

GUAM ANCESTRAL LANDS COMMISSION REGULAR MEETING MINUTES
Department of Land Management Conference Room, 3rd Floor, ITC Bldg., Tamuning
Wednesday, June 27, 2018 • 2:11 p.m. to 4:50 p.m.
Notices were published in the Guam Post on Wednesday, June 20, 2018 and Monday,
June 25, 2018 in the Guam Daily Post.

I. **Call to Order**

Vice Chairman Laguana called the regular meeting of the Guam Ancestral Lands Commission to order at 2:11 p.m., noting a quorum. In Compliance with public law 24-109, Guam Ancestral Lands Commission published the public meeting announcement on Wednesday, June 20, 2018 and Monday June 25, 2018 in the Guan Daily Post.

II. **Roll Call**

Present were: Chairman Anthony Ada, Vice Chair Ronald Laguana, Commissioner Ronald Eclavea, Commissioner Anita Orlino, Commissioner Maria Cruz, - absent, Commissioner Antonio Sablan, Commissioner Louisa Wessling, Director Michael Borja, Deputy Director David Camacho, Legal Counsel Nicolas Toft, Senator Tom Ada's Office Joe Borja, GALC Staff Land Agent Joey Leon Guerrero, and Recording Land Agent Stephanie Duenas.

III. **Approval of Minutes**

Vice Chairman Laguana on the agenda for approval of the minutes from the meeting of June 13, 2018 Members had an opportunity to review the minutes.

[Vice Chairman Laguana notes the arrival of Commissioner Ronald Eclavea]

Commissioner Sablan motion to approve the minutes of June 13, 2018.

Commissioner Orlino seconded the motion.

There was no discussion on the motion. **[Motioned passed; O nay]**

IV. **Old Business**

A. **Update on Crown Lands**

Deputy Director Camacho recognized Mr. Paul Santos and Tom Torres from Survey Division who were here to explain the identified lots on Crown Lands. one of the Crown Lands that we are leasing out is F-13 Polaris Point. Joey Leon Guerrero will work with Tom Torres to identify which lots are the Crown Lands and they'll do a separate color code, also give an estimate of square meters or acreage. he mentioned update that he spoke with Danny Leon Guerrero about 5 or 6 weeks ago and up to now he hasn't received anything yet from Washington D.C. in regards to the request that we have put in.

[Discussion ensues on the identification of the Crown Lands in Guam Ancestral Lands properties. Mr. Tom Torres from survey division identified the returned parcel lots that are

returned within. Tom Torres identified easements and current maps that have been recorded. Within Nimitz Hill Annex C-1 he identified 5 lots to be Crown Lands. Mr. Paul Santos from survey division mentioned that the Nimitz hill property is not colorized like the other ones, it's still a working process. Land Agent Joey Leon Guerrero mentioned that the next area that they will work on is for the south. one of the Crown Lands that we are leasing is Polaris Point F13 and the rest are being leased out there's other additional lots here are to be Crown Lands but we will confirm that and get back to the board]

[Vice Chairman Laguana notes the arrival of Chairman Ada]

B. Court Cases update; next step

Attorney Highsmith the three cases that are in the Supreme Court, all of them having to do with motions to disqualify the Attorney General's office, their still in the Supreme Court. Those motions were argued. in October no decision from the Supreme Court was made and it may take a while.

Chairman Ada asked Attorney Highsmith if he the commission can have copies of the briefs.

Attorney Highsmith commented that he will send copies of the briefs. On the other lease case was the estate there is a technical problem that occurred before he got on the case. They were not able to correct it so it was dismissed, the appeal was denied. He thinks that we should wait and see what happens in the WSTCO case.

Commissioner Eclavea says to Attorney Highsmith back to benny's appeal what exactly is he asking for an injunction to not...

Attorney Highsmith says he wants a court order directing the commission to enact the regulations governing the distribution of the trust and he wants the money distributed. And I think he wants a land transfer also. like the former law said and also, he wants to be put in the same position as the lands owners who have gotten their land back, which is the government doesn't have any... that would take hundreds of millions of dollars.

Commissioner Eclavea so he like he's saying, hey guys distribute the money to the land owners that means everybody, including if they qualify and your saying we don't even have rules and regs yet to determine these qualified owners.

Attorney Highsmith in my opinion you can't enact them because the legislature has not told you how to enact them. the simplest thing would be is to give all the dispossessed land owner an equal share. but then people who own one acre are going to get the same people who own fifty acres. And were liable to get sued again, because they think that's unfair. That's all I have to record, but I'll answer questions.

[Chairman Ada recessed the Guam Ancestral Lands Commission at 3:24p.m. and reconvened at 3:33p.m.]

[The commission is back on session. Cont'd of item IV.]

A. Update of Crown Lands

Paul Santos prepared a map six months ago for the easement to let the commissioners know that the property is very rocky in that area. He did not finish it yet because he's still waiting on the commissioners if they want him to move forward or not. He did a color code on the map that they are discussing on the properties. We did an extension of easement plan of what we are going to highlight for the crown lands that Joey will point that out to the commissioners.

Deputy Director Camacho asked Joey Leon Guerrero if the Piti Power Plant is under GALC property.

Joey Leon Guerrero It's still under the Port Authority of Guam.

Director Borja Paul did you have the meeting with estate of 471? explain what we are talking about to the commissioners.

Paul Santos the estate 471 is the estate of Pangelinan and Unpingco and doing a land is what they call a boundary survey. They have a rightful claim to that property or at least the record show that and also going to the south of the property and concurrently we also doing a survey to try and do a serve our claims, the survey is being done as we speak, hopefully we'll complete it in the next couple of weeks.

[Discussion ensues on the update of crown lands.]

[Chairman Ada noted to move to item D, but before item D. there's item C. Farmers Coop]]

C. Farmers Coop

Chairman Ada the Farmer's Coop Lease agreement was in May 2013. They're required to start making payments of their lease agreement in year 2020. if it was seven years from the time that the bill was passed. we'll just do a time line and update our files.

D. CLTC applicants on GALC properties

Director Borja in your packet, you have a bunch of staff reports and drawings of the aerial photo of the properties.

Deputy Director Camacho we brought this up way back and we discussed about the one where there's three recipients staying on the land trust area. We already inform them and that aware of that when the time comes that they have to move out. CLTC did a site inspection on the property and we have the report in the file.

[Attachment of aerial photos of recipient's properties. applicant John Taitingfong Leon Guerrero on Lot No. 5402, Mangilao. applicant Rosa Cruz has no lease, Route 15 back road to Anderson applicant Ron R. Binondo, portion of Lot No. 10120, Dededo. Recorded lease under Ref. Document No. 832503]

[Chairman Ada notes that Commissioner Sablan wants to be excused.]

Director Borja CLTC does acknowledge that these applicants are with or without leases exist on properties that have now to be identified to be on Ancestral Land Commission property, the issue here is the fixing of it. and cases where there is not any activity on there, that's simple, but in cases where they might be residing there, depending on how permanent the fixture is, there is an

adjudication process to move them out. Although, you can see if these things take moved back as being approved a long time ago. Nothing like this is come current and the top one that were looking at is the 2012 lease, but the whole process of approval was a long time ago. And part of the issue was in the assignment of property there were not very specific. In this general area someone goes down or clears out their area and then settles and we don't really don't know where they're at, they sent them to a portion of somewhere, so that's the case and I think there's one here some actual lease that's attached and if you look at that lease, that's the description of the property that has apportion of Lot 10120. That's, that Ron Binindo.so you have these kinds of issues here, we're working on moving them, we're giving you notice that this has happened. Depending on how large the estate is and depending it can be traded out. What we're trying to do is trying to move them out to a CLTC property instead.

[Discussion ensues]

[Chairman notes that the discussion of CLTC applicants on GALC property is tabled for the next meeting on July 25, 2018.]

V. New Business

[Chairman Ada noted that item A.) Audit report review; B.) Real Estate Training; C.) Budget hearing summary; D.) Executive Director position are to be discussed on the next meeting]

Commissioner Wessling commented there should be one correction on the agenda under New Business Real Estate hearing, I believe that should be Real Estate training.

VI. Public Comments

[No Discussion on Public Comments]

VII. Director's Report

[No Discussion on Director's Report]

VIII. Adjournment

Vice Chairman Laguana move to adjourn.

Commissioner Wessling seconds the motion with all in favor.

Meeting is adjourned at 4:50pm.

The regular meeting of the Guam Land Use Commission Meeting for Wednesday, June 27, 2018 was adjourned at 4:50 p.m.

Approved by:

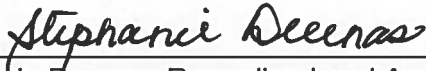
Date approved:



15 AUG 2018

Anthony J.P. Ada, Chairman
Guam Ancestral Lands Commission

Transcribed by:



Stephanie Duenas, Recording Land Agent
DLM, Guam Ancestral Lands Division