



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 ext. 435 Fax: 649-5383

REGULAR BOARD MEETING AGENDA

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning
Thursday, May 21, 2015; 1pm

Eddie Baza Calvo
Governor of Guåhan

Ray Tenorio
Lieutenant Governor of Guåhan

Commission Members

David J. Matanane
Chairman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Pascual V.A. Sablan
Commissioner

(Vacant)
Commissioner

Michael J.B. Borja
Administrative Director

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 1. April 16, 2015
- IV. PUBLIC COMMENTS
- V. OLD BUSINESS
 1. Jeffery Kosaka – Submittal of farm plan for 3 acres on portion of Lot 470-R4, Santa Rita
 2. CLTC Rules and Regulations for Commercial Use Status Update
- VI. NEW BUSINESS
- VII. DIRECTOR'S REPORT
 1. Revenue collection report for the month of April 2015
- VIII. EXECUTIVE SESSION
- IX. ADJOURNMENT



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COMMISSION MEETING MINUTES
Department of Land Management Conference Room
3rd Flr., ITC Building, Tamuning
Thursday, May 21, 2015; 1:05pm – 3:04pm

I. CALL TO ORDER

Meeting was called to order at 1:05pm by Acting Chairman David Matanane.

II. ROLL CALL

Present were Acting Chairman David Matanane, Vice-Chairman Joseph Cruz, Commissioner Amanda Santos, Commissioner Pascual Sablan, Legal Counsel Kristan Finney and Administrative Director Michael Borja.

III. APPROVAL OF MINUTES (April 16, 2015)

Commissioner Amanda Santos moved to approve the minutes of April 16, 2015. Vice-Chairman Joseph Cruz seconded the motion. Acting Chairman David Matanane made the correction that he is Acting Chairman. There were no objections, MOTION PASSED.

IV. PUBLIC COMMENTS

1. Glorieto Aganon – Good Afternoon my name is Glorieto Aganon. I was here on the last meeting that you guys had. I brought some issues to Mr. Borja and the last I heard from you guys where you're going to come up with suggestion allowing everybody in that section to have at least a fifteen foot easement behind their houses. Now the gentleman that CLTC gave the property to is trying to claim everything behind our houses including my house. I don't know if I said this to you guys before but that property was my ranch which it was taken from me above whatever the law is that was in place. I mean there was a law in place that states that anyone utilizing Government property as legit and claim as a Chamorro may not be evicted. I was told you know on that property was never, there's no plan for it being leased until this gentleman moved in and all of a sudden he has ten acres. Well he's got five acres for his dad and five acres for him including the easement. The easement is the only thing I have left after they took my ranch. Now he stole my tank. I filed a complaint to GPD and they said that well he has a legit claim because the Government took his property for an exchange for the road that they just built. So I'm here today to try to get a solution or get some kind of paper or document to tell Mr. Tajalle or GPD that they need to entertain my complaint because in reality that's not his property it's still an easement. I think if that can be resolved then you know and the only way to get him out of my back yard is to give me back my ranch.

Acting Chairman David Matanane – We were talking earlier and he wanted a certain letter.

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Glorieto Aganon – Something to tell GPD that Mr. Tajalle does not own that property it is an easement. He claims that property has been his for six years. He told GPD that the equipment that was behind my house was abandoned. I never left my house. I still live in that house.

Administrative Director Michael Borja – We are going to survey out that area. We haven't had it done yet because there are other things that came more pressing that we had to deal with. But we're going to survey out that area so we can make sure we know where the actual lines are in that whole area and then try to also block off in sections that need to be adjacent to those neighbors and all those houses so we can make that assignment. But until that time we can't do that and we're still trying to verify and I think Margarita might have some more information on we need to confirm that there is absolutely nothing underneath the ground that's in any way an easement whether it's water or power. We still need to confirm with the utilities to do that. It's not something that they are still needing they still have to have that as a designated easement because we can't just erase the easement away for anybody right now. That's the whole issue we have even with trying to assign it to the Tajalles I believe. So we haven't finished off this survey. There were just some other things that were major projects that came about within the last month and we still cannot get to that.

Acting Chairman David Matanane – Mr. Aganon was mentioning that the Government took his property the property of (interrupted).

Glorieto Aganon – Yeah I had a steel tank behind my house.

Acting Chairman David Matanane – The property he said that he was complaining that the Government took his property.

Glorieto Aganon – Right because if you look at the map they have like a dotted area in the back of his property. The thing about it is this right this gentleman has this big property. He hasn't done nothing to that property. All the plants and trees that you see there was planted by me and he claims it's his. I don't know who's supposed to watch over this issue but.

Acting Chairman David Matanane – I remember if I remember correctly the last time that you were surrounded and then we had to move you.

Glorieto Aganon – Right.

Acting Chairman David Matanane – Okay now I got it. I'm trying to recall the last time that we met. But he's asking for a letter from maybe the Director that that's not his property and it is an easement just to clarify whether (interrupted).

Administrative Director Michael Borja – We can do something like that but well to define where the easement is can only be done on a map not on the ground.

Vice-Chairman Joseph Cruz – I asked Margarita to see if I can get a copy of the easement alignment. If the easement alignment is created on the subdivision of GHURA housing then that's a severed alignment. If it's created on the Chamorro Land Trust property and it's not severed it's a dotted easement. So the dotted easement is a floating entity within the basic lot. Now either a severed easement or a dotted easement is already encumbered based on that map creating that easement. The only way we can delete the easement is the owner of the alignment request for a deletion and it has to go through all the proper agencies to ensure that there's no other infrastructure on top of that easement. If there's any infrastructure then whoever is requesting is liable to relocate it in order for them to delete the easement. The easement is now under the jurisdiction of Public Works Rights Of Way Division. They are the controlling factor of all the easement created within the map. For us to say that we go and do or entertain Mr. Tajalle or entertain whoever is interested in utilizing that fifty foot easement bounded by each of those lots is under the jurisdiction of Public Works Rights Of Way Division. Anybody can come in and set their tone of utilizing it because it's not used but they're using it illegally by encroaching into that easement. If you look at the law of the rights of way you are not supposed to obstruct any legal easement. So Mr. Tajalle for whatever improvement he has the proper agency that you would bring your issue with Tajalle with encroaching with the easement is Public Works. Public Works can go out and do a retracement of that alignment and identify what other encroachment is hampering that easement because there shouldn't be any obstruction out of that fifty foot easement. Now for Mr. Tajalle my experience with the issue of Mr. Tajalle when they did the alignment to open the access for the school in the back I do not know the arrangement with the previous Director which is Mr. Joe Borja and the mayor of Yigo and Mr. Tajalle that Tajalle's claiming to realign the easement that is there versus the easement that is now being opened for the purpose of traffic. Now that was never documented. That was just a discussion it wasn't agreed to but it was just a discussion during the construction of that alignment. Now for Mr. Tajalle to claim to realign that alignment it is not on his purview because he doesn't know the easement to begin with. On his lease the Government has every right to come in to get portion of that interest if it's for public use. So that's what happened on his side on his parcel. For us to entertain Tajalle I don't think we should entertain Mr. Tajalle based on the encroachment it should be under the purview of Public Works because we don't have an enforcement entity at Land Management. We can hear it we can send out all the letters we want. The agency that can do enforcement is EPA, Public Works and the Attorney General. That's the proper channel that you should bring your concern to Public Works. I worked for Rights Of Way with Public Works for the last thirteen years. I came to Land Management I continued to reinstate the land issues. So I kind of understood how you guys feel when you have the same equal use on that easement.

Glorieto Aganon – So essentially what you're saying right now what he did in taking my container there's basically nothing I can do.

Vice-Chairman Joseph Cruz – No that's personal issue because it's a personal item. It has nothing to do with Land Management or Chamorro Land Trust. It's a personal item it's considered personal item so it's between you and Mr. Tajalle with Guam Police.

Glorieto Aganon – Okay well he’s claiming that CLTC gave him the property.

Vice-Chairman Joseph Cruz – Yeah but CLTC didn’t put the tank there.

Glorieto Aganon – I’m sorry?

Vice-Chairman Joseph Cruz – We don’t own the tank.

Justina Aganon – No but when we called the police the police said that Mr. Tajalle claims that that easement was given to him and he owns it okay and that our tank was abandoned on his property. And if I understand the map correctly the property that CLTC gave Mr. Tajalle is defined on the map and does not include that easement. So all we are asking for is something from CLTC that states that Mr. Tajalle’s land lines or Mr. Tajalle’s land lines as given by CLTC because the cops are saying that he didn’t steal it because Chamorro Land Trust has given him the rights to that fifty foot easement and that that container was abandoned on his property for six years. And they gave us a CFS number when we called them there is no report that we can get from them so we’re asking for something from CLTC to be able to take back to GPD and say look this is his property as per CLTC so that container is not on the property that he was given by CLTC so you must entertain our claim of that.

Vice-Chairman Joseph Cruz – I understand what you are saying but for us to provide you a copy of a map it must be considered a public record. If it’s a recorded document that was given the description of Mr. Tajalle then we can provide you with that. It’s up to the discretion of the Director now to provide you whatever sketch that accompanied that lease being it’s an official document by the agency but not as public records.

Justina Aganon – This is just really getting out of hand because the Aganon family (interrupted).

Vice-Chairman Joseph Cruz – Yes, yes because the map is there.

Acting Chairman David Matanane – The real issue is the tank that you guys are concerned of.

Justina Aganon – Well at this point sir you know it’s getting to the point where we’re starting to wonder if there’s some type of discrimination because of the fact that my husband’s last name is Aganon and Mr. Tajalle is a Tajalle. And the Aganon family my husband has been utilizing that land since way back in 1979 and CLTC did not, we showed you all of the paperwork when they came to our house. They visited us they put a paper on our door okay acknowledging the fact that we were down there. The reason that they cut that one little square out of the side of the property is because there was existing pig fence down there because the family has been using it for as long as they have. And CLTC took that property from an eligible Chamorro to give it to a different Chamorro. And now we are constantly, constantly aggravated by this man and we need CLTC to help us or give us back just that portion where we were actually farming where we have our plants there that

he bulldozed a lot of and we showed you the picture behind 158 where you could clearly see that the whole area was completely cleared all the way down through and now it's bulldozed up into trash.

Vice-Chairman Joseph Cruz – Now the way I interpret this map here it is a recorded document it is a public record. Based on this alignment of the easement that we are now discussing there is a sewer line structure in there. I don't think we can delete this because of the infrastructure being there. The sewer line is accommodating the GHURA housing.

Administrative Director Michael Borja – And it's a solid line right it's a right of way so it is a full easement.

Vice-Chairman Joseph Cruz – Another issue here that we're looking at R15 as a recorded map a dotted alignment for both 17 and 16 is where?

Margarita Borja (DLM) – There's an in-house map that was already approved.

Vice-Chairman Joseph Cruz – So do we have that? Is that official, recorded?

Margarita Borja (DLM) – Yeah it's attached to his lease.

Vice-Chairman Joseph Cruz – Okay so I'm reading what is here. So if it's a legal and it's a recorded document then by all means you can get a copy of this, present it to whoever police officer and say this is.

Glorieto Aganon – I did I showed him the map and they said well he claims that's his property CLTC gave him that property.

Justina Aganon – So that's why we're asking for something from CLTC to say no we didn't give him that property.

Acting Chairman David Matanane – You stated that it is a legitimate easement that's all. What we can do is probably the Director can write a letter saying that that is a true easement it doesn't belong to (interrupted).

Glorieto Aganon – Right maybe that's the only way because you know like I said twice I called GPD that's twice I called them up. Twice they came by and they said he has a legit claim.

Acting Chairman David Matanane – Mr. Aganon let me ask you on that tank that you have can you identify that tank that it's yours?

Glorieto Aganon – Yes.

Justina Aganon – I have pictures (interrupted).

Acting Chairman David Matanane – Did you tell the police officer that your markings are there?

Glorieto Aganon – We showed him a photo of it because we had a photo of it in the back of my house. So the officer said well if you want to take him to court you can subpoena us and we'll come back and tell him hey remove it.

Acting Chairman David Matanane – I believe CLTC by giving you that that will help but as far as your case is concerned you know with your tank that you have to deal with the police officer.

Glorieto Aganon – Right I understand that but the thing is every time the officer speaks to him he claims that is his property. I show him the map this is an easement this is their property right here. Yeah but they took the land in the back of his property so they gave him that property. I said no. I said look at the date on this map. It's just recent. That easement is still there that tank was behind my house.

Acting Chairman David Matanane – And you have stated that to the police officer.

Glorieto Aganon – Yes.

Justina Aganon – And they're not even doing a report. The thing is sir none of this had to have happened had originally the land being utilized by the person it was being utilized by if it was given to that person none of this would be an issue right now.

Acting Chairman David Matanane – But it wasn't given to him yet I mean there's no such document that he was given the land.

Justina Aganon – Tajalle's been given the land. You took the land away from my husband and gave it to him.

Vice-Chairman Joseph Cruz – He's leasing it.

Justina Aganon – That's right but he's Chamorro and he was already utilizing the land.

Glorieto Aganon – We were told by Mr. Joe Borja back then that that property is not for lease.

Justina Aganon – The sad part is yes they gave my husband another piece of land okay. The only reason they gave my husband another piece of land the way we're seeing at this point is because they wanted to shut him up in order for Mr. Tajalle to keep that piece of land. That is one of the reasons why we kept all of the records that we kept because when push comes to shove somebody didn't do something quite right. We had a very, very good area that we were farming that everybody in the neighborhood was eating out of okay. And now it's doing nothing but sitting there and housing God knows how many people in several different establishments down there.

Glorieto Aganon – I think he’s renting the place.

Justina Aganon – Before the typhoon prior to the last time we were here it was wild karaoke nights down there okay. Those are our trees we planted them we planted them with the sweat of our brow not him and he’s claiming to you that he planted them. And somebody has got to do something to make something right because this is not right. The piece of property if I could see the map I would love to show you something on the property. Can I approach you and show you what I want to show you?

Administrative Director Michael Borja – Sure.

Justina Aganon – So here’s the easement my house is right up in here and you notice that they didn’t take this piece over here the corner was cut off of Mr. Tajalle’s area okay. That is because there is an existing pig fence. The area that we were utilizing, farming came behind my house, Mr. Egan’s house which is right beside us and then our other house okay. And from there straight down to the back to approximately I would estimate just on the way of this lot is written. We were actually farming this area okay. Mr. Tajalle has a house down here on the corner okay. We’re not saying take that away from him okay. But we’re saying you know what enough is enough. That is a Chamorro that was utilizing the property. Why can’t he not have the piece of property that he was utilizing?

Administrative Director Michael Borja – Well I think we have to look at the issue too is that I don’t think we can alter an existing lease right now without other kinds of cause but we can definitely make comment on the easement. That the easement is a right of way and that it doesn’t belong to anybody and it cannot be severed out.

Acting Chairman David Matanane – I was talking to him before we started the meeting and I think he will be amenable to a letter from you stating that that piece of property that he’s encountering with is an easement and is a true easement so that anybody who tries to deviate from that will report to us so we could (interrupted).

Administrative Director Michael Borja – What we’ll do too is Margarita let’s get the list of all the owners on the adjacent properties of that easement and we’ll submit a certified letter to every property owner along that easement of what the status of that easement is.

Margarita Borja (DLM) – Private and the lessees.

Administrative Director Michael Borja – Yes.

Acting Chairman David Matanane – Do you think that thing will help a little? I’m not saying you’re solving the case.

Glorieto Aganon – Because he claims that you guys gave him the property GPD would not entertain me at all.

Administrative Director Michael Borja – No he can't make that claim in my discussions with him he knows he does not have that property.

Justina Aganon – So he is falsifying a statement to the police and that's why we need something from you (interrupted).

Administrative Director Michael Borja – What we're going to say in the letter and it's going to go to everybody who is living who owns property adjacent to that right of way easement that that is a right of way easement that belongs to the Government and it does not belong and is not part of anyone else's lease. When it comes down to the issue where I want to talk about farming on top of it I mean we're going to have to still go back and work on that. We're also going to have to define that line and mark it so that everyone knows and that Public Works will then come on out to then determine any encroachments. To verify the encroachments that we will uncover on our survey and to then notify. So even this letter may be something I can't do until after that so that your letter will then say that this property behind you is a right of way easement number blah, blah, blah, you are not encroaching or you are encroaching and we're going to give you official notification on that. Whoever is encroaching will be notified of the encroachment and with a copy of the map showing the encroachment.

Acting Chairman David Matanane – And that will violate any lease that is (inaudible).

Administrative Director Michael Borja – And on his side if he is the lessee he's going to also get that letter and it's going to show that whatever has been built on there if it's connected to both his lease property and the easement that it'll be shown in violation and then he would probably have to move the structure. But I can't enforce that part that's a Public Works enforcement issue. They can notify him officially as well but we'll also note it because in the survey it'll show that there is this encroachment but that's what we can do. I mean I can get some kind of preliminary letter out but in fairness to everybody it's going to be a letter to all people that share that boundary line of that right of way okay.

Justina Aganon – So we have to sit back and we have to wait until he chops up our tank and everything before we're going to have to get the letter so that we can get our tank back.

Acting Chairman David Matanane – Ma'am we cannot intervene in what GPD has investigated. As far as your tank you're on your own on that one but we're trying to rectify the problem of Mr. Tajalle owning that land this is why you're here right? We cannot just intervene into any local property or GPD's investigation or they didn't want to give you a report on what's their outcome. I'm sorry we can't do that. What you're here for is to just to identify that piece of property stating that it's an easement and a right of way for you and it doesn't belong to Mr. Tajalle. Sooner or later we're going to have to designate that thing and anybody you know have an encumbrance on that particular piece property and he has a lease with us then we have grounds to act on it.

Commissioner Amanda Santos – And he should stop claiming that we gave him that land.

Acting Chairman David Matanane – You understand where I'm coming from Mr. Aganon? We cannot just arbitrarily say okay you violated something no.

Glorieto Aganon – No, no I'm not asking you to say that.

Acting Chairman David Matanane – But what I'm saying is that you came and I understand your plight I understand but for right now you said that you would be amenable if a letter stating that it doesn't belong to Mr. Tajalle.

Glorieto Aganon – Yes that's all I need to provide GPD so they can act on it.

Acting Chairman David Matanane – And later on when this thing is being rectified with all Land Management mapping and surveying then any other lessee out there that violates any of the particular CLTC then we have grounds to act on it. Okay are you satisfied with that Mike? You think you can get that letter out as soon as possible?

Administrative Director Michael Borja – Well we will but I want to try and accompany it as much with the survey that also verifies those points and you can actually see the markers on the ground out there so everyone is fully clear of where it's at. I can do it in two parts but I would rather you know when we do it we don't do it half way and then cover it back up again to finish it off with another letter. But we'll get something out I'll get something out as soon as possible for you guys.

Acting Chairman David Matanane – Can you please call him and see whether you know on his timeframe?

Glorieto Aganon – I try I know he's a busy man nobody answers their phones. Sorry I'm just being honest. Every time I call your office it says leave a message. I'm sorry I didn't mean to put that in here I'm not here to insult nobody I just want to solve this problem.

Justina Aganon – It's just frustration and I hope you understand that. The frustration stems from having something that went along with your island culture with the sharing and giving to the neighbors to something really nasty in that area and it's very, very sad.

Glorieto Aganon – This man just moved into this area and all of a sudden he owns the whole GHURA. I wonder what kind of politician he knows in that that's corrupted. I kind of wonder. I'm sorry I don't mean to say that.

Administrative Director Michael Borja – No but we are dealing with a lot of sins of the past and we're trying to make sure we don't commit those same kinds of problems because the decisions we make today may not have a bearing for ten, twenty years from now and then it becomes a problem then and then somebody else has got to deal with it. Just like speaking with the new Attorney General she's dealing with problems she thought she dealt with twenty years ago and it's still coming back to haunt her in some cases and same thing here. I'm trying not to create problems in the future I'm trying to fix the ones we have now and move forward in a correct direction so that we don't have these kinds of things.

Justina Aganon – It's just one of the reasons why we're keeping all of that paperwork. You know I mean every time that we call we're going to log it, every time we come down here we're going to log it because we want it known we want to have the proof of everything that we've done to try to get right to come back around. Because the injustice that was done and I understand that you were not on the Board at that time. We do understand that okay but this is your opportunity to do right what the last Board did not make right and took away from somebody who was doing what they were supposed to do with that land.

Glorieto Aganon – I don't know if you guys visited that place lately but he hasn't done anything but put containers.

Justina Aganon – And bulldoze all trash up behind everybody else's houses.

Administrative Director Michael Borja – My visit there was because I had a different constituent call me up about a concern along the roadside too so I think I told you about it.

Justina Aganon – And it's still there.

Glorieto Aganon – It's still there they haven't moved it.

Justina Aganon – It's still there in fact one of them was only three inches off of the edge of the road this morning. Looks like somebody has hit a tire on it and they're still there. I would think that they would have to at least have as much of an easement as a sidewalk would take up on the side of the road before they put those type of platforms out there that are going to cause people vehicle problems. We requested that they put speed bumps on the road that goes from Wusstig to Sanchez and we were told that they wouldn't allow it. One of the reasons why we requested that is because the way that they redesigned the road so that Mr. Tajalle could keep that easement free and clear to have his house built there so they dogged legged it all the way around the property that he's on now which caused the people of Guam a second surveying. Now you have people that are going around all these 90 degree corners and crashing behind our house. So you know I mean every way you look at this it's not just the people that live in the area it's the people that drive that road. Everyone that utilizes that road area in that particular area with the three ninety 90 corners on it the island of Guam has done the people an injustice by doing that.

Glorieto Aganon - A lot of people have crashed there. Climbed over my fences, run over my coconut trees. Lucky nobody died yet.

Justina Aganon – We've had people right under their car ripped out when the wrecker had to pull them out because they sheared off a coconut tree that was this big to be planted on the corner. Now we're looking at trying to take maybe some tires and putting a post down through it to put them on the 90 degree corner to prevent people from coming all the way in and perhaps maybe not hurt their cars as much as they've gotten when they're shearing up the big coconut trees. We're trying to help people.

Administrative Director Michael Borja – Okay do you have a copy of this map?

Acting Chairman David Matanane – Do you have time for it Mike maybe in the week?

Administrative Director Michael Borja – Yeah it'll be before the end of next week.

Justina Aganon – What is the date on that?

Acting Chairman David Matanane – The date?

Justina Aganon – No the map.

Administrative Director Michael Borja – This is the most current map right, 2007?

Margarita Borja (DLM) – It's not for that particular right of way but it's for an adjacent lot. I don't think you have a copy of that. It's for another lot but it showed all the existing easements that were there.

Glorieto Aganon – I have 2012.

Margarita Borja (DLM) – You can provide it for them it was for an adjacent lot.

Vice-Chairman Joseph Cruz – So what's the number because what's showing there is 16 and 17.

Margarita Borja (DLM) – But that's just because it's adjacent to.

Administrative Director Michael Borja – And this is only the first sheet of two.

Vice-Chairman Joseph Cruz – Because Waterworks identify 16 and 17 as water pump and on that sketch 16 and 17 is reflecting Tajalle's parcel. So what was the assignment for Tajalle based on the approved map and based on his lease?

Margarita Borja (DLM) – What you have there is 16 and 17.

Vice-Chairman Joseph Cruz – On the sketch.

Margarita Borja (DLM) – Yeah it's correct.

Vice-Chairman Joseph Cruz – But there is 16 and 17 officially designated for water pump.

Margarita Borja (DLM) – See that was an in-house map so there may be a duplication of lot numbers.

Vice-Chairman Joseph Cruz – Here 119, 16 and 17 and here is 16 and 17.

Margarita Borja (DLM) – That’s an in-house map.

Vice-Chairman Joseph Cruz – So what are we providing them that is a public record?

Margarita Borja (DLM) – I’m not sure what they have but I don’t think we should provide them with this because this is just used as a you know (interrupted).

Vice-Chairman Joseph Cruz – So give them the recorded map.

Margarita Borja (DLM) – I think they have it.

Administrative Director Michael Borja – Let’s assemble all the recorded maps of that area and we’ll provide all that.

Vice-Chairman Joseph Cruz – Because it’s misleading if you have 16 and 17 as a sketch and then officially 16 and 17 belongs to Waterworks because that’s a pump designation.

Administrative Director Michael Borja – These two?

Vice-Chairman Joseph Cruz – Yeah isn’t that Tajalle’s 16 and 17?

Administrative Director Michael Borja – Yeah.

Vice-Chairman Joseph Cruz – Okay 16 and 17 is right here it’s the same designation.

Administrative Director Michael Borja – Same lot numbers right.

Margarita Borja (DLM) – It’s a duplication.

Administrative Director Michael Borja – Let us get into looking and do our research to get the correct map because we have some duplication of lot numbers on this. Is this a sketch? This is a map.

Vice-Chairman Joseph Cruz – The dotted line is a sketch under 16 and 17 for Tajalle (interrupted).

Administrative Director Michael Borja – Right but we have to get the correct one that shows that one.

Vice-Chairman Joseph Cruz – Exactly yes and that is what you provide them.

Administrative Director Michael Borja – Okay.

Acting Chairman David Matanane – So you got a certain timeframe on that (interrupted).

Administrative Director Michael Borja – Yeah we’ll get it out.

Glorieto Aganon – Yes please because I'd like to solve (interrupted).

Administrative Director Michael Borja – The middle of next week at the latest.

Glorieto Aganon – I'd like to solve that problem with my tank as soon as possible before it disappears out of his lot and he's going to say well I don't know happened to it.

Acting Chairman David Matanane – I can't understand why the police officer wouldn't do a report.

Glorieto Aganon – There's a lot of connection.

Acting Chairman David Matanane – I can't understand that.

Glorieto Aganon – The pare system works around here.

Acting Chairman David Matanane – Work with Mr. Borja maybe within the week's time.

Glorieto Aganon – Thank you very much for listening to my concern. Now I feel better now I can probably sleep tonight. So there's no letter?

Administrative Director Michael Borja – I'll put something together.

Glorieto Aganon – So that way I can present it to GPD.

Administrative Director Michael Borja – I'll get something for you guys but there's also going to come in a formal way as a certified letter.

Glorieto Aganon – Alright.

Justina Aganon – Thank you.

2. Vince Akimoto – My name is Vince Akimoto I'm with the American Medical Center and with the Magas Foundation. We're turning to the Chamorro Land Trust to update you on the progress that we have made in our request to build senior citizen housing for the people of Guam. But in light of the previous comment we also think that what we're doing will help resolve some of the sins of the past because in the last 18 years the Chamorro Land Trust stakeholders the people of Guam have been denied more than 10 million dollars in land use revenue specifically from Oka Point which was apparently put out for consideration for development more than 18 years ago and is still yet to have any infrastructure development to allow any such development to occur. So landowners in other parts of Guam have been denied resources to help resolve and enforce these types of issues in surveying. There's been limited infrastructure development and local businesses that want to thrive such as Agriculture have been denied more than 10 million dollars in lost revenue because of a failure to act on the Chamorro Land Trust lease at Oka as well as many other properties around the island. Commercial developers such as ourselves are interested in building for

the people of Guam. So aside from just the fact that we have still failed to provide the war reparations generation the manamko of Guam the baby boomers access to the same kind of healthcare resources for senior citizens that would receive in Hawaii, Alaska, California and Washington. Unfortunately today we went to three funerals of some of those people that could have benefited from these resources to help them in the final months and years of their life to recover from cancer and heart disease and diabetes. This yes is an issue for the Chamorro Land Trust and for Land Management to consider because these things are all connected. Healthcare is related to economic development is related to the proper use of land. So many, many things can prevent us from achieving this type of development soon including the wish to not revisit sins of the past but the sin of today is that people are dying in Washington and coming back in body bags on airplanes because they couldn't die at home. They had to die in an assisted living center or a senior citizen care center because their family wanted them to get the same level of care as an American. We don't have that on Guam now and there are lots of good reasons why but the CLTC won't be one. Right? The last time we came here we were told that there was some support for this project so we took that into consideration and we went to the Chamorro Nation which claimed that it was the originator of the concept of the Chamorro Land Trust Commission in the first place basing it on what has happened with the Bishop Foundation in Hawaii. If that's true or not I don't know but we do have a resolution from that body endorsing our efforts to build senior citizen care centers in a mixed use economic development zone on Oka Point and we have a copy of that today for you to keep. It's something that we hope that will build the kind of support within the community because the Chamorro Nation has historically criticized any development projects up at Oka Point. They said if it's well you've heard it before apparently they'll lie down in front of the bulldozers. But they will help drive the bulldozers that will help create better healthcare and educational facilities and an economic driver on Oka Point. But many of them are in need of healthcare as well. A lot of them don't have health insurance and many of them don't have jobs. So we would like to move forward quickly but apparently the next item on your agenda after the rest of the public comment will be the fact that the promulgation of some of these lease regulations are still yet to be completed. I guess that's I hope that's not true but we understand that it might be stuck at the Attorney General's office or down at the legislature which is sad for me because that was 8 months ago that we were told that that was the same situation. Apparently the last Attorney General sat on the law and didn't push it through and yada, yada, yada. It's now May 21, 2015 tomorrow three more people will die the day after that three more people will die and the other day after that five more people will die and some of them are going to be people that could have taken advantage of the assisted living and senior care center services that we want to develop on Guam. So we're not going to wait. We're not going to wait for the CLTC to act. Private enterprises are moving forward and in Mangilao we've build a new clinic. Sorry that's why we haven't come here any sooner to express to you our concern that things are moving slowly but in the private sector we're moving forward to develop this without any regulation. So in Mangilao behind our new clinic you will see the first assisted living center on Guam. It will be sad though because the Chamorro Land Trust had the opportunity first. We will continue to work with you but we must insist that this has to be a priority. There are no revenues coming out of Oka Point. None, zero, nothing. 1.2 million is the fair market value of the 42 acres that you have there that has no civil infrastructure and no plan to develop it and no funding. Unless you're

going to float another bond for the Government there is no way you're going to put anything up there. The developer will not develop land with a 5 year lease subject to legislative approval. That's the current terms right? So you know I'm not mad I'm just pissed off. We need to move a little quicker to get things going so that at least we have a chance to show you that we're serious. We're going to build senior citizen care services on Guam. We would appreciate it if we could do it with you so that the Chamorro people of Guam who don't have resources now don't have to die in Bremerton, don't have to die in San Diego. They can die at home with dignity and with peace. We would resolve this issue quickly. We have investors that are interested in Oka Point. There are many investors interested in Oka Point but we will not let our investors predicate their existence on Guam on casino gambling. We will make this happen on our terms. You'll have local people building a local project for the people of Guam. It's not your fault but the regulations to allow this lease apparently still haven't been put into play. So if we were to ask for the lease today which we would like to ask for the lease today apparently you would not be able to help us. And any investor that comes from China or Korea or from the mainland United States is going to ask the Governor and GEDA why did you invite us to Guam? Why did you ask us to come here? You went to this Trade Conference and you were in Virginia and you told us to come and invest in Guam and then we come and see Oka Point and it's not ready for rent and it has no infrastructure. Were you going to help us with the infrastructure? Our plan includes the development of the infrastructure using USDA and Department of Interior funding. It will be our responsibility to bring the infrastructure in. Our plan includes partnering with the Guam Community College which already had a similar plan to build on Chamorro Land Trust land but by the time they were ready to build somebody gave the land away on the back road to Anderson. You remember what I'm talking about right? GCC spent 1.2 million dollars on a master plan they spent all the money to get this done. They have assurances from the USDA that they would get civil infrastructure investment but they gave away the land on the back road to Anderson.

Commissioner Pascual Sablan – Dr. Akimoto, you have my highest respect when it comes to your profession and of course we need that but why are you doing all these things you know without any authorization or any commitment from the Chamorro Land Trust? Is this going to be, the Oka Point is going to be like the one down at the Marriott when you look at the population there you know. Don't forget this is a Chamorro Land Trust. Who is going to benefit the Chamorro or people from outside that don't pay or reimburse?

Vince Akimoto – Were you here for our previous presentation sir, Mr. Sablan?

Commissioner Pascual Sablan – Yeah I was here with Dr. Kasperbauer and all those things but we didn't give you any to be, the best of my recollection we didn't give you any commitment. Before you do that big project I think you should and you just said the word that there was a master plan for 1 point some million dollars then they gave the land away. How can they do that when you don't have any? If there is a commitment then the Chamorro Land Trust would be committed to do this.

Vince Akimoto – Was the Chamorro Land Trust committed to the GCC development on the back road to Anderson?

Commissioner Pascual Sablan – No I don't know that but I'm talking now on you (interrupted).

Vince Akimoto – But I'm talking about GCC spending 1.2 million dollars on architects, engineering and spending time with federal officials to get a commitment to put infrastructure into land that doesn't have any. Did the Chamorro Land Trust give the land away underneath the Guam Community College?

Administrative Director Michael Borja – No, no, the Chamorro Land Trust did not give that land away. The Chamorro Land Trust property was exchanged to the Guam Power Authority under the auspices of the Guam Legislature. The Guam Legislature has and will continue to have as they do today and yesterday and tomorrow full control over all Government lands. Whether it's Chamorro Land Trust or anybody else that is holding property. So the Legislature did it and it was with or without the approval or the consent of the Chamorro Land Trust. So that happened (interrupted).

Acting Chairman David Matanane – We even said are we here for just the show of it or what?

Vince Akimoto – Well that's the thing out of respect for the authority of this body which according to the Chamorro Nation you were created as an extension of the people of Guam and their concerns for their future and for their past. We're coming to you not once but twice.

Commissioner Pascual Sablan – When you say the people of Guam that's a very broad word then you say Chamorro.

Vince Akimoto – So okay so you asked me why do I come here? Because I'm a people of Guam and I am a Chamorro.

Commissioner Pascual Sablan – Look at down at the former Pacific Star I don't know what's the name of that (interrupted).

Vince Akimoto – Guma Trankilidat.

Commissioner Pascual Sablan – Oh Guma Trankilidat. If you look at the population there how many Chamorros there?

Vince Akimoto – Not enough.

Commissioner Pascual Sablan – Well see.

Vince Akimoto – Do you know what the waiting list is? 3,812.

Commissioner Pascual Sablan – How many Chamorros waiting?

Vince Akimoto – Two of them without legs.

Commissioner Pascual Sablan – I'm sorry?

Vince Akimoto – Two of them that don't have any legs that had amputation in the last three years. One of whom has been living in his car for the last four months. Martin Benavente has been trying to help him to get housing but the man is a retiree of the Department of Corrections and apparently makes too much money to stay at Guma Trankilidat despite the fact that there are 15 Malaysians down there with family members who are worth millions of dollars. I do know about Guma Trankilidat that's why we're doing this sir. We should talk. We've been spending a lot of time doing this. You've been hearing us.

Administrative Director Michael Borja – Okay Dr. Akimoto I just want to let you know you've talked about the rules and regulations. I can only move the rules and regulations as fast as I can possibly do which I did.

Vince Akimoto – We can move it faster.

Administrative Director Michael Borja – I did, I did. It sat in the Attorney General's Office for a period of time which I did not think was (interrupted).

Vince Akimoto – If it's blocking while getting resources let's move.

Administrative Director Michael Borja – Exactly okay and so it's not like it wasn't done.

Vince Akimoto – I'm not mad I'm just upset.

Administrative Director Michael Borja – Now it has already been released from the Attorney General. It was sent to the Governor's Office a week ago today.

Vince Akimoto – It's on Arthur Clark's desk we will follow up.

Administrative Director Michael Borja – And it was overcome by events in this last weekend okay so I got to be patient about that but my hope was that they were going to have it out by Friday. Of course there was not even work on Friday. So it's on its way to the Legislature and then (interrupted).

Vince Akimoto – Who will block it at the Legislature?

Administrative Director Michael Borja – I don't think they're going to be. I've already had some discussions with many of the senior members over there and I'm planning to put a full core press on every single Senator to enlighten them on all the aspects of this rules and regs. There are some issues with the rules and regs that has caused it not to be a complete full regulation but there is a fix to that already and it's only because certain elements were not sustained by law. So I have to create a new section of the law in order to accommodate the needs of this rules and regs. Two primary points Commissioners they

are the subleasing and assignment purposes of rules and regulations. Now the rules and regs if you've had a chance to look at it and if you haven't I can provide you a copy allows us to put out a solicitation for the land. You can come in today and ask us for something we have to put a solicitation and offer it to everybody. And whatever comes in under sealed bids the best and highest use or whatever is going to be the best to the Chamorro Land Trust and especially in the side of payment is what we select. If you're the one that gets selected then you proceed with it. There are a whole list of requirements that have to come in with those solicitations and it's all spelled out in the rules and regs. So as much as you are really passionate about your project which I commend all of you for being so passionate because it is a serious issue we can't just exactly say you want Oka Point you're going to get it. Those days of doing that are totally gone. Now let's say we can still try and work this out in some other ways maybe it's not just Oka maybe there is other lands in other places that will be even more just as suitable. We have to look at the whole realm of things.

Vince Akimoto – We can work it with that but it feels like this discussion from the last time hasn't even grown any fruit because we don't have the rules and regulations (interrupted).

Administrative Director Michael Borja – And that's the reason why we can't discuss anything because there is no, we've asked everybody that's asked us I get calls from the Senator's office constantly, Mike where are the rules, where are the rules. I can tell you we moved on it as fast as we could on our end. We had a public hearing on November and everything was all finished off in two months later. The final document was sent off to the Attorney General in January. So we got our stuff done quickly. It's not like I haven't pushed and pushed and pushed. So we're working on it okay.

Vince Akimoto – This is not a criticism (interrupted)

Administrative Director Michael Borja – But when it gets to the Legislature I would prefer that we pass this thing within the 90 days. They have 90 days to sit on it and not act and then it passes or they can go and pass it as a bill and it's done quicker. I would like it to be that way too but the Chairman of the Land Committee who is Senator Tom Ada thinks that it might be best to just let it sit for 90 days. I don't really fully agree with that. I want to see it done immediately just like you do because we've been losing a lot of revenue and a lot of opportunities. We have had projects frozen that could have been ongoing already because of this. So yes you're right there's a whole laundry list of things that we can do with the revenue that we're going to hopefully seek through commercial leases and licenses but we have to do the proper thing and that's get these rules passed.

Vince Akimoto – To step forward and that was actually behind us on the agenda the purpose of our coming now is this is 10 months later right so we heard the same challenges you're facing prior to the election and we thank you for letting us speak because that was a last minute invitation and you actually facilitated that. But if the question is still why Oka and why us and why now hopefully we can resolve it not just with our passion but with the financial analysis and feasibility studies that were requested with Governor Calvo at the GEDA Investment Conference that we went to and attended and met with the very few

investors that managed to find their selves to Guam. Those that did ask to invest on Chamorro Land Trust land were told that there were no rules and so they could not do that.

Administrative Director Michael Borja – Right and then you pointed out a couple of other issues and that's the 5 year limit on contracts and licenses and leases. But there's ways around that and there's a process that we have to even proceed before we even do the solicitation so that we cannot even have that as a limitation. I don't want to do at Oka Point for 5 years. I mean nobody's going to be in their right mind to even listen to you after you say that. I want it to be available for 99 years and I have to go through the process. If you're going to put in millions and hundreds of millions of dollars it's ridiculous but you know there's provisions for 50 plus 49 and it's just a matter of going through the process to do this. I can tell you I've had my battles with the Senator in January to remove that limitation from the Chamorro Land Trust. It didn't get anywhere okay but I'm still not going to let that one go.

Vince Akimoto – So to speak to this body which we are doing this because we believe in what the purpose of you being here I mean we saw it just now resolving conflicts even in the most minute level this is the body to come to. But we're talking about is on the other end of the spectrum this is 1.2 billion dollar master plan development on the CLTC's crown jewel property. Again you can talk to me about all other kinds of lands but I'm the developer I'm the one spending all the time finding investors for this. They all want to be on Oka. We can talk to them about any of your other properties. They're looking at Oka and going why isn't anybody developing there? I think the law mandating this was in 1996, '97. It's not too soon and for us to start talking to you about is really to say we're not going away we will present you the full thing as soon as you tell us to do so. What we would really like to know is what's your problem? Is there anything about what we're saying that you cannot find in your heart to be right? And again cause I know I got you but there must be somebody who has a problem with this and I will talk to Mr. Ada because I know he's doing it from the right perspective he doesn't want to give it away and then find out later that it turned into a nightmare or sins of the past. So we're standing here telling you let us out. Tell us what's wrong with us.

Administrative Director Michael Borja – No I'm not saying there's anything wrong with you guys.

Vince Akimoto – No I know there's nothing wrong with me. Let's get going.

Administrative Director Michael Borja – But there's the process that has held us up you know and that's the only thing.

Vince Akimoto – And that's a different issue because once we get past that and I do want to suggest it's going to be done in 27 days.

Administrative Director Michael Borja – What's that?

Vince Akimoto – You're going to have your regulations in 27 days.

Administrative Director Michael Borja – Oh, okay.

Acting Chairman David Matanane – Really.

Vince Akimoto – But if you do then you still have to deal with the fact that there's going to be people like us none of them as prepared as us none of them as sincere as us. The thing is that it's just that there's got to be a problem. There's got to be a reason why we wouldn't get it and we want to resolve it now.

Administrative Director Michael Borja – And this is really one of the next steps is once it's transmitted to the Legislature we need to sit down there's some certain players we need to put together you included to help us draft us a solicitation request.

Vince Akimoto – I'm not going to touch that I want to be able to respond to it unbiased.

Administrative Director Michael Borja – Right then I won't but I need to create a solicitation.

Vince Akimoto – But you take too long I will come back.

Administrative Director Michael Borja – But we have to create a solicitation and then open it up for the public to come.

Vince Akimoto – We want this to be open also.

Administrative Director Michael Borja – Also just remember that by public law GEDA has already been given that land to develop on behalf of the Chamorro Land Trust. I know you may not like that but that's public law already. And see that's one of the steps that's already been done.

Vince Akimoto – It was given to them first and they screwed it up.

Administrative Director Michael Borja – But that's one of the steps that's required. Before I can even go out with solicitation I have to get a preapproval from the Legislature to use the land.

Vince Akimoto – I wish GEDA was as careful as you because GEDA is going out and soliciting to everybody to come and bid on it.

Administrative Director Michael Borja – Because they're trying to use it.

Vince Akimoto – They're going to Korea and China and they're going to Virginia.

Administrative Director Michael Borja – And you don't think that I'm not getting weekly emails and texts from their Chairman saying where's the rules because of course they too (interrupted).

Vince Akimoto – But then how come they're spending the money on these things they know that you're not ready? It's like telling everybody to come to a party and you know there's no rice.

Administrative Director Michael Borja – Well they're either getting people they're finding who might have interest (interrupted).

Vince Akimoto – But we've been here since October.

Administrative Director Michael Borja – I understand.

Vince Akimoto – So that's the other slap on the face is you're going everywhere but here and we're here.

Administrative Director Michael Borja – And we do also have a memorandum of understanding with GEDA.

Vince Akimoto – Can we just say that this is a locals only project? We'll take a resolution from the Chamorro Nation to say that we would prefer the Chamorro Land Trust would prefer to work with the Chamorro Nation and the people of Guam and this is a locals only project.

Administrative Director Michael Borja – Well let me tell you what the rules state also it says that there is preference given for (interrupted).

Vince Akimoto – Anybody from Merizo.

Administrative Director Michael Borja – If the client is Chamorro or is qualified for Chamorro Land Trust properties. So make sure Mr. Tajeron you got your birth certificate ready. I'm just kidding. But it's there okay if it's a corporation a member of the Board of Director has to be that's to get the preference.

Vince Akimoto – Every single one of us is.

Administrative Director Michael Borja – But see we've even given preference to that and the AG agrees.

Vince Akimoto – Is that the AG?

Commissioner Amanda Santos – Yeah.

Acting Chairman David Matanane – Thank you and I appreciate your comments concerning the one up in Mangilao.

Administrative Director Michael Borja – You drive by it too right it's beautiful.

Acting Chairman David Matanane – Oh I've been there paying my bills.

Administrative Director Michael Borja – You've been there? See he's paying the rent.

Acting Chairman David Matanane – And we have nothing to do with that Doc.

Vince Akimoto – No, no it's okay.

Acting Chairman David Matanane – We have nothing to do with that. Matter of fact I was hammering on him to go after that law that, what was that law that I was asking you about the eight hundred something that the (interrupted).

Administrative Director Michael Borja – Oh the utility companies.

Acting Chairman David Matanane – So we were working on those too but they have nothing to do with that Doc.

Vince Akimoto – Just to be clear though that was land owned by Chamorro and that building was built by Chamorros. That is, you have everything to do with that. It's just that the money was all private and we didn't get any help from the Government and we have to still pay our 4% GRT. We got no QC.

Acting Chairman David Matanane – I know we were so pissed about it. I said oh my goodness here you know we have no say so on that it all happened in (inaudible).

Administrative Director Michael Borja – Oh no you're talking about the GCC.

Acting Chairman David Matanane – Yeah I was talking about GCC.

Administrative Director Michael Borja – No he's talking about his clinic.

Vince Akimoto – No I'm talking about both. Because he's saying it's about GCC and us. If you can do it in Mangilao you can do it in Tamuning.

Acting Chairman David Matanane – Mangilao almost has everything in there. Thank you Doc, thank you Mr. Taijeron.

Vince Akimoto – Thank you very much.

(Commissioners took a break; 2:03pm – 2:14pm)

V. OLD BUSINESS

1. Jeffery Kosaka – Submittal of farm plan for 3 acres on portion of Lot 470-R4, Santa Rita

Jeffery Kosaka – Mr. Chairman, members of the Board, Legal Counsel, recorder, Mrs. Borja, Jeffery Kosaka my son Jarred he's here today with me to also you know kind of see

what I do. Like I mentioned last time when I kick the bucket he's going to take over. I'm here today I guess just to get an update from our last meeting.

Administrative Director Michael Borja – Okay we have a staff report from Margarita Borja. Margarita do you want to provide your staff report.

Margarita Borja (DLM) – What we have in front of us is a report for Jeffery Duenas Kosaka. He's coming in requesting for approval to lease 3 acres on a portion of Lot 470 municipality of Santa Rita for grazing purposes. Mr. Kosaka came before the Board and there were previous Commission actions on this. He came in on July 25, 2014 requesting to lease 8 to 20 acres of agricultural land for grazing. The Board at that time suggested that he work with the staff to identify the lands available for his needs and present his grazing plan. On a later date August 21, 2014 he once again came before the Board requested to change his application type from Residential to Agriculture in order to pursue his request to lease agricultural land for grazing. The Board again suggested that he obtain approval on his request to change to agriculture and to continue working with the staff on the availability of a portion of Lot 470. Listed were the chronological facts. He applied on December 2nd was issued a residential lease for a parcel in Agat. On September 30, 2014 he came in and put in a request to change his application type from Residential to Agriculture and that request was approved by Mr. Borja. We had consulted with the survey division and they had provided a survey scheme for approximately 3 acres for Mr. Kosaka's use and now he's coming in to request for that 3 acres.

Acting Chairman David Matanane – You mentioned Mr. Borja, the current one?

Administrative Director Michael Borja – Me.

Acting Chairman David Matanane – Has approved.

Administrative Director Michael Borja – The change of the application from Residential to Agriculture.

Acting Chairman David Matanane – Okay so he has surrendered over the Residential?

Margarita Borja (DLM) – Yes.

Acting Chairman David Matanane – You know I just have to make a little comment on this. When people apply for Chamorro Land Trust and they deny the original land that they were given they go to the bottom of the line right?

Administrative Director Michael Borja – No we don't have that they get the opportunity for three (interrupted).

Acting Chairman David Matanane – The three strikes. I understand that but how has management been handling that? If you deny me within so many days you're going to have

to find me another one so I can deny. The third time you're going to go down to the end of the line right?

Administrative Director Michael Borja – Yes.

Acting Chairman David Matanane – So has he gone through that process? We don't want to have a snag here where he has not been denied once.

Administrative Director Michael Borja – No we don't deny them. He denied (interrupted).

Acting Chairman David Matanane – He denied his once. Then if you offer him another one then he has to also reject that one too right? So on the third time you're going to have to the bottom of the line.

Administrative Director Michael Borja – If he rejects it a third time he goes to the bottom of the line and starts all over again and waits to (interrupted).

Acting Chairman David Matanane – But only the one time that we have here which is the property that he's looking for to getting right? So there's no rejection really we're just exchanging it with the property that he has right?

Administrative Director Michael Borja – Right.

Acting Chairman David Matanane – My question was to, I was thinking about that that an original applicant coming in and they showed him the property and he rejects it and what timeframe does it have to be done.

Administrative Director Michael Borja – There is no timeframe set up no.

Acting Chairman David Matanane – But he hasn't reject any of the property that was matter of fact he was (inaudible).

Administrative Director Michael Borja – Well he was originally assigned a property?

Margarita Borja (DLM) – Yeah he was assigned a residential lot in Pagachao subdivision a residential lot and in order for him to pursue his grazing instead of applying today for an agricultural lease he choose to keep his date and time and change the type from Residential to Agriculture so he can hold on to his 1995 application. Because he could actually have a residential and an agriculture but he would have to wait for his date and time in order to receive his land for grazing.

Acting Chairman David Matanane - I don't want anybody coming in and saying oh we did this you know I just want it clarified that we have not you know stumbled on anything that if this if the way we are doing it then it should be consistent.

Jeffery Kosaka – I voluntarily gave up the lot based on the guidance I got from these guys and I think it would benefit the plan that I have.

Acting Chairman David Matanane – It's just a comment Mr. Kosaka because I was thinking of it you know what if somebody comes in here and say oh Mr. Kosaka got this and how come I can't get it the way you know he does. So I was thinking of all the angles that an applicant coming in how come he can get this and change it. But the rejection like you said the three if we're doing it the way we are doing it right now and it's consistent then we're good. All I'm asking is that we're consistent on what we're doing and not deviate from so nobody will question. Alright thank you.

Vice-Chairman Joseph Cruz – So Lot 37 is available based on his (interrupted).

Margarita Borja (DLM) – Yes well as of this date I believe it's not. He declined the property back in I'm not sure when in September and immediately after that the lot was given to an individual for residential purposes.

Jeffery Kosaka – August 15 was the day I signed that document.

Margarita Borja (DLM) – And it was approved on September 14.

Acting Chairman David Matanane – It was leased to somebody else right?

Margarita Borja (DLM) – Yes.

Jeffery Kosaka – September what?

Margarita Borja (DLM) – September 30, 2014 was when it was approved by the Director.

Administrative Director Michael Borja – Let me ask a question Margarita on your staff report you mentioned a couple of different lots on facts B you called it 470-R2 and then on the next page under item 4 you called it 470-R3.

Margarita Borja (DLM) – Yeah at the time when Mr. Kosaka came in on those dates they were remainder 2.

Administrative Director Michael Borja – Okay so what is it, 470-R2?

Margarita Borja (DLM) – Today it's R3 the last recorded map (interrupted).

Administrative Director Michael Borja – So where is it on this map?

Vice-Chairman Joseph Cruz – R3 is no longer available so they created 4.

Margarita Borja (DLM) – R3 is the last actually. This is a scheme that you have here it's a proposed scheme. So this is R3 and the -4 is what Mr. Kosaka will be getting if he was to survey his property. So the last recorded map here is 470-R3.

Vice-Chairman Joseph Cruz – This is not part of any reservation from DOE since the Elementary School is here?

Administrative Director Michael Borja – No we checked. They have everything they need because even the Mayor was asking the Mayor's office is down here on the bottom and they were asking about some area back here as well.

Commissioner Amanda Santos – Land Trust land?

Administrative Director Michael Borja – Yeah there's some agricultural lots back here.

Acting Chairman David Matanane – Then he's pretty much done right? All we need is an approval. We got all the maps and all that.

Margarita Borja (DLM) – It's just subject to survey. Once it gets approved we'll issue him a survey authorization to survey the 3 acres and then once the map gets approved we issue him the lease.

Vice-Chairman Joseph Cruz – What's the terrain, the terrain from the school to your site?

Jeffery Kosaka – The school is flat so the property is here the school is down here the property on the side is level here then it's a slope up the hill and then it's a little flat. On the back side towards the school side it slopes down like this. So part of the plan is you know there's mitigation factors that I will be putting in with the help of USDA which I already have made my contacts and all I'm waiting for is for this to proceed. Once this is done then you know the primary thing I got to do first is the perimeter fence because of the safety and you know my cows don't run away. So once the perimeter is done then USDA comes in and they would help me do everything else the paddocks, the watering holes, the environmental you know everything that needs to be done I'm applying for a grant for that.

Administrative Director Michael Borja – Make sure those kids at that school don't go running off with them riding it away.

Jeffery Kosaka – As a matter of fact I spoke to the Principal there and you know he's really glad that someone is for the past 25 years that you know I've been with my wife nothing has been done in the area but I was using the area. But for us coming in and doing something like that maybe for the school if the continuation happens with the school you know hopefully they don't close it down it being an old school and you know Mr. Fernandez's concept about leasing schools so it's back to the original schools not separating them. Which I think was a good idea but my concept with the 4H Club it would help benefit the school itself on its current condition.

Administrative Director Michael Borja – Yeah especially those kids.

Jeffery Kosaka – And from the minimal farming to learning how to tie a cow, how to clean a cow, what goats like to eat, what animals like to eat you know stuff like that. So it's very educational and I'm sure the kids would enjoy it.

Vice-Chairman Joseph Cruz – How far is your site from the school ground about 500 feet?

Jeffery Kosaka – It's about from the boundary.

Vice-Chairman Joseph Cruz – From your parcel to the compound of the school.

Jeffery Kosaka – It's about I'd say between 4 to 5.

Vice-Chairman Joseph Cruz – Hundred.

Jeffery Kosaka – Yes.

Vice-Chairman Joseph Cruz – Any of your cows has any bell because you'll be hearing a tardy bell.

Jeffery Kosaka – We had a brand new cow bell we put one on already but he lost it because he didn't like it.

Commissioner Amanda Santos – You hang it on the cow the bell?

Jeffery Kosaka – Yes so when they get lost you can find it.

Acting Chairman David Matanane – So I guess Mr. Borja has approved of it and (interrupted).

Administrative Director Michael Borja – Well no I just approved the type of lease change.

Acting Chairman David Matanane – Okay so we need a motion for us to accept this.

Commissioner Amanda Santos – You approved it already?

Administrative Director Michael Borja – No not this not this. The actual request Margarita is that we approve his (interrupted).

Margarita Borja (DLM) – The request to lease 3 acres of a portion of Lot 470-R3 municipality of Santa Rita.

Administrative Director Michael Borja – And he has provided his grazing plan.

Commissioner Amanda Santos – Jeffery can we go there for a field trip?

Jeffery Kosaka – Yes you're welcome at any time.

Vice-Chairman Joseph Cruz – I make a motion to approve the lease for 3 acres on this portion of Lot 470-R3.

Commissioner Amanda Santos – I second it.

Acting Chairman David Matanane – Any objections? Show of hands in approving the lease agreement with Mr. Kosaka. It's a majority.

Administrative Director Michael Borja – Thanks Commissioners this is a good thing because I know that there's a major effort to try and increase the grazing of cattle population on the island so that there can be some self-sufficiency on meat and cattle products. You're working too with the people from Saipan?

Jeffery Kosaka – Well I'll be getting to them next also dealing with I got to visit Tommy Tanaka Jr's farm and we're going to form a cattle association. There's not one truly yet so me and Mr. Herrera Dave we're planning to be the ones for the south. We're going to try and do an island wide association and do what we can do as far as the meat production here on the island. I mean meat is getting expensive coming in. If Saipan can have their slaughterhouse I mean I'm sure something down the road can happen for us.

Administrative Director Michael Borja – Well you know I've lived in the mid-west for a number of years and I grew up there and of course there's heavy on farms and stuff and these state fairs that they have I mean kids take pride on the cattle that they raised for shows and people would be amazed like you know Mrs. Santos wanted to bring a fieldtrip down. Kids don't see these animals and to see them you know and especially these are not unless these pictures look like they don't like you or something because it looks like you're trying to pull them a certain way.

Jeffery Kosaka – The ones in the back are a little I had to watch myself but the one I'm holding once you hold the ring you control them so they're okay. But this one is pretty tamed though.

Administrative Director Michael Borja – No they usually are but you know I commend you and I wish you all the luck on you and your son and don't get all messed up about it enjoy it too.

Commissioner Amanda Santos – What happen the cow already broke your leg?

Administrative Director Michael Borja – He's riding a wild bull. Are you going to be also mating and trying to raise your own?

Jeffery Kosaka – Well my initial plan is to start off with you know a few cows first and I guess you know put up the perimeters and everything and I also got a couple of goats. I got a duck that's just roaming around just waiting for a mate. So I'm going to have a variety of animals in the area too not just the cows. With the time that I came here last time from July till now that I've had the cow I've learned a lot about their feeding and what's better to have goat, cow or just cow only. So there's a variety of stuff that's out there that we can put into the grazing area other than just cows.

Commissioner Amanda Santos – Jeffery can I invite the schools to bring the kids there?

Jeffery Kosaka – Yes that will be part of the 4H Club plan that's going to be developed.

Administrative Director Michael Borja – Tanaka they're on CLTC or are they private?

Vice-Chairman Joseph Cruz – Private.

Administrative Director Michael Borja – That's out there on Mataguac?

Jeffery Kosaka – No over on Nevermind Road Ysengsong area on the right side.

Commissioner Amanda Santos – What about Herrera does he have a lot of birds?

Lorraine Nededog (CLTC) – David Herrera is in Agat Umang area.

Administrative Director Michael Borja – Some of the things that we're looking for is you know the lands that are probably better suited for grazing rather than farming are definitely not for residential will be the places that we're going to try and open up on these. Because it makes more sense to do these things especially if they start bringing in goats I mean you'd want them on the hill.

Jeffery Kosaka – They'll eat anything other than plastic.

Administrative Director Michael Borja – And they want to be up high.

Jeffery Kosaka – And they climb the trees if they're loose they'll be up in the trees.

Commissioner Amanda Santos – Jeffery how many cows do you have?

Jeffery Kosaka – Right now I have two.

Commissioner Amanda Santos – Two only.

Jeffery Kosaka – Yes but I'll be getting three more maybe within the next month I'll be having three more cows down there. But my only concern is I didn't want to bring all of it down you know the safety and I want to do my perimeter fence then I can just let them roam instead of tying them up.

Administrative Director Michael Borja – Yeah they like that better.

Jeffery Kosaka – I mean I let them eat I let them eat the grass that's around the area every now and then. It will eat it then it'll grow up then they'll eat it again so you know you take half then you let it grow again and take half again and just let it grow again it cycles the process.

Acting Chairman David Matanane – Great thank you very much Mr. Kosaka.

Jeffery Kosaka – Thank you.

Administrative Director Michael Borja – Thank you for the wait.

2. CLTC Rules and Regulations for Commercial Use Status Update

Administrative Director Michael Borja – On the rules and regulations if you heard me talk to Dr. Akimoto about it the rules and regs did go to the (interrupted).

Commissioner Amanda Santos – Attorney General.

Administrative Director Michael Borja – I got it back from the Attorney General last Tuesday. I forwarded it last Wednesday to the Governor's Office and then you know of course we got this typhoon. They had already received a copy of the rules before it was finally approved but I knew there wasn't going to be anything different because we've gone through this process. I'd like to commend the Attorney General for their personal efforts on the rules and regs. They made a lot of very, very good important changes so that it was clearer and more definitive. Not only from Kristan but Carl Espaldon and Elizabeth Barrett-Anderson herself. So, I'm happy that we got their blessing on it. So as I mentioned before there's two parts and I gave you a highlights sheet in here too so you don't have to read the whole thing but two very important points that we have to have in the rules and regulations and that's assignment of the lease and subleasing. Now the issue of subleasing is that Senator Ada for example is kind of concerned that does this mean that I get to authorize the subleasing of the portions of the lands that are not used? And I said no the subleasing is really intended that if you build a big building these portions are going to have tenants in them you know stores and whatnot. And that's the subleasing we mean because we're supposed to be able to also receive a portion of that rent and a portion of his participation as well so a portion of their sales.

Acting Chairman David Matanane – The original duties plus the sublet.

Administrative Director Michael Borja – Right and the idea was for me to go ahead and just authorize that or the Commissioners. I think we're going to leave it to the Commissioners in the new law. So we haven't introduced a law to say that and that process is we have to time it just right. I may put that one in now so that we can go ahead and get that put into the law and do another one again that amends or they can amend the rules after the law has been passed whichever comes first. The other part of that subleasing is that it says in the draft bill that it does not include the subleasing of land so

that it makes it clear that there is nobody that's been subleasing so you know it's kind of a loophole there that others caught. I didn't think of it that way but if others can then it can be done. The assignment that's if the business gets sold and I'm going to talk about that here in a moment for real world the golf course but if the business gets sold you know the lease has got to move okay. Otherwise nobody is going to enter into this lease it's just the way it goes. Businesses get bought up and down all the time. If they can't sell it they're going to just dump it and they won't even get sold and it gets stuck. So those are two parts. Now I'm hoping, today is Thursday I'm going to bug the legal office again to find out what the status is and get this thing out. Hopefully I can get it out by early next week. Monday is a holiday and then we'll get it into the Legislature and start the 90 day count but I do plan on going to visit all the Senators and if you'd like to anybody wants to accompany me I'll give you a schedule once I make them and then you're more than welcome to come. But it's just to let them know what the highlights are of the bill of the rules and regs and how we need to get this thing moving fast. I tried to get them to determine whether or not there needs to be another public hearing and I'm trying to explain to Senator Ada that the process here has already been done. The public hearing was done. It just has to be submitted in bill form.

Acting Chairman David Matanane – Who was the Senators that were here when we had the public hearing? I think it was Respicio and (interrupted).

Administrative Director Michael Borja – None no Senators came.

Commissioner Amanda Santos – Like Senator Ada is not in a rush. He's not in a rush to finish up.

Administrative Director Michael Borja – Senator Ada wants to make sure he can get it done as expeditiously as possible as well but they're going to check into it and maybe you can look too Kristan if it goes into the docket does it have to be heard as a public hearing if it's going to be done as a bill. Otherwise it sits for 90 days and they can make any changes they want and then nobody else makes any, doesn't want to reject then it automatically pass. I'd like to move faster but if it doesn't happen that way we're not going to sit back and wait for the 90 days to do nothing. We're going to begin the process of doing solicitation requests because there's a whole list of things that we have going. Housing construction, the Lajuna Point restart and so those are the things that we need to move on. But that's where the rules are so it's finally out of the AG's Office. The next step now is to be transmitted and I don't think there's going to be any issues with the Governor's Office because I did provide them with a copy of the rules prior and if they want to make any changes I'm going to bite their ear off. But I don't think there's anything more that has to be done with it okay.

Acting Chairman David Matanane – And if the Senators want to change then (interrupted).

Administrative Director Michael Borja – They can make all the changes they want yeah but hopefully they don't.

Acting Chairman David Matanane – They don't even have to ask.

Administrative Director Michael Borja – No. Okay so we're moving. There is going to be another set of rules and regs I'm going to try and push through and that's the one that has to do with the home loan guaranty program. You know I'm kind of sitting tight because there's the possibility if somebody's home got damaged on Chamorro Land Trust they might try and go get some kind of FEMA disaster loan. You know that's what happened in the last two big typhoons. This wasn't so bad of a one but the north was really bad. Did you get really bad up there Joe? It's crazy right.

Vice-Chairman Joseph Cruz – I got a new yard.

Administrative Director Michael Borja – The trees are brought up you can see forever. You can see the big country now.

Vice-Chairman Joseph Cruz – But even you if you're passing up from Route 9 you can see Anderson clearly.

Administrative Director Michael Borja – Wow. I was driving around in other parts and I said dang all the tangantangan is gone and even the breadfruit trees were all brown. It burned it. Anyway the rules and regs we had a policy that we adopted back in January I needed that to be in place prior to another storm coming. Remember we were getting storms since December just to make sure that we had some policies in place but we got to convert that to rules and regs. So we'll go through that one and that shouldn't be a controversial issue at all.

Acting Chairman David Matanane – I believe people from FEMA they were here prior to (interrupted).

Administrative Director Michael Borja – Yeah they were and I've been working quite a bit since the storm with the FEMA folks and trying to do a waste debris management plan. You know we've been working on this debris management plan one of our Planners has been doing that and unfortunately the other players in the game weren't contributing and so finally on Saturday you know all the heads of the departments involved all made agreements to where the lots were going to be and all that. We had another meeting yesterday with the FEMA debris management people and their big honchos that our plan wasn't in place and it's really strict about debris management. What we're looking at in the future is when these; the Mayors are biggest culprits. The Mayors are the reason why we will not get money because it's only for debris that come from public lands. If it's from your private yard you're on your own. You got to deal with it yourself. You know if we collect it it's our cost. Now if you know the DOA building fell apart and we cleaned it all up we'll get compensated for that. But there's a whole lot of processes involved that have to be all acceptable and that includes the plan. And here's the benefits you get if you have a plan in place that's accepted by FEMA instead of a 75-25 split you get 2 more percent 77-23. If you recycle some of the materials you get the money from the recycling and all the labor required you get reimbursed. That labor is the big part. Labor is humungous. So that's the

purpose of having a plan in place and then when you take this stuff the documentation is like God you might as well have like a Notary Public sitting there with you because it's really big. Where did it come from, the street address, how big was pick up?

Vice-Chairman Joseph Cruz – The key over there should be Parks and Recreation and Public Works because they have the bulk of the vegetation debris the roadways and the parks.

Administrative Director Michael Borja – Yeah well here's the loophole you take the tree that fell off your yard and push it to the street we got to clean it up.

Acting Chairman David Matanane – And that's where you get your money.

Administrative Director Michael Borja – So they're trying to figure out this game and they forwarded something to me today and said okay we want to announce to the public take your broken trees and put it on your street. I was like no. Do we have a plan to clean it up? Public Works only has one bulldozer.

Vice-Chairman Joseph Cruz – So what about the Mayor if they decided to assist and they ask the residents to dump their green vegetation on public Government land is that acceptable to this? Because that's what's been happening back then during typhoons.

Administrative Director Michael Borja – Oh yeah, yeah in the past but in the future no and see the other big problem is Public Works will (interrupted).

Vice-Chairman Joseph Cruz – It's no different than shoving it out on the road.

Administrative Director Michael Borja – Yeah Public Works had a big part on it because they own the trash removal. Well we don't own the trash removal anymore but nobody has gone to talk to the trash removal people about this plan and they have to be an integral part of it. And if they don't want to be an integral part of it they're going to play anyway because if you have waste like a broken refrigerator or the freezer in the back yard blew down and tumbled across the yard you got to set it out by your street and they got to come and pick it up because that's the way it is set up right now right. If you had a mattress that got all wet you're allowed so much that they'll take away. You got to put it out and they got to take it away. Not load it in the back of the pickup truck and go dump it down next to the (inaudible).

Vice-Chairman Joseph Cruz – In my case at home I got maybe 33 lots that are all substandard pallet house all those now are in my yard because of the typhoon. That means the 10 box springs that's in my yard I'll put it out on the road.

Acting Chairman David Matanane – Yeah.

Commissioner Amanda Santos – Yeah.

Vice-Chairman Joseph Cruz – I'm bounded with like the Gil Baza. Most of time when typhoon comes I have to clean my yard from box springs, pallets, everything.

Administrative Director Michael Borja – Yeah see in your case I'm not too sure.

Vice-Chairman Joseph Cruz – But if you're telling me to move it out on the road then I'll stack it up on the road.

Administrative Director Michael Borja – But see that's a good question we have to ask. What am I going to do with the debris that's in my yard that didn't come from me? If it blew from the school you know you got school desks there yeah its public property but if it's from somebody else it's a private property issue. They'll tell you that, call your insurance company, call the (inaudible). FEMA is not, we all sat there Saturday afternoon and we're talking about this and this and this and the FEMA lady is in there going it's not going to happen, it's not going to happen. And we're all going, people were getting kind of ticked they're going what the hell are you doing here? If you have to go do preliminary damage assessment what are you doing here? You got a room full of 50 people here get them out of here go, go do it. It's not going to happen. But those are the realities of what FEMA is about these days. They cannot accept full responsibilities. They were even saying on this one case in Sacramento if you've ever been up there there's levies there's the river and there's flooding up there all the time and they have rice patties anyway the levy broke so there was this soil two sets of big soil area down in Stockton that they could take to go fill the levy. One set of soil was fully approved to use the other had not been approved yet. They grabbed the wrong stack so when they tested the sample they found that it was spoiled soil it had hazardous waste in it and because of that FEMA could not participate in anything at all. So environmental concerns and compliance is absolutely positive on their list. If you do not comply with the environment, you cannot. And so the big thing we have now we selected Chamorro Land Trust properties to use as our sites. Now the idea was to go and do the shredding of this but the big problem we have now is that these things are coming from all over the place and we have two major invasive species on this island the rhino beetle and the fire red ant. So shredding the stuff could kill the rhino beetle but not the ant so the process is going to be we're going to burn it. They got these big huge burner curtain things and they're going to burn the stuff. They're going to set it up in one location, Oka Point probably right now and they're just going to incinerate all that stuff. And then sell or give the ash to the farmers because that's good carbon. But that's what's going on now people wanted to have the mulch because you can use it. In Rota they're doing everything according to this FEMA guy correct and they're shredding the stuff and farmers are coming by the truck load. They go over here and they dump it and then they go over there and collect the shred because they take it to their farm and they put all that mulch all out through their land which is good. But that's the issue is that you can't if you have invasive species it's a really major issue. You're only transferring the problem and spreading it. So fire ants are going to spread here real fast because Chalan Pago has been allowed to dump in Mangilao. The fire ants were in Chalan Pago or Ordot see Ordot is ants right and they took it over to Mangilao now you got fire ants. That's the issue so anyway we got off the subject but Chamorro Land Trust rules and regulations are almost there.

VI. NEW BUSINESS – None.

VII. DIRECTOR'S REPORT

1. Revenue collection report for the month of April 2015

Administrative Director Michael Borja – On the finance side of the house the Guam Country Club has been sold. So they're going to be finalizing their full payment here pretty soon. But they got sold to another Japanese company.

Commissioner Amanda Santos – That's in Talofofo?

Administrative Director Michael Borja – No, no, no in Dededo by the transfer station. So it's going to be, we're going to get our monies back from that here real soon.

Acting Chairman David Matanane – And are they going to use the property?

Administrative Director Michael Borja – Yeah they're going to use the property they're going to continue to run it as a golf course.

Acting Chairman David Matanane – They're just going to use it as a golf course?

Administrative Director Michael Borja – Yeah that's an assignment of lease that's the assignment they bought the company.

Commissioner Amanda Santos – Who bought it, Chinese?

Administrative Director Michael Borja – No Japanese.

Acting Chairman David Matanane – Where's is Chamorro Land Trust into this new arrangement?

Administrative Director Michael Borja – For the rules and regs?

Acting Chairman David Matanane – No, no, no the existing lease.

Administrative Director Michael Borja – No it's a new owner but the same company.

Acting Chairman David Matanane – So the lease remains the same.

Administrative Director Michael Borja – The lease remains the same. If we had to terminate the lease (interrupted).

Acting Chairman David Matanane – It's just that they're up to date with their (interrupted).

Administrative Director Michael Borja – Yeah and that's what I've been made assured of that they're going to pay all of their outstanding.

Vice-Chairman Joseph Cruz – They inherit everything that is on that lease the delinquencies and are they planning on changing the name?

Administrative Director Michael Borja – I don't think so I don't think they can.

Acting Chairman David Matanane – But we're going to set a cut-off date on that (interrupted).

Administrative Director Michael Borja – Yeah I'm still going to work with the guy because I need the details of the new owner.

Acting Chairman David Matanane – As soon as that cut-off date is up and they didn't comply or they have not paid then we deviate from that right away because if we do we're going to carry on again.

Administrative Director Michael Borja – Yeah exactly and I want to you know now that the rules and regs are close to being done we still have other people who are interested but we'd have to go out and make a solicitation request to start a new lease.

Commissioner Pascual Sablan – I have a question I guess I'm falling asleep but how can it be new owner on a same company?

Administrative Director Michael Borja – That happens all the time. The Hilton it's still called the Hilton but its called Ken Corp.

Vice-Chairman Joseph Cruz – This is still Fujita and it's the third owner.

Commissioner Pascual Sablan - So they maintain the name was it a different corporation?

Administrative Director Michael Borja – No.

Vice-Chairman Joseph Cruz – New players.

Administrative Director Michael Borja – Yeah new players who bought the company.

Acting Chairman David Matanane – They just put their money in and continue with the arrangement.

Commissioner Pascual Sablan – Do we have any commitment from any corporate the existing or you just said they sold but in the previous saying that you know they will fulfill their (interrupted).

Administrative Director Michael Borja – Well that's the purpose of having the assignment on the lease that the lease can be assigned to the new owner but they still have to comply with the full terms of the existing lease.

Acting Chairman David Matanane – The only main factor here is to get that payables paid and then the new owners can have his way.

Administrative Director Michael Borja – See they won't even entertain the lease if the lease had let's say only a couple of years left. If it had that they wouldn't even want to buy it and if it didn't have an assignment section in it they wouldn't want to buy it either because they couldn't transfer the lease.

Commissioner Pascual Sablan – You have the privilege to review the lease agreement between the new owner?

Administrative Director Michael Borja – Oh the purchase agreement, no I haven't seen that but I would get whatever is the public document.

Commissioner Pascual Sablan – My concern here is what guaranty do we have that we will collect this unpaid lease from the previous owner?

Administrative Director Michael Borja – No not the previous owner (interrupted).

Vice-Chairman Joseph Cruz – The new owner is paying it.

Commissioner Pascual Sablan – What guaranty do we have that the new owner (interrupted).

Administrative Director Michael Borja – Well that's what I'm working on that's what I'm working right now. The full sale hasn't concluded and so that's what I'm working on right now. They provided that to me in verbally already but I'm working with them to get the other details on the ownership and to ensure that they're paying. If they don't the lease is terminated. If they execute that purchase and they don't pay it the lease is terminated. They might have bought the company but the lease can still be terminated.

Commissioner Pascual Sablan – Are you sure of that?

Administrative Director Michael Borja – Yeah.

Commissioner Pascual Sablan – Okay then that's where my concern is.

Administrative Director Michael Borja – We have a termination clause in it and for default, defaulting on the payment.

Commissioner Pascual Sablan – I don't want it to be like GRRP that they want us to go to the Government to collect for their unpaid remember that?

Administrative Director Michael Borja – Oh yeah well he's going to be, we're going to be default on him. Let me fill you in on a couple of other things. We have a property in Mataguac that was leased out to somebody. We found out that through a neighbor that

there's been some heavy equipment activity on that property so we went to that property and about 230 dump truck loads of soil was removed from the property. This person living on the property is not the lessee. The investigation is underway (interrupted).

Commissioner Amanda Santos – Maybe he's selling it.

Administrative Director Michael Borja – Oh he did somebody bought it. We know who the contractor is who took it out now we're trying to find out who received the monies and gave the authorization. We can't do anything yet until we got all the details and we file the charges but we will be using this as an example.

Commissioner Amanda Santos – Is that Land Trust land?

Administrative Director Michael Borja – It is Land Trust land and we'll be filing the charges against everybody to collect all the payments that anybody had received as well. EPA is assisting us on this they're doing the soil sample testing and EPA is ready to slam the contractor because this is like the third time they've hit them for violation for something. This is a big company.

Vice-Chairman Joseph Cruz – Then you should write a letter to Contractor's License Board.

Administrative Director Michael Borja – Oh yeah as soon as we get everything all squared away. But the lessee will probably be brought before here once this is all been formally submitted as charges and there's a police report then we'll have you guys decide on the condition of the lease.

Acting Chairman David Matanane – Those are all criminal charges.

Administrative Director Michael Borja – Yeah criminal theft of Government property. It's somewhere in the neighborhood of over eighty grand that was probably paid to these people for the removal of the soil.

Acting Chairman David Matanane – You figure fifty bucks a truck load or more.

Administrative Director Michael Borja – No it's two hundred. They buy it for two hundred and sell it for four. So we'll be getting a lot of that information and I'll pass it on to you. Now the other thing is the storm has brought out the fact that there is some hanky panky going on out there. Even the Governor mentioned this you know a cousin of a cousin of a cousin of a cousin has a Chamorro Land Trust property that he said he was leasing to these squatters so you know we'll go after these people. We'll let everything kind of settle down right now but we were beginning to identify some of these things that are going on out there. In fact when these people go back to the places where they were living and they've been given assistance like a tent or whatever we're going to probably have to go out. They've asked us if we could send somebody out there to determine who's land it is they went back out to and we'll GPS and photograph the site to know who's property they're on

and we're going catch them. If they're on property that was leased out to someone else and they're definitely not the lessees we'll be (interrupted).

Acting Chairman David Matanane – Is Kristan with us in this investigation?

Administrative Director Michael Borja – On what on the soil?

Acting Chairman David Matanane – On the soil yeah.

Administrative Director Michael Borja – Oh yeah they saw the picture. In fact it's on google earth.

Acting Chairman David Matanane – I just wanted to see our attorney being involved on those things.

Administrative Director Michael Borja – Yeah she is. This will be to be more exciting than land registrations. What section are you in Solicitor?

Legal Counsel Kristan Finney – Yes.

Administrative Director Michael Borja – Yeah it will probably have to go to prosecution.

Acting Chairman David Matanane – Yeah well still but she had a hand on it.

Commissioner Pascual Sablan – Do we know who is the recipient of the soil?

Administrative Director Michael Borja – No we don't well we know who moved it. We think we know where it's at too. They stock piled it at their site.

Commissioner Pascual Sablan – Because under the mechanic lien of the law that even the recipient can be held accountable.

Administrative Director Michael Borja – Yeah they know they're in hot water already so we don't think that they're going to be quiet. We think that they're going to be very cooperative about who they paid the money to.

Acting Chairman David Matanane – It's not going to go anyplace because it's fenced in or fenced out.

Commissioner Pascual Sablan – I have one more question it's an agricultural zoning but of course residential okay they build a house yet there's over one hundred roosters they're raising roosters is that allowable?

Administrative Director Michael Borja – It's agricultural. You can build a house on agricultural you can build a duplex you can build a church you can build a hospital.

Commissioner Pascual Sablan – Yes I know those things but you know as you said majority of the Chamorro Land Trust is under agricultural zoning. They give you for example half acre or an acre to build your residential. You inherit that it's not because you want agriculture actually you asked for property to build your house but the zoning is agriculture so you accept it and you build yourself a house. Then later on you come in and start raising roosters. We're talking over a hundred roosters.

Administrative Director Michael Borja – They're allowed.

Vice-Chairman Joseph Cruz – The key there now is EPA because of the environment. Because agriculture is a permitted use for a residential and permitted use for the raising of the roosters. What determine the activity is how great of those numbers if it's a hundred and you only have a quarter acre or a half acre then they'll determine how many roosters is allowable by the numbers on the acreage. It's no different than density.

Commissioner Pascual Sablan – But it has to be the owner the one raising that right not the in-laws?

Vice-Chairman Joseph Cruz – No it doesn't have to be who unless there's a complaint filed then that's when that comes in and he says it's not mine it's my nephew I've been allowing him to use it provided that there's no fee involved.

Commissioner Pascual Sablan – So the owner it's just like subleasing it then?

Administrative Director Michael Borja – Not necessarily, if he's receiving money that's subleasing.

Vice-Chairman Joseph Cruz – The activity is permitted on that zoning.

Commissioner Pascual Sablan – The activity but the he's not the lessee it's the son in-law for example.

Vice-Chairman Joseph Cruz – It doesn't matter who's operating as long as it's not in violation. If they're there for business purpose then that's a different activity but if they're just to raise it and (interrupted).

Margarita Borja (DLM) – Are they occupying the property?

Commissioner Pascual Sablan – I don't know whether the owner is there but how about if all the surrounding area is all residential, agriculture but it's on residential?

Margarita Borja (DLM) – You could.

Administrative Director Michael Borja – Yeah but that's where like Commissioner said EPA can come in and say look if everybody around there is all houses and you got a hundred roosters there yeah you can come and complain and they can come in and say

because you only have a half an acre maybe fifteen roosters are permissible but not a hundred.

Vice-Chairman Joseph Cruz – Like this guy up here next to the Adacao, Manibusan is raising pigs next to that new school and he was raising more than a hundred pigs so they relocated him because of the school.

Administrative Director Michael Borja – But he came first.

Vice-Chairman Joseph Cruz – Yeah exactly and it's an agricultural zone but because of the environment you got to move him out.

Commissioner Pascual Sablan – You know it's sad that when I was at the Governor's Office I was talking to the Attorney General at that time John Tarantino that we have neighbors they have two dogs who barks 24/7 and I said to them what would happen if I'm the one making noise you know you can call the police on me. Can I call the police on the dog? He said no so in other words the dog has more rights than us.

Administrative Director Michael Borja – Well you have to just go buy yourself a Bose microsystem with a little old ipod with sounds like five different dogs.

Vice-Chairman Joseph Cruz – Feed the dog.

Administrative Director Michael Borja – Yeah feed the dog, throw a bone back there.

Vice-Chairman Joseph Cruz – Don't forget about the dogs because I have fourteen at home.

Administrative Director Michael Borja – Oh sheesh, no wonder why they threw all the mattresses on your yard too much noise, I'll show them.

Vice-Chairman Joseph Cruz – Six of them are house dogs.

Administrative Director Michael Borja – Oh, oh wow I see you're not scratching.

Commissioner Amanda Santos – House dogs.

Vice-Chairman Joseph Cruz – Yeah the other six are outside.

VIII. EXECUTIVE SESSION – None.

IX. ADJOURNMENT

Commissioner Pascual Sablan moved to adjourn the meeting. Vice-Chairman Joseph Cruz seconded the motion. Meeting adjourned at 3:04pm.

Transcribed by: Teresa Topasna, WPSII: *Teresa Topasna*

Approved by Board motion in meeting of: *June 18, 2015*

Michael J.B. Borja, Administrative Director: *MJB*

Date: *Jun 18, 2015*

David Matanane, Acting Chairman: *[Signature]*

Date: *6/18/2015*