking for land to do a tower?

Acting Director David Camacho – Yes.

Acting Chairman Michael Borja – Because one of the things I told them they needed to do is make sure they had FAA clearance too.

Acting Director David Camacho – And that's the reason why we addressed it real fast because of the requirement from the as you said the airspace and what not and all those things. They only need about a 100x100 for the tower. So we're working on that.

Acting Chairman Michael Borja – What company was this? This was Docomo?

Acting Director David Camacho – No not Docomo.

Acting Chairman Michael Borja – No, no, no but I mean it was Docomo antennas.

Margarita Borja (DLM) – They were contracted I think by Docomo to do their sites.

c. Global Recycling
Acting Director David Camacho – There's another company that we're addressing now, Global. Global is utilizing Government land for their recycling and as of now we still don't have any paperwork on that.

Acting Chairman Michael Borja – Well what's the status on the findings by that Receiver on the property in Dededo?

Acting Director David Camacho – We're still waiting for EPA an investigation on that. We provided documentation as to the trend of the paperwork on the (interrupted).

Acting Chairman Michael Borja – Who occupied the land over time.

Acting Director David Camacho – Yes, they're looking at it. EPA actually is on top of that. Global is next door, is adjacent to that. But Margaret will be calling in Global so we could at least have some black and white or have them in here for the Board, they're operating without any license.

Acting Chairman Michael Borja – On our property?

Margarita Borja (DLM) – Yeah.

Acting Chairman Michael Borja – Global? Why are they doing that?

Margarita Borja (DLM) – That's what we need to find out.

Acting Chairman Michael Borja – Well then let's put them on our agenda next month.

Margarita Borja (DLM) – I know there's some correspondence when Monte was here he asked them to come up with appraisals. So I just need to look into it.

Acting Chairman Michael Borja – So they're not paying anything. We need to seal that one up.

Vice-Chairman David Matanane – Just a reminder Dave, can you check with GEDA on those things and make sure that a guaranteed deposit before we authorize them to (inaudible). I wonder who is the most preferential (interrupted).

Acting Director David Camacho – I forgot to mention there's a March collection too on the back of $36,259.18.

4. Memo from Senator Pangelinan

Acting Chairman Michael Borja – I guess I got this letter here from Senator Pangelinan on two different issues. One of them is a second request of appointment of individuals to the Chamorro Land Trust Commission. I've been appointed to be the Chairman for the Chamorro Land Trust Commission and supposedly in the next couple of weeks I should probably have a hearing. Yesterday I did speak with the Chief of Staff and reiterated the need to name two more individuals so that we don't run into an issue of not being able to hold a meeting because one of us is not being able to make it and that's how critical it is right now. The second thing is this follow up letter that you provided on the status of the MOU between CLTC and GEDA and they wanted to know what services have been conducted and what the fee arrangements are so have you guys been able to answer those, answer that at all to them?

Margarita Borja (DLM) – Well I kind of just questioned Mr. Camacho because the fact that the letter was sent to you we weren't quite sure whether or not you were going to be the one to answer.

Acting Director David Camacho – We're ready to respond to it and we'll respond to it, we'll provide the information and everything. On both sides I believe and I mentioned this to I think the representative of Senator Pangelinan, I think Karen, we did mention to Karen about our request for the two that I sent prior.

Acting Chairman Michael Borja – I know you have requested and in fact your request went before he sent his request. But you know it's really kind of an important thing and we all see it so it's just a matter of (interrupted).

Acting Director David Camacho – But we'll respond to this.

Acting Chairman Michael Borja – Okay let's please respond to that thing so that we can just get the answers to it and I understand too that the other thing I spoke to the Chief of Staff about was the need to move the commercial rules and regs along so we can get it out of Legal Counsel in Adelup and we can have working discussion with the Legislature on it before it goes before approval. In earnest we need to get that thing moving out of here as quickly as possible because it will delay any kind of activities we want to do with anything commercial in the future and we need to get it out of the way because things are pending and future activities could be delayed if it's not done.

VIII. EXECUTIVE SESSION

None.

IX. ADJOURNMENT

Meeting was adjourned at 2:37pm.

Transcribed by: Teresa Topasna: Teresa Topasna

Approved by Board motion in meeting of: May 15, 2014

David V. Camacho, Acting Director: D.V. Camacho Date: 5/15/14

Michael Borja, Acting Chairman: M.R. Borja Date: MAY 15, 2014