



Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guåhan 96932

Phone: 649-5263 Ext. 400 Fax: 649-5383

Eddie Baza Calvo
Governor

Ray Tenorio
Lieutenant Governor

Commission Members

G. Pika Fejeran
Chairwoman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Michael J.B. Borja
Administrative Director

COMMISSION MEETING MINUTES

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning
Thursday, August 16, 2018; 1:04 p.m. – 5:24 p.m.

Public Notice: The *Guam Daily Post* on August 9, 2018 and August 14, 2018

I. CALL TO ORDER

Chairwoman Pika Fejeran: Calls the regular meeting of the Chamorro Land Trust Commission to order at 1:04 p.m.

II. ROLL CALL

Notation of Attendance

Present were: Chairwoman Pika Fejeran, Vice Chairman Joseph Cruz, Commissioner Amanda Santos, Commissioner Austin Duenas, Commissioner Shawntel Techaira, Legal Counsel Nicolas Toft and Administrative Director, Michael Borja

Chairwoman Pika Fejeran: Acknowledges the agenda with a decision to move the agenda around a little. States the conference room is full and there is a list of names for public comments, therefore; we'll start off with the public comments.

III. PUBLIC COMMENTS

Patricia Duenas: States her name and expresses her immense disappointment with the Chamorro Land Trust Division, in particularly with Joffre Aguon a former Land Agent. She initially had one acre of land through the Aruendo Program, in the Dededo area and because a part of her land was taken away, she strongly feels it should be reinstated back to her. She continues to express her frustrations to the Commission in regards to her land that was decreased in size.

Patricia Duenas: continues to claim unfairness and faults with Joffre Aguon and the Chamorro Land Trust Division.

Chairwoman Pika Fejeran: Patricia Duenas is she currently has a lease

Patricia Duenas: Responding to Chairwoman Fejeran's question, yes, I do. But for the smaller piece.

Chairwoman Pika Fejeran: Speaking to Administrative Director Michael Borja, making awareness that Patricia Duenas is one of many who was heard as a Commission during the meetings. Suggesting to go over all the details thoroughly of each case and meet as Commission to make a final decision. Asks Administrative Director Michael Borja, if a second meeting can be held every month to go over these cases. As a Commission and with the beneficiaries' present, the Commission can come to some sort of conclusion.

Rev. 03/17/2017

Administrative Director Michael Borja: Responding to Chairwoman Fejeran's suggestion, yes. We can schedule to meet the first Thursday. September 6, 2018 at 1:00 p.m.

Chairwoman Pika Fejeran: Confirms the date and time with Patricia Duenas. Sincerely apologizes and reassures Patricia Duenas that the Commission will go over her file and not ignore her concerns.

Chairwoman Pika Fejeran: Request that a full staff report be done for CLTC Lessee Patricia Duenas in preparation to discuss on Thursday, September 6, 2018, the next CLTC meeting.

Chairwoman Pika Fejeran: Calls the next person on the list, Mr. Jose Chargualaf.

Jose Chargualaf: Explains to the Commission the initial awarding of the Chamorro Land Trust property for him was in the Pagachao Agat area. He declined the Pogachao area and opted to get the agriculture property and requested to be placed in the Municipality of Inarajan. Based on his request and in the best interest of he and his family, he accepted the lot in Inarajan. He continues to explain the present condition of the lot which is muddy and it is wetland. He recommends the Commission to inspect his assigned property before approving a map because there is no access.

Chairwoman Pika Fejeran: Calls Anjolisha Aguon, next on the list.

Anjolisha Aguon: States her name and who she is speaking on behalf for, Gregory Aguon. Informs the Commission they were told to speak to the board about their road condition in Mangilao. She wants to know if the road access has been figured out and when will it be open.

Administrative Director Michael Borja: Asks if he may explain to Anjolisha and the Commission the current situation the family is in. Confirms if it is the Kenny's Café road.

Anjolisha Aguon: Responds to the confirmation, yes, it is that road.

Administrative Director Michael Borja: Informs Anjolisha Aguon and the Commission that her concern has been addressed to the Attorney General's office, Department of Public Works and because the other party, Mr. Benevente who is preventing public access has a lease with the Department of Agriculture, that agency has been notified as well.

Department of Agriculture has tried to serve him a notice which he refused to receive.

So now, the only way to go about this is through the legal route. There is a meeting scheduled for tomorrow referring to (August 17, 2018) with the assigned attorney to the case. The meeting is with all three agencies. However, it is difficult for us (referring to CLTC) to do anything about it right now and emphasizes, again, the other party has a lease issued to him through the Department of Agriculture.

Anjolisha Aguon: Responding, indicates she understands and asks about water and power connection.

Administrative Director Michael Borja: Replying to Anjolisha Aguon, not just yet. You need the road to be public access because that is where the power and water will be running through.

Vice Chairman Joseph Cruz: Asks Administrative Director Michael Borja if the easement alignment is designated on the survey map.

Administrative Director Michael Borja: Responding to Vice Chairman Cruz's question. Yes, it is. It has been since the 70's. The Department of Agriculture Lease was issued to Mr. Benavente in the 90's.

Chairwoman Pika Fejeran: Asks what are we (referring to CLTC) expecting from the AG.

Administrative Director Michael Borja: Responding to Chairwoman Fejeran's question. To have the Department of Agriculture lessee cease his blockage from the government to give an easement for public access.

Chairwoman Pika Fejeran: Extends her apologies to Anjolisha Aguon and reiterates that the Administrative Director has gone through all avenues to assist them and now it is in the hands with the Attorney General.

Chairwoman Pika Fejeran: Calls Trini Torres, next on the Public Comments list

Trini Torres: Speaks in the Chamorro Language to the Commission. With great expressions, she shares her concerns and her opinions for the Commission to stick to the Rules and Regulations; don't deviate from it. The Chamorro Land Trust is for all the people, not just one person or one family. She strongly feels the Chamorro Land Trust should be safe guarded and highly agrees there should be an Administrative Director for the Chamorro Land Trust. She strongly encourages the Commission to fight for the people, fight for the Chamorros, fight for what she believes in, including to increase the stipend amount for them (referring to the Commission). Extends her thanks the Commission for their time and allowing her to voice her concerns.

Chairwoman Pika Fejeran and Commissioner Amanda Santos thanks her.

Chairwoman Pika Fejeran: Calls Robert Celestial, next person for Public Comments.

Robert Celestial: Greets the Commission members and states his name. After citing and reading 21 GCA § 75102 (b) to the Commission members; his question is, what is the intention on switched applications and leases? (referring his question to the Commission). Informs the Commission, he falls under the switch category. He followed the process told by the Directors and Staff at the time of his switch. He is concerned with his lease along with others in the same or similar situation.

Chairwoman Pika Fejeran: extends her appreciation to Robert Celestial for coming to the CLTC Board and sharing his situation and concerns with them. Chairwoman Fejeran reassures Robert Celestial that the Commission is there to work with them, to keep their best interest in mind and to make sure that they are taken care of (referring to the CLTC beneficiaries).

Chairwoman Pika Fejeran: Calls Jodene Sanchez, next person for Public Comments

Land Administrator Margarita Borja: Informs the Board of Commissioners, Jodene Sanchez is on the agenda.

Chairwoman Pika Fejeran: Makes note that she will have a chance to state her situation as she is a part of the agenda and will discuss her later in the meeting.

Chairwoman Pika Fejeran: Calls for any other individuals who may have signed up for public comments late.

Vincent Aguon: Steps forward, expresses his concern with the adjacent property to his property in regards to unauthorized occupants with a great amount of trash of all sorts. He appreciates the assistance of the CLTC Staff who did an inspection and notified the specific individuals who continue to improperly dispose their trash. These individuals have been evicted but continue to live on the property. When the CLTC Staff notified the individuals for their trash, it was stopped; however, just for a short period of time. He also reemphasizes how grateful he is with the CLTC Staff but feels it was a temporary fix because they are back with double the amounts of trash. It has continued on again, this time it has gotten worse; Vincent Aguon states to the commission.

Administrative Director Michael Borja: in response to Vincent Aguon's concerns. Guam EPA has been notified, those individuals were given a notice of violation, again a citation was issued to the neighbors by EPA. As for CLTC, we'll issue an eviction notice. They have no rights to the property, at least none at this time, they have no lease with CLTC. With the help of EPA, there is documentation of violation.

Chairwoman Pika Fejeran and Administrative Director Michael Borja extends great appreciation for neighbors like him (referring to Vincent Aguon) for bringing the issue to the board.

Chairwomn Pika Fejeran: calls for any other individuals who wish to make comments.

Raymond Perez: States his name and informs the commission that he is in a situation like Robert Celestial. His grandmother gave him her CLTC property. He bought a 10k container home. Cleared property along Ysengsong road. His other half (referring to his girlfriend) as well has property in Machanaonao.

Chairwoman Pika Fejeran: Reassures Raymond Perez nothing will happen to his lease as far as it becoming null and void. Emphasizes the job as the Commission which is to act exclusively in the interest of the CLTC applicants, the beneficiaries. His lease remains as is.

Raymond Perez: Informs the Commission, he has paid for his property to be surveyed, cleared his property, he was told by a Land Agent who is no longer employed with CLTC that there will be infrastructure at his property but it has been five, six years and still does not have infrastructure. He has a lease, a lease that was signed by the Governor. Pulls water from a relative's place, still continues to plant and tries to abide with what the lease states. Explains to the Commission he has been prequalified from Guam Housing Corporation. He is the sole provider for his family, a family of six. A written a letter addressed to the Administrative Director was sent to switch properties with his other half; she has infrastructure on her CLTC property. Again, emphasizes he has done everything that he was told to do by CLTC and he is still in the same situation with no infrastructure and with fear of his lease becoming null and void.

Chairwoman Pika Fejeran: Thanks Raymond Perez again and restates that he is not alone and there are so many in the same situation as he is in.

Carmelita Santos: States her name and the relation to Lucia Taitano, the CLTC lessee. Her name (referring to her mom) is listed on the delinquent tax listing. She never received a notice throughout the years, now she is billed for tax years 2006 - 2017 in the amount of \$6,000.00. She is living on a fixed income, not sufficient enough to pay the delinquent tax. Requesting assistance from the Commission to waive the tax amount owed and to be placed on the September 6, 2018 meeting to further discuss the situation in hopes of some assistance from the Commission to waive the tax penalties.

Administrative Director Michael Borja: In response to Carmelita Santos, clearly explains, that it is not CLTC that issues the delinquent tax notices; it is the Department of Revenue and Taxation and agrees with Chairwoman Fejeran's decision to be placed on the September 6 agenda.

Chairwoman Pika Fejeran: Calls on any others who wish to make a public comment.

Glenda Garcia: States her name and who she is speaking for which is on behalf of her late husband, Juan T. Garcia. She explains to the Commission, before her husband's passing, he tried to put her name on the CLTC Lease. Unfortunately, her parents are from Saipan but she was born and raised in Guam. The husband listed his son as a beneficiary; however, the beneficiary had passed away as well.

Administrative Director Michael Borja: Explains, unfortunately the issue will not be resolved overnight. There is an ongoing law suite with a similar situation. States the law does speak in fact; if a spouse of the lessee is not a Native Chamorro can designate someone else that is Native Chamorro. But because the

intention is to have the nephew who he (referring to the late lessee) take over the lease but he is a minor, you would have to be the nephew's legal guardian.

Assistant Attorney General Nicolas Toft: There is something in the law that states you may be able to do that, provided you are the legal guardian.

[Discussion ensues]

Administrative Director Michael Borja: Requests from the Commission to have Glenda Garcia be placed on the September 6 meeting.

Chairwoman Pika Fejeran: Agrees and informs Glenda Garcia she'll be placed on the agenda for the meeting scheduled for September 6, for further discussion and review.

Chairwoman Pika Fejeran: Calls for anyone else who would like to make a public comment.

Francisco Guerrero Benavente: States his name and informs the Commission that he had applied for Chamorro Land Trust. Since September 10, 2017, he has been following up numerous times. He showed CLTC Staff that he has a copy of the receipt and his application but claims his application is not on file.

Chairwoman Pika Fejeran: Apologizes to Francisco Guerrero Benavente for his patience and for the miscommunication. She points out that he is on the list along with others who are still waiting for land.

Chairwoman Pika Fejeran: Calls for any other persons who would like to make a public comment.

Teresa Blas: States her name and who she is speaking on behalf for which is her late husband, Pual Blas who passed away in November 2011. In January of 2012, she came in to CLTC office to submit his death certificate and was told she has no rights to his lease with no explanation. At a later time, she came back into the CLTC office and spoke with Joffre Aguon who says he will follow up but never heard back from him. This year, Department of Land Management has come up with different issues regarding CLTC. She restates that she is speaking now because she wants to know what exactly does her situation mean. She informs the Commission she and Paul got married in 2003, came in to CLTC in 2004 with an affidavit to add her onto the lease. From 2004 through 2010 he was incarcerated. She, however, resided on the property from 2004-2009. Based on her information and understanding he (referring to her late husband, Paul Blas) sent a letter requesting to remove her from the property in 2008. We were never divorced nor separated and says she would like a clearer understanding of where she stands.

Chairwoman Pika Fejeran: Asks the CLTC staff if anyone has worked with Ms. Blas.

Land Administrator Margarita Borja: Responding to Chairwoman Fejeran. Yes, we have.

Basically, in the past, it was allowed to include a spouse on the lease; if at any time the original applicant chooses to remove, that was allowed as well. Now, should the original applicant come in and chooses to remove anyone from the application or lease, the individual (referring to who was originally added) would have to agree to be removed. In this case, Paul Blas didn't come in but a letter, a notarized letter requesting to remove her, (referring to Teresa Blas) from Paul Blas was received by our office. The letter was shown to Teresa Blas requesting for her to be removed. She (referring to Teresa Blas) claims Paul Blas was not at the area the letter originated from and feels the letter may have been tampered with.

Land Administrator Margarita Borja also informs the commission that it was explained to Teresa Blas, she is unaware of Paul Blas' whereabouts are. It was an original notarized letter that our CLTC office received and to determine whether the letter was tampered with is not something she would know about.

Chairwoman Pika Fejeran: Asks, since he is deceased, does Paul Blas have a beneficiary listed in his file.

Land Administrator Margarita Borja: Responding to Chairwoman Fejeran's question. Yes, he does. He has his daughter, Vanessa listed; she is who is named on our (referring to CLTC) database.

Teresa Blas: Confirming with the Land Administrator Margarita Borja that it is Vanessa Blas listed as the current beneficiary. Vanessa is Paul Blas' oldest daughter, she is not their daughter together. Informs the commission she and Paul only have one child together, a son who is now 13 years old.

Chairwoman Pika Fejeran: Asks where is she at today?

Teresa Blas: Responding to Chairwoman Fejeran's question. She is here on Guam, residing with who she believes are her (referring to Vanessa Blas) in-laws.

Land Administrator Margarita Borja: Explains to the Commission, looking at the data base right now, it still isn't on Vanessa's name, solely. It shows, Paul and Vanessa and shows Vanessa is the beneficiary. Father and daughter, father passes away, Vanessa, the daughter will assume the lease. Also informs the Commission, she is not sure why the lease hasn't been transferred to Vanessa's name yet.

[Discussion ensues]

Chairwoman Pika Fejeran: Addresses Teresa Blas and states that the necessary steps have been followed. The beneficiary listed is Vanessa Blas, the daughter. The Commission is not able to take away those rights from the daughter. As of now, it remains as is. Suggested to work with Vanessa to see if she would be willing to turn over the lease to her (referring to Teresa Blas).

Chairwoman Pika Fejeran: States there is another public comment and for the individual to step forward.

Albert Anderson Pascua: Speaking on behalf of his son, Gilbert Carbullido Pascua regarding a switch with time and date. In 1997, his ex-wife had applied for CLT Property, was given a lease and in 2008 she moved to the states. When their son became the legal age he (referring to the son) asked his mother to obtain the lease that his ex-wife was given. She agreed, all the necessary documents were signed and submitted.

The concern is, if the lease was transferred to his son, Gilbert Pascua and all the authorized signatures were on the lease to include the Governor's signature; will the lease be null and void as well.

Land Administrator Margarita Borja: Informs the Commission that his (referring to Albert Pascua) son's lease is pursuant to the law.

Chairwoman Pika Fejeran: Addresses Albert Pascua and confirms that his son's lease is pursuant to the law, therefore: it does not fall in the null and void category.

Chairwoman Pika Fejeran: Moves into the next item on the agenda.

IV. NEW BUSINESS

i. Maps & Addendums

In regards to Maps & Addendums a Survey Map Review Committee was recommended and designated by Chairwoman Pika Fejeran. This committee is to review and enhance the process of the survey maps and schemes that is required for board approval. Serving in the Survey Map Review Committee is Vice Chairman Joseph Cruz and Commissioner Austin Duenas.

The following maps that were presented by CLTC Staff, Melvin Javier were approved by motion.

- a. 206FY2018
- b. 213FY2018
- c. 216FY2018
- d. 221FY2018
- e. 225FY2018
- f. 228FY2018
- g. 295FY2018

The following maps were reviewed and agreed by the commission to make some changes.

- a. 328FY2018; Grant of Easement is needed to proceed.
- b. 245FY2018; removal of the lessee's name.

ii. Utility Authorizations

Chairwoman Pika Fejeran: moving on to Utility Authorizations, next item on the agenda.

Chairwoman Pika Fejeran: and the Commissioners review staff reports for those individuals requesting for utility authorization.

[Discussion ensues]

After reviewing and discussing, it was approved by motion for the Administrative Director Michael Borja to sign Utility Authorizations.

iii. Beneficiary

Chairwoman Pika Fejeran: Continues with the next item on the agenda, Beneficiaries and request to see all staff reports.

Chairwoman Pika Fejeran and Commission Members view Marcia Beldad Camacho. After reviewing and discussing, it was approved by motion to have the daughter, Leslie Ann Beldad Camacho be the designated beneficiary as requested by Marcia Beldad Camacho.

Chairwoman Pika Fejeran and Commission Members view Melvin Ojeda Javier's request to designate his daughter, Sheila M. Javier. The request was approved by motion.

Chairwoman Pika Fejeran: calls for the next request, Evelyn Bautitsta Taitague who designates her son, Johnny Pangelinan.

Commission Members question the difference in beneficiary forms.

Administrative Director Michael Borja: responds to the question of beneficiary forms. To differentiate the forms, the yellow form is for those who have a lease with CLTC, the blue form is for those who applied, has an application but has not been issued a lease.

After explanation of forms, the request to have Johnny Pangelinan as the designated beneficiary was approved my motion; however, the request needs to be made on the correct form.

Moving on to view the next beneficiary request by Chairwoman Fejeran is Bernadette Marie Manglona who designates her husband, Joseph Tenorio Mendiola Jr.

The Commission Members along with Chairwoman Fejeran: view the staff report. The request was approved by motion to have Joseph Tenorio Mendiola Jr. the designated beneficiary.

Chairwoman Pika Fejeran: calls Jodene Sanchez to the table, she signed in for public comments however; she was asked to standby early on in the meeting, as she is placed on the agenda for discussion.

Jodene Sanchez explains that her mom, Patsy Manglona is the lessee and passed away. Prior to her mom's passing she (Patsy Manglona) had listed her (Jodene Sanchez) and her sister, Sarah Ann Manglona as the designated beneficiaries. The CLTC policy only allows one beneficiary. Jodene Sanchez also informs the commission that she has been living and maintaining the property. She is the one who makes the utility payments and because of that, god forbid something happen and the utilities get disconnected, it would be difficult to have it reconnected because there is no documentation for the property that is under her name. She pleads with the commission in regards to her situation.

Former Yigo Mayor Robert Lizama: asks if he can speak to the commission in support of Jodene Sanchez's request.

Chairwoman Pika Fejeran: allows former Mayor Lizama to speak.

Former Mayor Lizama informs the commission, he has seen how she has cared and put heart into her mom's property. She has done so much to keep it well maintained and clean. He asks for the commission to please consider Jodene in the request to take over what her mom has and left for her, and thanks the commission for their time.

[Discussion ensues]

After further review and discussion, Jodene Sanchez as the beneficiary was approved by motion. It was also approved by motion to have Administrative Director Michael Borja to sign the Lease Addendum with a lot size reduction to approximately three acres.

Chairwoman Pika Fejeran: graciously confirms the decision to Jodene Sanchez, congratulates and thanks her for having patience for waiting for the commission to decide and waiting until the end of the meeting to be heard.

Due to time, the following items placed on the agenda will be discussed at the next CLTC Commission Meeting scheduled for September 6, 2018.

APPROVAL OF MINUTES

1. May 03, 2018, Regular Meeting
2. May 17, 2018, Regular Meeting
3. June 21, 2018, Regular Meeting
4. Personnel Action
5. Constituent Staff Reports
6. 1995 Applicants with Leases
7. Switched and Transferred Leases

- i. Requested Staff Reports
8. 1996-2015 Applicants with Leases
9. Tract 9 & Lot 5382 Leases
10. Director's Report

Chairwoman Pika Fejeran: at this time ask the Commission members if they have any questions or comments.

Commission Members: None at this time.

I. Adjournment

Chairwoman Pika Fejeran confirms next meeting for September 6, 2018 and adjourns the meeting at 5:24 p.m.