



**Lourdes A. Leon Guerrero**  
Governor

**Joshua F. Tenorio**  
Lieutenant Governor

**Commission Members**

**G. Pika Fejeran**  
Chairwoman

**Amanda L.G. Santos**  
Commissioner

**Austin J. Duenas**  
Commissioner

**(Vacant)**  
Commissioner

**(Vacant)**  
Commissioner

**Jack E. Hattig III**  
Administrative Director

# *Kumision Inangokkon Tano' CHamoru* *(CHamoru Land Trust Commission)*

P.O. Box 2950 Hagåtña, Guåhan 96932

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

## **COMMISSION MEETING MINUTES**

Department of Land Management Conference Room  
3<sup>rd</sup>. Floor, ITC Building, Tamuning  
**Thursday, July 18, 2019, 1:01 p.m. – 6:25 p.m.**

Public Notice: The *Guam Daily Post* on July 11, 2019 and July 16, 2019

### **CALL TO ORDER: 1:03 p.m.**

**Chairwoman Pika Fejeran:** Good afternoon I would like to call this CHamoru Land Trust Commission meeting to order. The date is July 18, 2019, time is 1:03 p.m., notice for this meeting was provided on the *Guam Daily Post* on July 11<sup>th</sup> and July 16<sup>th</sup>. Before we begin, I'd like us all to rise and cite the Inefresi.

**ALL:** Citing the Inefresi

**Chairwoman Pika Fejeran:** BIBA CHamoru!

**ALL:** BIBA!

**Chairwoman Pika Fejeran:** BIBA CHamoru!

**ALL:** BIBA!

**Chairwoman Pika Fejeran:** BIBA CHAMORU!

**ALL:** BIBA!!!

### **ROLL CALL**

**Chairwoman Pika Fejeran:** Thank you everybody. Alright, roll call, I'm present, Commissioner Tan Amanda Santos

**Commissioner Santos:** Here

**Chairwoman Pika Fejeran:** Commissioner Austin Duenas

**Commissioner Duenas:** Here

**Chairwoman Pika Fejeran:** Legal Counsel Nicolas Toft

**Legal Counsel Toft:** Here

**Chairwoman Pika Fejeran:** And Acting Admin. Director Joseph B. Cruz Jr. Administrative Director, Mr. Joseph B. Cruz Jr.

**Acting Admin. Director Joseph B. Cruz Jr.:** Here

**ROLL CALL:** All present

**Chairwoman Pika Fejeran:** Hi. Thank you all for being here. As mentioned, Director Hattig is on Military Leave, so Mr. Cruz has been appointed Acting Admin. Director Joseph B. Cruz Jr. Director and he and I have been working to prepare for this meeting. So we do have quorum, we can move forward with this meeting. First item on the agenda, first item next on the agenda is the approval of minutes. We have April 4<sup>th</sup>, Working Session Minutes; has everybody, all the Commissioners had a chance to review?

## **APPROVAL OF MINUTES**

### **APRIL 4 MEETING MINUTES**

**Commissioner Duenas:** Mhm

**Chairwoman Pika Fejeran:** Any comments? I just have some very minor edits, I think just typos. What I can do...it's really only typos that I found so pending those corrections, I can get together with the staff to make those very minor edits; there was nothing substantive for the April 4<sup>th</sup> Working Session Minutes. Does the Commission feel comfortable making a motion on the minutes to approve pending those minor edits?

**Commissioner Duenas:** Motion to approve April 4<sup>th</sup> 2019 Working Session Meeting Minutes pending edits.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay. Motion has been made and second it. And like I said, the only edit to the minutes would be basically just correction of typos. Anything more substantive, we'll have to bring back to the Board for approval, does that work Legal Counsel?

**Legal Counsel Toft:** Yup

**Chairwoman Pika Fejeran:** Okay, so further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None. All those in favor of approving the April 4<sup>th</sup> 2019 Working Session Minutes pending minor edits?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Okay. Minutes passed. The next minutes we have before us is our April 4<sup>th</sup> 2019 regular Meeting. So that was also in our packet, I wanted to ask Legal Counsel if minutes are required for working sessions.

**Legal Counsel Toft:** I believe they are, I can double check for next meeting (inaudible) discretion of the Board. But I would say, for now, we do it until... (Inaudible) and I will double check to make sure.

**Chairwoman Pika Fejeran:** Okay. Yeah, because if it's not a necessity we can save our team a lot of time preparing this. Okay. So for the regular meeting; same thing, I just have minor edits, typo edits. Any other comments for the regular meeting minutes?

**Commissioner Duenas:** Motion to approve April 4, 2019 regular meeting minutes pending edits on typos.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay motion has been made and second it. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None. Okay all those in favor?

**Commissioners:** Aye

#### **APRIL 18 MEETING MINUTES**

**Chairwoman Pika Fejeran:** Okay. Ayes have it. Regular meeting minutes, April 4<sup>th</sup> approved and then finally we have our April 18<sup>th</sup> 2019 regular meeting minutes. This was the meeting we started at 1PM and we ended at 6:49PM. That was the longest we've ever gone and probably one of the most challenging meetings I had to sit through but I think we made some progress there. My comment is on...let me see, this would be page 85 of the Board Meeting Packet.

**Commissioner Duenas:** inaudible

**Chairwoman Pika Fejeran:** Yeah I do, at the bottom. Oh you don't have one. Okay this is the one, two...the fourth page of the April 18<sup>th</sup> meeting. Where I'm quoted, Chairwoman Pika Fejeran, second sentence; the lease does indicate a portion of Lot 278-R4 there could be a misunderstanding of what actual portion does place Ms. Guzman, but I think we're actually referring to Ms. Sablan because we're talking to Ms. Sablan but Ms. Guzman comes into it, so maybe Ms. Emily Guzman Sablan; I don't know, I just want some clarification. So there was that comment, just to make sure that we're... we have the right person that we're talking about. And then... on page 106, it says that no second motion was officially made; this is in regards to Ms.....for a Mr. Gerard Heath Materne Johnson, oh what happened was Tan Amanda seconded the motion before the motion was made. Do we need to make a new... just do whole set of new motions in this meeting, to correct that?

**Legal Counsel Toft:** I would say yeah.

**Chairwoman Pika Fejeran:** Okay. So it's page 105 Tan Amanda.

**Commissioner Duenas:** just restate the motion?

**Chairwoman Pika Fejeran:** Yeah

**Commissioner Duenas:** Okay. Is it okay if we do this now?

**Chairwoman Pika Fejeran:** Mhm

**Legal Counsel Toft:** Yeah we can do it now.

**Commissioner Duenas:** Motion to approve the lease for Lot 8-33-13, Block 0, Tract 0, Municipality of Inarajan containing an area of 1858 square meters and in accordance with Public Law 23-38 for Mr. Gerald Heath Materne Johnson.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Okay, further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it, okay. So let the record reflect that the motion, the lease was approved today. Right Nick?

**Legal Counsel Toft:** Yes.

**Chairwoman Pika Fejeran:** Okay. Today July 18<sup>th</sup>. Was does that do? Does that affect his lease if it was back...?

**Legal Counsel Toft:** Think they can, reissue lease, I don't think it's (inaudible)

**Chairwoman Pika Fejeran:** Has he signed the lease already?

**Land Administrator Margarita Borja:** Jhoana?

**Legal Counsel Toft:** We'll check.

**Land Administrator Margarita Borja:** Gerard Materne?

**Legal Counsel Toft:** Gerard Materne?

**Land Agent II Jhoana Bragg:** Umm... I'm not sure.

**Chairwoman Pika Fejeran:** Materne Johnson.

**Legal Counsel Toft:** We'll check. We can deal with it.

**Chairwoman Pika Fejeran:** Okay. Okay, great. Thank you. Alright... so thank you for catching that because we didn't catch that in the meeting. Let's see... okay I have no further comments.

**Commissioner Duenas:** I just want to verify, there's a few times Ms. Manley; I forgot what page number but Ms. Manley's quote is saying, ridicule instead of ridiculous; I just need to verify if she actually said, ridiculous and (inaudible).

**Chairwoman Pika Fejeran:** Ridiculous? I think it's ridiculous. So that would be typo? Let's see, What I could do is noted here and when I get with the staff for the other edits I'll make sure to include those.

Okay so do we need to amend the minutes, referring back to that motion?

**Legal Counsel Toft:** For the Guzman Sablan one, I would just say, approval subject to changing...alteration of instances of Guzman on pages 85 and 86 to Sablan. And reading through it, it looks like you know, typo... (Inaudible).

**Chairwoman Pika Fejeran:** And updated on page 85 maybe, where we just did the new motion today; will they update it to say...

**Legal Counsel Toft:** Corrected

**Chairwoman Pika Fejeran:** Corrected, okay.

**Legal Counsel Toft:** Correct on July... (Inaudible)

**Chairwoman Pika Fejeran:** Okay, great. Okay so the April 18<sup>th</sup> meeting minutes...

**Commissioner Duenas:** Motion to approve April 18, 2019 regular meeting minutes pending the changes on pages 85 and 86 of reference of Guzman Sablan, changes to all grammatical errors and typos and changes to the motion that we did today.

**Chairwoman Pika Fejeran:** Okay. Motion has been made.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay, all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Thank you.

**OLD BUSINESS**

**PRE-MORATORIUM LEASE LIST**

**Chairwoman Pika Fejeran:** Okay, thank you moving on to Old Business, number 1, we have our Pre-Moratorium Lease list.

**Acting Admin. Director Joseph B. Cruz Jr.:** Before we discuss the Pre-Moratorium Lease list, (inaudible) disclosure that some of the employees of the CHamoru Land Trust Commission has any conflict within third degree of consanguinity for the (inaudible).

**Chairwoman Pika Fejeran:** Oh, thank you so much. So this for the Pre-Moratorium or it's for...

**Acting Admin. Director Joseph B. Cruz Jr.:** For everybody.

**Chairwoman Pika Fejeran:** For all our constituents?

**Acting Admin. Director Joseph B. Cruz Jr.:** Yes Ma'am.

**Chairwoman Pika Fejeran:** Thank you. Thank you for that, Yeey. I've been looking for this, way to go. Alright, thank you for that. Yeah, we'll put it on record that there's no conflict.

**1. GREGORY AGUON**

**Chairwoman Pika Fejeran:** Alright, so let's look at this Pre-Moratorium Lease list, I think the last time we did this was that April 18<sup>th</sup> meeting? Is that right? Okay. And I believe we had a summary table for this one, um for those on the Pre-Moratorium Lease list, have they been contacted to appear before us? Okay, great. Okay the first here is for Gregory Q. Aguon; I'd like to request that we table this because I believe that this property is the subject of one of our constituent matters, is that right?

**Land Agent II Jhoana Bragg:** Um?

**Chairwoman Pika Fejeran:** Tomasa Aguon?

**Land Agent II Jhoana Bragg:** Yes. Same vicinity area.

**Chairwoman Pika Fejeran:** Same vicinity area, okay. Same property or same vicinity?

**Land Agent II Jhoana Bragg:** Property area. So their... she was occupying there prior and she came before the Board but there was no Board approval as to you know what we're going to do in regards to Ms. Tomasa's case, yet.

**Chairwoman Pika Fejeran:** Right. Also a decision has not been made on obviously granting the lease because it's still under (inaudible) um, does the Commission want to view this, Gregory Aguon's lease now or shall we wait until we address Ms. Aguon's case? I think its better we look at it comprehensively.

**Commissioner Duenas:** I agree.

**Commissioner Santos:** Wait.

**Chairwoman Pika Fejeran:** Okay. Okay so we'll table Mr. Aguon's for... um... and I believe that would be New Business, Constituent Matters; that's when that'll come up.

**Land Agent II Jhoana Bragg:** Yes Ma'am.

## 2. JOHN PATRICK AGUON

**Chairwoman Pika Fejeran:** Okay, thank you. Moving on, we have a Mr. John Patrick Aguon. Is Mr. John Patrick Aguon with us? Hi Sir, thanks for coming; if you could have a seat and give us a minute to just review your file. Thank you. Alright, so Mr. John Patrick Aguon he is a December 5<sup>th</sup> 1995 applicant and to refresh the Commission's memory, these Pre-Moratorium leases were um leases that were identified at the end of last year and early this year that had not made it onto our Ratified listing because the previous Director although, the lease holder, although the lessee and the Director had signed it um, the Director had crossed out his name so and it was never brought to the Board that he did that so I'm sorry that you have to come before us Mr. Aguon but we're trying to make the situation right and look at each of these leases. Okay so again you're a December 5 1995 applicant, priority one... let's see, okay so a property was identified a lease was prepared; if you could state your name for the record, Sir?

**John Patrick Aguon:** John Patrick Muna Aguon.

**Chairwoman Pika Fejeran:** Muna Aguon, okay. So had you sign your lease and you thought that everything was all good to go?

**John Patrick Muna Aguon:** Yes.

**Chairwoman Pika Fejeran:** Yeah okay. And I also see that you had a survey authorization, have you gotten that survey? Or you just stopped on all of that?

**John Patrick Muna Aguon:** I haven't gotten it yet. Yes.

**Chairwoman Pika Fejeran:** Okay. Okay. So Mr. Aguon (inaudible) and Mr. Aguon are you prepared to um to sign a lease for this... we have you at Lot 15, Block 3REM, Tract 100C in Dededo?

**John Patrick Muna Aguon:** That's correct.

**Chairwoman Pika Fejeran:** And you're prepared to sign the lease and follow um... and follow the lease?

**John Patrick Muna Aguon:** Yes.

**Chairwoman Pika Fejeran:** Okay. Sorry, this is a residential applicant? Residential lease?

**Commissioner Santos:** Residential?

**Chairwoman Pika Fejeran:** Or Agriculture? Okay hold on, I have it right here. Agricultural lease.

**John Patrick Muna Aguon:** Yes

**Chairwoman Pika Fejeran:** Okay so you're aware that as an Agricultural Lessee there are certain requirements for planting on your property?

**John Patrick Muna Aguon:** Yes, I understand.

**Chairwoman Pika Fejeran:** Okay. Have you... do you have experience with farming? What's your plans for the property?

**John Patrick Muna Aguon:** Not quite. But yes, I intend to farm.

**Chairwoman Pika Fejeran:** Okay... um I believe it's UOG (inaudible) and Department of Agricultural can provide you with resources, training and support to help you with that.

**John Patrick Muna Aguon:** Yes, I'm aware of that.

**Chairwoman Pika Fejeran:** And you're aware that water and power are not immediately available on your property?

**John Patrick Muna Aguon:** That's correct, I understand.

**Chairwoman Pika Fejeran:** Okay. Okay. I have no questions, did you want to see the file?

**Commissioner Duenas:** This is over a year ago.

**Legal Counsel Toft:** Yeah. So this is just one where the Director X'd out because it did not come before the Board for signature. But everything appears to be (inaudible).

**Chairwoman Pika Fejeran:** Mhmm. Yeah, I agree. I believe that when we did this before it was for every um... every lease, we made a motion.

**Commissioner Duenas:** Yeah. Motion to approve the lease for Mr. John Patrick Muna Aguon for Lot 15, Block 3REM, Tract 100C, Dededo.

**Commissioner Santos:** I second it.



**Chairwoman Pika Fejeran:** Motion made and seconded by Tan Amanda. Any further discussion?

**Commissioners:** No

**Chairwoman Pika Fejeran:** None? Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Alright. Okay Mr. Aguon your lease has been approved so the staff will prepare a new lease for you and have you come in and sign it.

**John Patrick Muna Aguon:** Okay thank you very much.

**Chairwoman Pika Fejeran:** Sure and then I believe they'll have to issue you a new Survey Authorization because the original is expired. Okay, thank you for your patience and um sorry it's taking this long. Thank you thank you sir. Next is Mr. Joseph Perez Babauta. Hi Hafa adai sir, if you could state your name for the record.

### 3. JOSEPH PEREZ BABAUTA

**Joseph Perez Babauta:** My name is Joseph Perez Babauta.

**Chairwoman Pika Fejeran:** Okay so you're a December 2<sup>nd</sup> 1995 applicant and you're going for an agricultural lease so this priority number doesn't apply to him. For Agricultural Lease applicants priority does not apply so... So Sir it looks like you were... in February of 2018 you were issued an Agricultural Lease for Lot 5382-13-2 Barrigada. Okay and it was one of the ones that Director Borja put an X. Okay so Mr. Babauta, do you have experience farming? Do you have um private property?

**Commissioner Santos:** Yes

**Joseph Perez Babauta:** As far as experience, well I know (inaudible) to the point I use for my (inaudible)

**Chairwoman Pika Fejeran:** Oh okay. Okay has this property been... it's also not been surveyed right? Okay not surveyed yet. So your property would also be subject to survey and you would also be required to follow the terms of the lease that includes planting a certain amount trees or um... you know, that kind of stuff based on the size of the property. Are you aware of those requirement?

**Joseph Perez Babauta:** Yes Ma'am.

**Chairwoman Pika Fejeran:** And you're prepared to make the best use of the property?

**Joseph Perez Babauta:** Yes.

**Chairwoman Pika Fejeran:** Alright. That's what I like to hear.

**Commissioner Santos:** This is one half acre no?

**Chairwoman Pika Fejeran:** Yes.

**Commissioner Duenas:** Motion to approve lease for Mr. Joseph Perez Babauta on Lot 5382-13-2 in Barrigada.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded it by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Alright. Mr. Babauta your lease has been approved they'll get the paperwork going for you so you could sign it. Please get the property surveyed um and congratulation.

**Joseph Perez Babauta:** Thank you very much

#### 4. CYNTHIA C. LUJAN

**Chairwoman Pika Fejeran:** Thank you. Alright next on our list is a Cynthia C. Lujan. Is Ms. Lujan here today? No? That's okay. Um, let's see we have... she's a December 5<sup>th</sup> 1995 applicant for residential lease, she's priority one, um... let's see, the residential lease is for Lot 1, Block 3REM, Tract 100C, Dededo. Oh that sounds like it's near um... Mr. Aguon. You're going be neighbors.

**Legal Counsel Toft:** It looks like (inaudible) everything looks fine but the Director signed it prior to the Board authorizing (inaudible)

**Chairwoman Pika Fejeran:** Right okay I see that. And then... okay this is just a scheme, um the priority, when was the interview... I see an interview conducted in 2002, I just want to make sure that um... Ms. Lujan was also interviewed to determined her land ownership status at the time the lease was being (inaudible)

**Land Agent II Jhoana Bragg:** (inaudible) for application if she does currently own property and if she does then we um... contact her and then be reinter viewed (inaudible)

**Legal Counsel Toft:** We could do a conditional approval

**Chairwoman Pika Fejeran:** Okay yeah. I would be... I think that's okay if we... so the conditional approval would be pending verification that she does not own any property for this resident... and then um, with that verification a lease would be issued?

**Legal Counsel Toft:** yup.

**Chairwoman Pika Fejeran:** Okay. Okay, I have no questions.

**Commissioner Duenas:** Motion to approve to lease for Cynthia C. Lujan Lot 1, Block 3REM, Tract 100C, Dededo pending the verification that she is not currently a property owner.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay motion made and seconded. Um, further discussion?

**Commissioners:** No

**Chairwoman Pika Fejeran:** Okay. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have. Alright so since Ms. Lujan is not here, I think that's something you can do to verify administratively, just document it in her file.

**Land Agent II Jhoana Bragg:** Yes.

##### 5. THERESE M. MUNA

**Chairwoman Pika Fejeran:** Alright. Approved. Alright, next is um a Therese M. Muna, is there a representative here? Okay so this is also a residential lease. Hi Hafa adai, if you could also state your name for the record.

**Therese M. Muna:** Therese M. Muna

**Chairwoman Pika Fejeran:** Hello Ma'am, so you're a December 4<sup>th</sup> 1995 applicant and here we go fast forward to almost 24 years... okay...

**Therese M. Muna:** Yup. And that has been surveyed too.

**Chairwoman Pika Fejeran:** And it has.

**Therese M. Muna:** But Mr. Ventura passed away and never put in the map.

**Chairwoman Pika Fejeran:** Ah... so you're in that list of hanging there in the balance. Okay let's see.

**Therese M. Muna:** It was surveyed in 2005.

**Chairwoman Pika Fejeran:** Oh my gosh. Okay um... I believe that's actually come up for the um... how we're handling Mr. Ventura's um...

**Acting Admin. Director Joseph B. Cruz Jr.:** Yes Ma'am. We're meeting with the surveyors on pending maps so they're going to provide me feedback as soon as (inaudible)

**Chairwoman Pika Fejeran:** Okay and so Ms. Muna's would be one of those that would be considered pending?

**Acting Admin. Director Joseph B. Cruz Jr.:** Yes. We'll make sure she's on there.

**Chairwoman Pika Fejeran:** Okay. Yes please. Great. Okay so let's see... so you went out, got it surveyed and stuff happened and then in April of last year, a lease was issued and signed by everybody except the Commission?  
And Ms. Muna, I just want to confirm; you do not own property anywhere?

**Therese M. Muna:** No.

**Land Agent II Jhoana Bragg:** Um, Ms. Muna is part of the list that we have with one of the survey companies so we're just waiting for them to complete the survey um along with the other constituents that are a part of that list.

**Chairwoman Pika Fejeran:** Okay.

**Acting Admin. Director Joseph B. Cruz Jr.:** Ma'am, if I may, Ms. Muna's map has been submitted today by TG Engineers so it's with our Planning Division now for review.

**Chairwoman Pika Fejeran:** Oh great!

**Therese M. Muna:** Oh, thank god!

**Chairwoman Pika Fejeran:** Okay so your map is for review. Great! And then what would the follow up steps be? They would just approve it and then...?

**Acting Admin. Director Joseph B. Cruz Jr.:** It would run through the process; if there are any corrections that need to be made, then her surveyor will be contacted to come in to make the corrections then it'll run through the process again.

**Chairwoman Pika Fejeran:** Okay and then once there's a map that's approve, we would use that for her lease?

**Acting Admin. Director Joseph B. Cruz Jr.:** For her property description. It will be referenced with the property description (inaudible).

**Chairwoman Pika Fejeran:** Okay. Okay, great. Well there's movement there for you.

**Therese M. Muna:** Progress.

**Chairwoman Pika Fejeran:** Yes, progress. Okay, I have no questions.

**Commissioner Duenas:** Motion to approve lease for Ms. Therese M. Muna on Lot 7160-165 in Yigo.

**Chairwoman Pika Fejeran:** Okay a motion has been made.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Alright. Ayes have it. Okay, Ms. Muna your lease has been approved.

**Therese M. Muna:** Thank you. Thank you for all your hard work. Enjoy.

**Chairwoman Pika Fejeran:** Oh thank you Ms. Muna.

**ALL: Clapping. Random shout outs: Congratulations!!!**

## 6. JESUS QUIDACHAY NINETE

**Chairwoman Pika Fejeran:** Okay. Next is a Mr. Jesus Quidachay Ninete. Mr. Ninete um...

**Land Agent II Jhoana Bragg:** I don't think we were able to contact him.

**Chairwoman Pika Fejeran:** Okay. Its okay we can still look. So he's a December 28, 1995 applicant for agriculture and this is at Lot 1-12, Block 8, Tract 10121 in Yigo um... looks like...

**Commissioner Santos:** Priority two.

**Chairwoman Pika Fejeran:** Well for agriculture priority doesn't count. Let's see in March 9<sup>th</sup> the lease was issued but then again, it's the red marked ones.

**Land Agent II Jhoana Bragg:** Madame Chair, sorry, I think we just have to clarify the lot.

**Chairwoman Pika Fejeran:** Okay

**Land Agent II Jhoana Bragg:** Um, indicated on the bottom it says, Lot 1-2 but on the top it says, 1-12.

**Chairwoman Pika Fejeran:** Do we have the lease file? This is for um, Ms. (inaudible) we need a Ninete, Jesus

**Commissioner Santos:** Is he here today?

**Chairwoman Pika Fejeran:** No. Alright, let's (inaudible) Okay the lease that's in here that has the red mark is Lot 1-12, Block 8, Tract 10121, Yigo.

**Land Agent II Jhoana Bragg:** We'll go ahead and correct the staff report in the file.

**Chairwoman Pika Fejeran:** Alright. Okay.

**Commissioner Duenas:** Was he previously contacted before... when they first signed this, when they ah...

**Legal Counsel Toft:** Yeah he was interviewed (inaudible)

**Commissioner Duenas:** We just can't get a hold of him (inaudible)

**Land Agent II Jhoana Bragg:** It might be contacts, Sir. (Inaudible) but we do mail outs (inaudible) but we will try to contact him again.

**Commissioner Duenas:** Okay. Motion to approve lease for Jesus Quidachay Ninete on Lot 1-12, Block 8, Tract 10121 in Yigo.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and seconded. Further discussion?

**Commissioners:** No

**Chairwoman Pika Fejeran:** No. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay, ayes have it. Mr. Quidachay's lease is approved. Um, when you send out the mailing, how long does he have to respond before we move on and are able to issue that property to somebody else? Is there a cut off? I mean I don't want to... He's unreachable.

**Acting Admin. Director Joseph B. Cruz Jr.:** We afford them at least sixty days, but even at that; we still don't (inaudible) the lot is still considered encumbered, the only time when the lot, the encumbrance will be free is when their behind (inaudible) in the event prior to this meeting; he might have been shown it and he might have exhaust some financial resources either to clear it a little bit, we don't know; so to prevent any liabilities on the Trust, we wait until the decline form is signed.

**Chairwoman Pika Fejeran:** Oh, I see.

**Commissioner Duenas:** What happens if we can't get in touch with him in the next sixty days?

**Acting Admin. Director Joseph B. Cruz Jr.:** We try to exhaust every effort; we look through the phone book, we see what we can do, check the mayor is another option.

**Commissioner Duenas:** And then what happens after that? If he's still unreachable?

**Acting Admin. Director Joseph B. Cruz Jr.:** Until he signs a decline, he is still going to be considered encumbered.

**Chairwoman Pika Fejeran:** Okay. I think there... there should be some kind of mechanism and protocol so that we're not... we don't have our hands tied for nonresponsive um applicants but that's something we can....

**Acting Admin. Director Joseph B. Cruz Jr.:** I think that's factored into our proposed SOP.

**Chairwoman Pika Fejeran:** Okay great. Great. Okay, thanks Joey. Alright, um... next is a Mary Ruth Phillips. Is Ms. Phillips here today? Okay, Ms. Phillips a December 2<sup>nd</sup> 1995 applicant for a residential lease, she's priority one. Hafa adai Ms. Phillips. Um if you could state your name for the record.

## 7. MARY RUTH PHILLIPS

**Mary Ruth Phillips:** Mary (inaudible) Phillips

**Chairwoman Pika Fejeran:** Thank you. So it looks like you're issued a lease for Lot 1, Block 16, Tract 10316 in Dededo it's about a half acre... okay. I see there was little confusing with your middle name but you've been able to show that you're Mary Ruth Phillips?

**Mary Ruth Phillips:** (inaudible)

**Chairwoman Pika Fejeran:** Okay, got it. Okay Ms. Phillips, let me just look at this thing... um it looks like your property is also subject to survey? And it also looks like water and power are not immediately available on the property? I'm sorry, I wish it was different. Okay. Alright... okay I have no questions.

**Commissioner Duenas:** Motion to approve lease for Ms. Mary Ruth Phillips for Lot 1, Block 16, Tract 10316 in Dededo.

**Commission Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and seconded. Any further discussion?

**Commissioners:** No

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Okay... Ms. Phillips thank you for your patience and I know it's been a long time coming, I'm glad we could approve your lease today, properly.

Si Yu'us Ma'ase'. Alright next is a Ms. Colleen Grace Quinata. Hello, Hafa adai thank you for coming, if you could please state your name for the record.

**8. COLLEEN GRACE QUINATA**

**Colleen Grace Quinata:** Colleen Grace Quinata

**Chairwoman Pika Fejeran:** Okay. Hi. Okay...I see okay this is a little um... this is a complex one compared to the other ones that we just heard. Um, it looks like Ms. Quinata you... um, you received the application rights for the December 9<sup>th</sup> 1995 application from Ms. Sandra Mesa Cruz? Is that...

**Colleen Grace Quinata:** No. Mesa Quinata

**Chairwoman Pika Fejeran:** Oh. Can I have her folder?

**Legal Counsel Toft:** Yeah there was a name change in (inaudible)

**Chairwoman Pika Fejeran:** Oh okay. Your original um application said Cruz I guess? Are you Sandra Mesa... alright our thing says Cruz then it was changed to Quinata. Okay. Um, please state your name for the record also.

**Sandra Mesa Quinata:** Sandra Mesa Quinata

**Chairwoman Pika Fejeran:** Quinata okay. And what is your relation?

**Sandra Mesa Quinata:** She's my daughter

**Chairwoman Pika Fejeran:** Okay. So it looks like um from our records in 2017, August 10<sup>th</sup> you requested to transfer your application rights to your daughter and it was approved by the Deputy Director of Land Management, Mr. David Camacho. Um, I'm sure you've heard; last year there's a lot of issues and stuff in the news but the Attorney General found that those types of switches or transferring of your application rights is not allowed by the law; so the Attorney General (inaudible) that those transfers are null and void. So for the Trust, the way we apply that is we consider that there was no transfer at all.

**Sandra Mesa Quinata:** Okay.

**Chairwoman Pika Fejeran:** What the law does allow, for the application rights is if you pass away you would have been able to designate to her... right. But because it's in your life time, the Attorney General um said that's not allowed.

**Legal Counsel Toft:** (inaudible) accepts the lease and wait the seven years then you can transfer it.

**Chairwoman Pika Fejeran:** Right so another way that you would be able to do it within your lifetime and don't have to wait 'til you're dead is um you would hold the lease for seven years and then you could transfer it under her name. So um... like I said, the way we've been



treating this is we're basically saying, okay everybody get back in line where you were, so right now you still hold the application date and time for December 9<sup>th</sup> 1995 and then um... Ms. Colleen Grace Quinata, your application date and time would be August 8<sup>th</sup> 2017.

**Colleen Grace Quinata:** Okay.

**Sandra Mesa Quinata:** So the land would go back to me?

**Legal Counsel Toft:** The rights to the application.

**Sandra Mesa Quinata:** Oh okay. So she signed a lease and it was an X on it, so can I just um... stand in for that lease?

**Legal Counsel Toft:** Yes

**Chairwoman Pika Fejeran:** Yes? Yeah... yeah... if you wish to um... let me see, this is for an agricultural lease?

**Sandra Mesa Quinata:** Yes.

**Chairwoman Pika Fejeran:** Okay. Okay so agricultural lease we don't apply any priority whether you own any land or not, so I don't have to ask you that. Um... and I think what we've done before... Legal Counsel, if you could just confirm for me that um since both applicants are now back in line and there is a lease that was identified for that December 9<sup>th</sup>. 1995 application... um... the Trust can issue a lease for the same property to the original applicant?

**Legal Counsel Toft:** Yes.

**Chairwoman Pika Fejeran:** And is that your intent to take the lease?

**Sandra Mesa Quinata:** Yes.

**Chairwoman Pika Fejeran:** Okay. Well great, that solves it. Um, as an agricultural lessee you do understand that there are requirements for um planting on your property. There's like a certain number of plants that have to be planted every year and noncompliance would mean that the Trust could take the lease away.

**Sandra Mesa Quinata:** Um, like I mentioned to another applicant; there are resources to help you down at UOG or Department of Agriculture um... let's see, it looks like the property does need to be surveyed.

**Land Agent II Jhoana Bragg:** Um she actually... there was a sketched that was submitted and these are going be one of the ones that will be discussed at the meeting under Mr. Milton Santos, so we'll verify if this one of the maps that are still pending his submission.

**Chairwoman Pika Fejeran:** Oh, I see. Is he one of the surveyors that like didn't get to complete maps?

**Land Agent II Jhoana Bragg:** Yes.

**Chairwoman Pika Fejeran:** Oh so Ventura and Santos?

**Land Agent II Jhoana Bragg:** yes.

**Chairwoman Pika Fejeran:** Okay. So it's pending completion? Okay, so we'll just make sure that note is there. Okay.

**Commissioner Duenas:** Motion to approve lease for Ms. Sandra Mesa Cruz

**Multiple Response: Quinata**

**Commissioner Duenas:** Oh, I'm sorry Quinata, excuse me. Lot 10171-15 in Yigo.

**Commissioner Santos:** I second it.

**Unidentified voice:** Um Yigo?

**Commissioner Duenas:** Oh, I'm so sorry.

**Chairwoman Pika Fejeran:** It says, Yigo.

**Commissioner Duenas:** Okay so this is in Dededo? Okay. Correction, Dededo.

**Chairwoman Pika Fejeran:** I have a question, sorry.... Um 4047 square meters, is that one acre?

**Multiple Response:** Yes

**Chairwoman Pika Fejeran:** Can I just get confirmation from Legal Counsel that we can issue out leases for that large?

**Legal Counsel Toft:** I think if the Board approves it based on the factor (inaudible) they went and got their survey done before (inaudible) did you (inaudible)

**Sandra Mesa Quinata:** Yes and then there was a grave site that I had surveyed so I had to wait for another land to be available.

**Legal Counsel Toft:** Yeah, the Board makes the finding that it's um...

**Chairwoman Pika Fejeran:** Because of the investment that was made for the whole property?

**Legal Counsel Toft:** Right and (inaudible) it's our agency basically.

**Chairwoman Pika Fejeran:** Okay. Alright. So the motion made and seconded... is that... was there a second?

**Commissioner Santos:** Yeah, I second it.

**Chairwoman Pika Fejeran:** Yeah, Tan Amanda seconded. Okay. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Okay. Great Ms. Sandra Quinata... okay well um... I'm sorry Ms. Colleen it's not your property but it's in your family right. I hope you guys....

**Land Agent II Jhoana Bragg:** She can be named the benefactor.

**Chairwoman Pika Fejeran:** Yeah and then it when you hold it for seven years you can transfer it to her.

**Sandra Mesa Quinata:** That's (inaudible)

**Chairwoman Pika Fejeran:** Okay well thank you for your patience and congratulations.

**ALL: Clapping**

**Chairwoman Pika Fejeran:** That's one of our 102's crossed off, right? Ms. Sandra Mesa... Alright, next is Dolores Taitano Quinata. Hafa adai, thank you for your patience. If you could state your name for the record.

## **9. DOLORES TAITANO QUINATA**

**Dolores Taitano Quinata:** My name is Dolores Taitano Quinata.

**Chairwoman Pika Fejeran:** Hi, thank you for joining us. So you are a December 2<sup>nd</sup> 1995 applicant. You're lease would be an agricultural lease that was issued back on April 3<sup>rd</sup> but red line by the Director um... April 3<sup>rd</sup> 2018 this is for Lot 8-33-10 in Inarajan. Looks like a scheme was approved. So Ms. Quinata, are you still prepared to utilize the property for farming or other type of agricultural usage?

**Dolores Taitano Quinata:** Yeah

**Chairwoman Pika Fejeran:** Oh and you have road access... wow... this is beautiful. Um I would imagine also utilities?

**Dolores Taitano Quinata:** (inaudible)

**(Multiple back ground noise)**

**Commissioner Santos:** It's a nice place

**Chairwoman Pika Fejeran:** Mmm. Okay so it's still subject to survey right? 'Because it's just schemed out? Okay. December 2<sup>nd</sup> applicant, one of the first ones in line huh? Wow. I'm sorry it's taking this long. Okay.

**Commissioner Duenas:** Motion to approve lease for Ms. Dolores Taitano Quinata on Lot 8-33-10 in Inarajan.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay a motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Okay Mrs. Quinata, your lease is approved and subject to survey and the staff will be in touch with you. Do you have any questions?

**Dolores Taitano Quinata:** No

**Chairwoman Pika Fejeran:** No? Okay thank you very much.

**ALL:** Clapping

**Chairwoman Pika Fejeran:** Okay... next is a Robert C. Quintanilla. Hi Hafa adai Sir if you could state your name for the record.

#### **10. ROBERT C. QUINTANILLA**

**Robert C. Quintanilla:** Quintanilla, Robert.

**Chairwoman Pika Fejeran:** Hello, Sir. So it looks like you're a December 7, 1995 applicant...um an agricultural lease was issued to you May 3<sup>rd</sup> 2018 for Lot 3 and 4, Block 5-8, Tract 15344 in Mangilao. Okay and this lease looks like it was red marked by the former Director. Alright...so it looks there's two properties identified for you...is there a reason why?

**Land Agent II Jhaoan Bragg:** It's a combination. Um...

**Chairwoman Pika Fejeran:** Is there a reason why? Two properties about a half acre each?

**Robert Quintanilla:** Well the original was for one.

**Chairwoman Pika Fejeran:** Your original was for one?

**Robert Quintanilla:** Yeah.

**Chairwoman Pika Fejeran:** Can we just pull that up on the map?

**Land Agent I John Gumataotao:** (inaudible) um there's so much usable area...this is a cliff.

**Chairwoman Pika Fejeran:** Ah... that's funky. Oh a cliff line, I see. Okay. Is there currently access? There is. Like a dirt road or something?

**Robert Quintanilla:** (inaudible)

**Chairwoman Pika Fejeran:** Oh you opened it?

**Land Administrator Margarita Borja:** (inaudible) but the actual access is not open.

**Chairwoman Pika Fejeran:** Okay, but the easement is?

**Land Administrator Margarita Borja:** Yeah.

**Chairwoman Pika Fejeran:** Okay. Can we zoom out real quick? Oh, I see okay; yeah that's closer to him.

**(Multiple conversations)**

**Chairwoman Pika Fejeran:** Okay Mr. Quintanilla, it looks like there's um... wow you have, you've been farming already; okay, great. Is that like your ranch that you've been using?

**Robert Quintanilla:** Yeah

**Chairwoman Pika Fejeran:** Oh, cool. You know that's what the Trust is for, you know um... I'm sure... right...like my grandparents had ranches that taken away by the Federal Government and they took all the land and that's what the point of the Trust is, to give our families back the properties that were taken. I'm glad to hear that.

**Robert Quintanilla:** (inaudible)

**Chairwoman Pika Fejeran:** Okay. Did the Commission have any other questions?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Motion please.

**Commissioner Duenas:** Motion to approve lease for Robert C. Quintanilla Lot 3 and 4, Block 5-B, Tract 15344 in Mangilao.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay. Motion made and second it. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Okay, Mr. Quintanilla thank you for your patience, just a little reminder that your property is subject to consolidation survey. Right, that's what it'll be called? Subject to survey and then what they'll do is combine the two lots that you were given.

**Robert Quintanilla:** That's the original lot nai, is the one acre but when I (inaudible)

**Commissioner Santos:** Half

**Chairwoman Pika Fejeran:** Yeah. Also just inform you, looks like the access for your property, if we can show him the access; the proper access... yeah, the side you cleared is not Land Trust property.

**Robert Quintanilla:** I know but the (inaudible)

**Chairwoman Pika Fejeran:** Well... just wanted to let you know where your easement is and we'll leave it at that. Okay well thank you sir. Thank you Mr. Quintanilla. Did you have any questions for us?

**Robert Quintanilla:** When am I going hear from you?

**Chairwoman Pika Fejeran:** Yeah, good question. Um it looks like there's quite a few leases that have to be prepared, um... how long do you think it will take to call to sign the lease.

**Land Administrator Margarita Borja:** Usually...

**Acting Admin. Director Joseph B. Cruz Jr.:** By next week we should be able to contact everybody if not by tomorrow.

**ALL:** Clapping

**Chairwoman Pika Fejeran:** Alright next is a Michael Wayne Reyes. Is Mr. Reyes here today? No okay. Mr. Reyes is a December 2<sup>nd</sup> applicant for a residential lease, is priority one, this is for lot... what does this mean, NDA?

#### 11. MICHAEL WAYNE REYES

**Land Administrator Margarita Borja:** Now...now... ah...

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Described as? Okay. Which one should I use? MDA okay. So Mr. Reyes was um...given Lot 6-6, Block 13, Tract 2831 in Talofoto, 1997 square meters... hold on it was.

**Legal Counsel Toft:** Yeah, he was here in March and we asked him to... we gave him a survey authorization and I think fulfilled that.

**Chairwoman Pika Fejeran:** Oh okay and this is for an agricultural lease? So originally he was a residential but he switched to agricultural?

**Legal Counsel Toft:** Yes

**Chairwoman Pika Fejeran:** Okay and the survey is completed... wonderful. So it looks like the applicant has fulfilled all requirements to include the final survey and mapping.

**Commissioner Duenas:** Motion to approve lease for Michael Wayne Reyes on Lot 6-6, Block 13, Tract 2831 in Talofoto.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and second it. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None? All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Alright, Mr. Reyes.

**Land Agent II Jhoana Bragg:** We have two more pre-moratorium constituents right here and the staff reports um actually we have it right now.

**Chairwoman Pika Fejeran:** Okay thank you.

**Land Agent II Jhoana Bragg:** (inaudible)

**Chairwoman Pika Fejeran:** (inaudible) okay. James Santos Mafnas. Hi Hafa adai, if you could state your name for the record please.

## 12. JAMES SANTOS MAFNAS

**James Santos Mafnas:** Okay I'm here on behalf of my brother, he's presently off island.

**Chairwoman Pika Fejeran:** Oh okay.

**James Santos Mafnas:** I got special power of attorney.

**Chairwoman Pika Fejeran:** Has that been submitted to the Trust yet?

**POA for James Santos Mafnas:** Yes

**Chairwoman Pika Fejeran:** It has. Okay. Okay... sorry, where's the staff report for this? Oh you got it. Okay so if I could have your name sir?

**POA for James Santos Mafnas:** My name?

**Chairwoman Pika Fejeran:** Yes

**POA for James Santos Mafnas:** Michael Santos Mafnas

**Chairwoman Pika Fejeran:** Michael Santos Mafnas... oh okay, I see here. Okay so um you're here on behalf of your brother James Santos Mafnas, he's a December 9<sup>th</sup> 1995 applicant, he was issued an agricultural lease on April 30<sup>th</sup> 2018 for T100C B3 REM L 3 Dededo?

**Michael Santos Mafnas:** Yes.

**Chairwoman Pika Fejeran:** Okay and it looks like um... okay looks like last year you submitted or Mr. Mafnas submitted a receipt to show that a survey... surveyor has been hired

**Michael Santos Mafnas:** Survey is completed

**Chairwoman Pika Fejeran:** Oh survey is completed okay. So I don't think I see the approved map, maybe that's working through the process?

**Michael Santos Mafnas:** The map is already being processed by Mr. Castro.

**Chairwoman Pika Fejeran:** Okay.

**Michael Santos Mafnas:** So I'm not sure what the status is on that.

**Land Agent II Jhoana Bragg:** We'll look it up in our system to see if was submitted or not and if it was then we'll put that together towards the lease... the description.

**Chairwoman Pika Fejeran:** Great. Okay.

**Commissioner Duenas:** There's an error on the staff report, Item J; it says that the lease was signed on April 30, 2019 I think it's supposed to be 2018.

**Chairwoman Pika Fejeran:** Yeah.

**Michael Santos Mafnas:** In this case was the case caught in the (inaudible) you know the pre-moratorium.

**Chairwoman Pika Fejeran:** Yeah. I mean I'm really sorry, we were just as surprised as I'm sure he was... look at that...oh my goodness... okay... so you were... let's see... you were given power of attorney in 2018, does Mr. Mafnas plan on returning to Guam?



**Michael Santos Mafnas:** Yes Ma'am after he's retired.

**Chairwoman Pika Fejeran:** Okay

**Michael Santos Mafnas:** He's retired from the Military but then he's working presently with (inaudible) which is a they deploy sometimes to Afghanistan and Kuwait and all those places... (inaudible)

**Chairwoman Pika Fejeran:** Oh okay. So with the agricultural lease um he is subject to certain requirements and conditions. He is prepared to carry that out?

**Michael Santos Mafnas:** Yes he is because his line is right adjacent to mine.

**Chairwoman Pika Fejeran:** Oh okay so you'll be like caring for it until he returns.

**Michael Santos Mafnas:** I'll be care taking yes until he returns.

**Chairwoman Pika Fejeran:** Okay. Okay great. And so you also have a Land Trust lease? Is that right?

**Michael Santos Mafnas:** Yes

**Chairwoman Pika Fejeran:** Also agriculture?

**Michael Santos Mafnas:** Yes.

**Chairwoman Pika Fejeran:** Okay and um, you're farming it and...

**Michael Santos Mafnas:** Of course already got mango trees there.

**Chairwoman Pika Fejeran:** Oh wonderful. Nice. Okay, I'm glad to hear that. And I'm glad to hear Mr. Mafnas has a property to come home to.

**Michael Santos Mafnas:** Yes. He's happy about that.

**Chairwoman Pika Fejeran:** Yeah... well...

**Commissioner Duenas:** Motion to approve lease for James Santos Mafnas on T100C B3 REM L3 in Dededo.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Okay, Mr. Michael Mafnas thank you for being here for Mr. James Santos.

**Michael Santos Mafnas:** I have one question, as far as the utilities; do I have to come to the Board for that? (inaudible)

**Chairwoman Pika Fejeran:** What do you mean in terms of utilities?

**Legal Counsel Toft:** Agriculture (inaudible)

**Michael Santos Mafnas:** I mean I'm sorry... like water and power. I stand corrected on that.

**Chairwoman Pika Fejeran:** Do you have um...is there lines that you can hook into? Or is there...?

**Michael Santos Mafnas:** I'm not sure in that area.

**Chairwoman Pika Fejeran:** You know, unfortunately, much of our properties in those we had leased out the do not have water and power within 100 feet; I'm wonder if perhaps, that's this property and yours next door.

**Michael Santos Mafnas:** One of the problems we're having in there is the... the apartment that is right next to my land and my brother's land, they have a... you know, their drainage is running into the land. So what can we do with all that?

**Chairwoman Pika Fejeran:** Okay so is it those two?

**Land Agent I John Gumataotao:** Um technically it has been redesigned but it's adjacent to that.

**Michael Santos Mafnas:** No the second one there.

**Commissioner Santos:** There's an apartment there.

**Michael Santos Mafnas:** Yeah, there's an apartment there, a new complex and they've got their drainage draining into my land... and my brother's land. What can I do as far you know...?

**Acting Admin. Director Joseph B. Cruz Jr.:** We'll conduct the site inspection and then if need be, we'll get EPA involve for waste water.

**Chairwoman Pika Fejeran:** Okay. Okay, yeah so I would yeah come in and um and it's already been heard but maybe just to follow up and then you can work with the staff to figure out how that happened and all of that. But actually, I'm glad to see you're right by development so you

might be able to just tap into existing water lines and power lines so... yeah. Oh sure um Mr. Eay said he can explain something.

**Land Agent II Glenn Eay:** Yes in this area right here, it's coming out next to Macheche and this one here is behind Payless and the water drainage... this is called water collector, this is where the water stagnant comes down here; you have the lower part of the property so that's why the water comes to that area.

**Michael Santos Mafnas:** No I'm talking about the land that is right next

**Land Agent II Glenn Eay:** You know where the apartment is right, so it flows down here and comes out this way.

**Michael Santos Mafnas:** No see the land there, right there... right there exactly...right there, that's my land right there.

**Land Agent II Glenn Eay:** Right. So this whole area is...

**Michael Santos Mafnas:** No but I mean, the apartment there has their drainage drain into the land.

**Land Agent II Glenn Eay:** Right. They're supposed to contain their own drainage...

**Michael Santos Mafnas:** Well they're not.

**Land Agent II Glenn Eay:** So that has something... DPW has to...

**Michael Santos Mafnas:** I could take pictures and show you.

**Acting Admin. Director Joseph B. Cruz Jr.:** We'll conduct our site inspection... we'll address it.

**Michael Santos Mafnas:** Okay

**Chairwoman Pika Fejeran:** Yeah.

**Land Agent II Glenn Eay:** Before an apartment been built, he has to go to the Land Use Commission and make sure they have their draining system in (inaudible)

**Michael Santos Mafnas:** (inaudible) the land, they bulldozer the dirt into the land...

**Land Agent II Glenn Eay:** Okay we'll check into it.

**Acting Admin. Director Joseph B. Cruz Jr.:**(inaudible) site inspection

**Michael Santos Mafnas:** okay

**Chairwoman Pika Fejeran:** Okay, thank you Mr. Mafnas

**Michael Santos Mafnas:** Aright, thank you. So it's final?

**Chairwoman Pika Fejeran:** Yes, Sir!

**ALL:** Clapping

**Land Agent II Jhoana Bragg:** Madam Chair (inaudible) Ms. Alberta Rose Santiago

### 13. ALBERTA ROSE SANTIAGO

**Chairwoman Pika Fejeran:** Ms. Alberta Rose Santiago. Okay. Hi Hafa adai, welcome. Can you state your name for the record?

**Alberta Rose Santiago:** Alberta Rose Santiago

**Chairwoman Pika Fejeran:** Hi thanks for coming. Alright, it looks like you were December 2<sup>nd</sup> 1995 applicant and you were issued Lot 10171-84 in Dededo, this is for a residential lease? Okay and the lease was issued April 30<sup>th</sup> 2018 but again was one of those red marked ones and you even signed it and had it notarized so I'm sorry you had to come here today and go through all of this. Thank you for your understanding. So let's see... okay...

**Land Agent II Jhoana Bragg:** This area is behind the um... Harmon soccer field, so the area where she's at...

**Alberta Rose Santiago:** Behind the soccer field.

**Chairwoman Pika Fejeran:** Oh okay.

**Land Agent II Jhoana Bragg:** Below it, right there John, where you clicked, that area, right there.

**Land Agent I John Gumataotao:** That's not...

**Land Agent II Jhoana Bragg:** It doesn't show the area that was schemed.

**Chairwoman Pika Fejeran:** I think I have the scheme right here. So hers is right along the right of way?

**Land Agent II Jhoana Bragg:** Yes Ma'am.

**Chairwoman Pika Fejeran:** Fronting it? The lot behind her looks land locked. Oh no, there's a right of way there. Which one is it?

**Land Agent II Jhoana Bragg:** The one right beside the house, that's the clearing right by the road side... so to the left of that, right there.

**Chairwoman Pika Fejeran:** Oh, I see. Okay got it. Um and Ms. Santiago, are you um... do you plan to build a house on here?

**Alberta Rose Santiago:** Yes.

**Chairwoman Pika Fejeran:** Yeah and have you been to Guam Housing Corporation?

**Alberta Rose Santiago:** Nothing yet because everything was on hold so we didn't do nothing.

**Chairwoman Pika Fejeran:** Okay but you're aware that they can offer your loan guaranty to build your home?

**Alberta Rose Santiago:** Yes.

**Chairwoman Pika Fejeran:** Okay. Okay.

**Commissioner Duenas:** Motion to approve lease for Ms. Alberta Rose Sanitago for Lot 10171-84 in Dededo.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Alright...motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Alright all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Okay Ms. Santiago thank you for your patience thank you congratulations.

**ALL: Clapping**

**Chairwoman Pika Fejeran:** Okay. I have a couple of questions, it looks like that's the end of our pre-moratorium but I still have names on here that I don't think we've heard. Um it might just be like, I have bad notes. Can we check Mr. Dan August Quichocho?

**Land Administrator Margarita Borja:** I believe we're meeting um all...

**Chairwoman Pika Fejeran:** That's the switch?

**Land Administrator Margarita Borja:** Yeah all the N/A's

**Chairwoman Pika Fejeran:** Okay. Okay. James G. Sablan?

**Land Agent II Jhoana Bragg:** Um... under review right now.

**Chairwoman Pika Fejeran:** Okay so it's not ready to be presented?

**Land Agent II Jhoana Bragg:** It's not ready yet.

**Chairwoman Pika Fejeran:** Okay. Albert Acfalle San Augustine?

**Land Agent II Jhoana Bragg:** I'll verify, um...I believe that um... there's some that are pending completion on the staff report.

**Chairwoman Pika Fejeran:** Okay. Okay so I just want to put it on your radar so that we're on the same page to know that we still have like a certain number to look at. Okay so that one and a Phillip Blas Santiago? Was that complete?

Oh yes... okay that one was approved? Okay. Okay... so we just have outside of the special case ones, right...? Um, we have James G. Sablan and Albert Acfalle San Augustine.

**Land Agent II Jhoana Bragg:** Okay.

**Chairwoman Pika Fejeran:** Pending staff reports.

**Land Agent II Jhoana Bragg:** Sure. Some of them may be ones that were a switch so that's why we're doing further um...research on it.

**Chairwoman Pika Fejeran:** Okay.

**Land Agent II Jhoana Bragg:** ContActing Admin. Director Joseph B. Cruz Jr. the constituents to advise them before presenting it to the Board.

**Chairwoman Pika Fejeran:** Okay. Okay thank you Jhoana so that concludes our pre-moratorium agenda item. How many was that? Was anybody keeping count? No? 15 leases issued? Yeah? Good job, thank you team for getting that all set up for us so we can move through those quickly, I appreciate it.

Okay, next Switched and Transfer Lease list, next on the agenda. Okay, so...

#### **SWITCHED AND TRANSFER LEASE LIST**

**Legal Counsel Toft:** Pardon, (inaudible) interrupt here, before we begin, a couple of weeks ago I had an idea that I discussed with the Administrative Director (inaudible) regarding these switches and applications; now part of the problem here we're facing is that; Public Law 23-38 is (inaudible) with 12-226, what those were, were legislative establishments and rules and regulations which are affecting these statutes and while Public Law 23-38 said the Board is free to amend these rules and regulations pursuant to the Triple A process that's not true because they're statutes, they're not rules and regulations; so we were kind of petitioning the legislature to move on these and then the rules and regulations for us so that we can move forward on these. The idea was that while we can't, we do not have the Board power to amend these... it doesn't look like the legislature (inaudible) on these anyway; if we can create within as a subset of the existing ones, create our own set of rules and regulations that deal with transfers of these things and what we would do is we'd follow the Triple A process, you know, same as any other rules and regulations submitted to the legislature and if they do not act on it; (inaudible) they get automatically passed after ah...what is it 92? 60? Period (inaudible) so that we would be able to actually move on these ourselves.

**Chairwoman Pika Fejeran:** Ah. Okay so the Triple A, the rules that we would be um...

**Legal Counsel Toft:** Establishing

**Chairwoman Pika Fejeran:** Establishing... creating would be focuses only on the switches?

**Legal Counsel Toft:** I would say primarily, there's probably a couple other issues that we have that we could also deal with as well. The key to it is that it can't contradict any existing rules and regulations because those... the hierarchy at laws (inaudible) is that (inaudible) statutes underneath that are rules and regulations so as long as anything created doesn't directly contradict the statutes (inaudible) it would be (inaudible) and that what would provide us a mechanism to move forward with these.

**Chairwoman Pika Fejeran:** For the ones that were...

**Legal Counsel Toft:** And looking at the list, I think we can a huge percentage of done in that manner, attack it that way. Again, it will go before the legislature and they'll choose whether or not to have a hearing on it; and if they do, great we'll go... start moving on our proposed amendments to the existing rules and regulations so they can deal with it legislatively. If not, if they choose not to... to dodge the issue on it, it passes...ah... just without any action on their part (inaudible) then we could work with what we submitted.

**Chairwoman Pika Fejeran:** Okay. Um... I like these thinking outside the box, right? But also using the right protocols and channels to make sure that whatever we do is right and the law.

**Legal Counsel Toft:** (inaudible) legal scrutiny

**Chairwoman Pika Fejeran:** Right...right. So can you just describe for me again about how the Triple A process would be for the Commission to prepare our rules and regulations?

**Legal Counsel Toft:** Right so we wouldn't... prepare a set of rules and regulations I think we'd have to provide public notice and hold a public hearing on them... ah...similar to the Board meeting or maybe within the Board meeting. I'll double check on the exact processes on it and have it available for public inspection and then resubmit it to the legislature and the legislative secretary and they have 60 days to review and either vote on them or if they fail to vote it just passes into law as new rules and regulations

**Chairwoman Pika Fejeran:** Ah... and the rules that we would be creating, is it for the whole process or is it specific to allow us to deal with this? I think I asked that question already, I just want to make sure I understand.

**Legal Counsel Toft:** Um I would say to the... we can do both because it could be to take of existing issues and in anticipation of future issues as well.

**Chairwoman Pika Fejeran:** Okay.

**Legal Counsel Toft:** So I don't think it needs to necessarily be limited to the 102 class that we have existing. We can create it such that it would also deal with the issues of potential future transfers. As long as we're very public with what we're doing, everything is open for inspection and all (inaudible) on these issues and discussions I'll probably conduct it and take it again to the legislature but this time if they don't move on it, it goes through; so it forces them into action or inaction but way or another it gets resolved instead of... I feel there's a lot of frustration especially those (inaudible) back or just feels like nothing is getting done and it's just getting cranked out and so I think this would give us a definitive date for action to be taken on this, one way or another.

**Chairwoman Pika Fejeran:** Okay. Okay, I um... Um... like I said, I really like that idea um I think maybe we can explore that off line to just see what exactly the Triple A process would be um what kind of rules we'd be able to create that don't contradict the law.

**Legal Counsel Toft:** Right, I think we can work with... some of the ones that we've already created for the legislature to review could just be lifted out of that and it... because some of those none contradictory some of them are... you know the ones where we proposed changes to the existing language obviously those are no good.

**Chairwoman Pika Fejeran:** Okay

**Legal Counsel Toft:** But the ones that are just dealing with a newer issue things that were not considered at the time of the creation of the original rules and regulations

**Chairwoman Pika Fejeran:** Like the switches

**Legal Counsel Toft:** Such as switches, those (inaudible) do that.

**Chairwoman Pika Fejeran:** Okay. Wow. Alright. Awesome. That's good because I also feel like... you know, the Commission, though we want to resolve it we almost have no method to and this sounds like a promising way to do that.

**Legal Counsel Toft:** Yeah. I think we're trying right now...there's still a lot of (inaudible) whole situation with these transfers that we're trying to do our best to ratify the situation but we're finding in a large percentage of them that we're not. And so, I think this may be a way to push the issue forward and get it dealt with so that and I think in a positive way if it gets a hearing from the legislature, great; and if we can force the issue and address our concerns there, then you know, hear it from them; what they want of us and then let them vote on it.

**Chairwoman Pika Fejeran:** Right and then that would also give the Commission um the opportunity if in the future things do need to be changed or fixed they can continue that Triple A process.

**Legal Counsel Toft:** We can adjust the rules and regulations that we create.

**Chairwoman Pika Fejeran:** Right. Right. We can go back to what the Triple A resulted in... it will allow us the opportunity like many other rules and regulations that were done through the Triple A process and now (inaudible)... great.



**Legal Counsel Toft:** We're at a disadvantage compared to the other agencies because of the legislative passing of the rules and regulations but this is a way to try and...

**Chairwoman Pika Fejeran:** Is there something that you and the Director can prepare to present to us formally? Like a proposal?

**Legal Counsel Toft:** Yeah, over the past year and a half, you know... in preparation of other proposed legislative changes for the rules and regulations, you know, I think we have an existing frame of what we wanted; it's just a matter of going through it and seeing which ones would not be part of it because they would necessarily conflict with an existing statute and which ones could go through and maybe slight alterations (inaudible) to count for the fact that it would be going through the Triple A process instead of the legislative hearing... I mean instead of a bill hearing.

**Chairwoman Pika Fejeran:** Instead of a bill, okay. Yeah, that'll be great. I think it'll help the Commission also if you could prepare something... just to give us an idea of what it'll look like um based on the work that we've done already.

**Legal Counsel Toft:** Mhm... yeah I mean had so many working sessions on this... I think half of my note pad is filled with...

**Chairwoman Pika Fejeran:** I think we know what we want, right? But now that we have an actual method to do it and don't have to rely on the legislature; we could see what it would like, right? Of course, striking the ones that are contradictory um... but then also what ah... Triple A process looks like, how much it would cost if there's any like having to do additional noticing or something like that and then also a time line.

**Legal Counsel Toft:** Yeah and I guess a lot of... what may help also, is direction from the Board as to how the... for transfers whether they would want that done, each one done in a meeting by the Board... approved by the Board or if that's something they would want administratively done or... I would probably recommend Board at your interest because that way it's out in public ... everyone has a chance to be heard on it... ah... and it's out in the open. And I think that'll probably be (inaudible) in having it be accepted as well so that... but again, those types of tiny procedural things, I guess might need direction on... we can prepare it and then address it better at that time.

**Chairwoman Pika Fejeran:** Okay that'll be great, yes, so we can look at all at once. So I know that would definitely be the route to take with those leases that were issued after a transfer of application rights, right?

**Legal Counsel Toft:** Yeah, so I'm looking at the categories and you know leases issued after a switch of date and time; I think that could be essentially dealt with internal rules and regulations... issued after a transfer of application rights same thing... um... issued after transfer of application rights to a beneficiary and then in turn transfer those rights to another, um... possible we'd have to look at whether or not that we contradict the... actually no, that one we should be okay.

**Chairwoman Pika Fejeran:** That one we can hear and decide, right?

**Legal Counsel Toft:** Right. Um...the transfer of lease prior to the seven years without approval might be tricky because that seven years one was a statute; there's not a lot of those I think maybe a total of two out of the hundred and two (102)... um... leases issued after transfer of application rights in which the original applicant did not qualify under the CLTC (inaudible) that one might be tricky as well; there's I think one of those.

**Chairwoman Pika Fejeran:** I know we...there was one that we were able to resolve here because it turned out that the original applicant was eligible and qualified.

**Legal Counsel Toft:** Did actually qualify, right, so I wasn't counting that.

**Chairwoman Pika Fejeran:** Okay, so this list that we have...

**Legal Counsel Toft:** Yeah, I think up (inaudible) ninety something I could probably take care of, if this goes through and passes.

**Chairwoman Pika Fejeran:** Okay great, that would be wonderful. Okay. Thanks.

**Legal Counsel Toft:** Yeah. I just wanted that out there before we address the transferred because that is the possible secondary solution; if we're not able to deal with it with the existing....

**Chairwoman Pika Fejeran:** Yeah I think for those that fall into those categories that would be addressed with the Triple A process, I'd like to just set those cases aside and say we have another potential avenue for resolution... um, but I believe there are some categories for these where the um...

**Legal Counsel Toft:** Where it could be dealt with (inaudible)

**Chairwoman Pika Fejeran:** Where we can deal with it, right now right?

**Legal Counsel Toft:** Okay yes.

**Chairwoman Pika Fejeran:** Okay so the first one that you mentioned was the leases that were issued after a transfer of application rights to a beneficiary who then in turn transfer those rights to another; so that would be the original lessee or applicant is deceased, right? Then the beneficiary was um... had been identified and the beneficiary said, you know what, I don't want this give it to somebody else, right?

**Legal Counsel Toft:** Right, and that could be done by Board action.

**Chairwoman Pika Fejeran:** Board action, okay. Oh okay so are the cross outs on this table mean that it's been resolved? Oh good okay. Um do we have staff reports for those leases that we can um... I know that there was staff reports that have been provided but there was not very many and I wasn't sure why those versus others? So let me just see...Gisela R. C. Acfalle

## 1. GISELA R.C. ACFALLE

**Land Administrator Margarita Borja:** Gisela would fall under that same category.

**Chairwoman Pika Fejeran:** Okay great. So let's look at hers since we have a staff report. Um... Gisela is on the second page at the top and then we also have her staff report. Okay so the original applicant was a Joaquin A. U. Guzman, he was a December 7th...2<sup>nd</sup> 1995 applicant so Mr. Guzman, do we have his... oh here it is... did Mr. Guzman um... is he deceased? How did the...

**Land Agent II Jhoana Bragg:** I'm sorry, I believe the original applicant is a Rosita Camacho Vitug

**Chairwoman Pika Fejeran:** I think that's the original beneficiary? No?

**Legal Counsel Toft:** The original applicant.

**Chairwoman Pika Fejeran:** Applicant... oh...

### Multiple Responses:

**Commissioner Duenas:** So not Joaquin

**Legal Counsel Toft:** It's not Joaquin

**Land Agent II Jhoana Bragg:** It's Rosita Camacho Vitug

**Chairwoman Pika Fejeran:** Okay okay... not Joaquin. Rosita that would make more sense. So Ms. Rosita's death certificate, July 20<sup>th</sup> 2012 was submitted to us okay...

**Land Agent II Jhoana Bragg:** The original benefactor that was named was actually her son which was Scotty (inaudible) R. C. Aguon um and then the situation um...he relinquished his beneficiary rights or transferred it to Ms. Gisela R.C. Acfalle; however, he came back to the Trust to revoke that relinquishment and requested to the Deputy, Mr. Camacho and in turn he disapproved that request and on November 17, 2016, a staff report from Mr. Gumataotao requesting the Commission to override Deputy Director Camacho's disapproval regarding his request to revoke his August 19, 2016 letter of relinquishment to Ms. Gisela Acfalle however, the Board did not hear this case due to Mr. Aguon not being present at the Board.

**Chairwoman Pika Fejeran:** Wow okay. So Ms. Rosita passes away, her beneficiary was Mr. Aguon um...but in 2016, he said, I don't want the beneficiary rights, give it to Gisela. Do you know what is the relation is?

**Land Agent II Jhoana Bragg:** Um... from... I believe Mr. Gumataotao is more verse in this case so Mr. Gumataotao can further clarify.

**Land Agent I John Gumataotao:** She was the care taker for Scotty. Scotty was um... at the time when I was entertaining him, he had some personal medical issues and so at the time he had Ms. Aguon as his care taker.

**Chairwoman Pika Fejeran:** Okay so he wanted it to go to her but then came back... so August 19<sup>th</sup>, he relinquished it but then... a month... August 19<sup>th</sup> 2016 he relinquished it to Gisela but then October 21<sup>st</sup> 2016 he said, never mind give it back.

**Land Agent II Jhoana Bragg:** He wrote down something indicating through his medical situation.

**Chairwoman Pika Fejeran:** Oh...

**Land Agent II Jhoana Bragg:** So it could be one of those cases...

**Chairwoman Pika Fejeran:** Oh... oh my gosh okay I see it... it's a very sad letter. Oh my gosh.

**Land Agent I John Gumataotao:** Yeah... and (inaudible) maybe the past two years, I've been unsuccessful in trying to get in touch with him.

**Land Administrator Margarita Borja:** She's occupying.

**Chairwoman Pika Fejeran:** Is she occupying it?

**Land Agent I John Gumataotao:** They have a makeshift structure

**Chairwoman Pika Fejeran:** Oh geez. This is a very sad affidavit for Mr. Aguon. Um, you haven't been able to get a hold of Mr. Aguon?

**Land Agent I John Gumataotao:** No, the last known address I have on him was um I think down south, Umatac and that person I think he was staying with no longer deals with him I guess.

**Chairwoman Pika Fejeran:** How about um Gisela Acfalle?

**Land Agent I John Gumataotao:** I haven't...

**Chairwoman Pika Fejeran:** You haven't reached out to her?

**Land Agent I John Gumataotao:** Yeah no... only because it's Scotty Aguon that initiated the....

**Chairwoman Pika Fejeran:** And is there anybody here um... for this case, Gisela R.C. Acfalle or Scott...?

**Land Agent II Jhoana Bragg:** I don't think we were able to get in contact with Ms. Acfalle.

**Chairwoman Pika Fejeran:** Nobody... okay.

**Legal Counsel Toft:** You might want to wait until we're able to contact her.

**Chairwoman Pika Fejeran:** Yeah, let's continue to try to contact both parties. Alright so...well that didn't go as I was expecting. That's okay. Alright so the next staff report that we have is a Maria Dolores Camacho-Gacgacao?

## 2. MARIA DOLORES CAMACHO-GACGACAO

**Land Administrator Margarita Borja:** Gacgacao

**Maria Dolores Camacho-Gacgacao:** Gacgacao

**Chairwoman Pika Ferjeran:** Gacgacao, Thank you. Hi Hafa Adai thank you for your patience. If you could state your name for the record.

**Maria Dolores Camacho-Gacgacao:** Maria Dolores Camacho-Gacgacao

**Chairwoman Pika Fejeran:** Hafa Adai. Okay so it looks like you are um... the original applicant is a Juan A. Jr. Camacho, December 9<sup>th</sup> 1995 applicant um let's see...so Mr. Camacho is your father?

**Maria Dolores Camacho-Gacgacao:** Yes. He passed away.

**Chairwoman Pika Fejeran:** He's passed?

**Maria Dolores Camacho-Gacgacao:** Yes three years ago in 2016.

**Chairwoman Pika Fejeran:** Okay. So your father, he had a... oh no, it was a... so your father passed away and then who was the beneficiary? Original named beneficiary is Violeta Camacho?

**Maria Dolores Camacho-Gacgacao:** That's my mom

**Chairwoman Pika Fejeran:** That's you mom. Okay um she has a lease with the Trust already so she wants... was it her that requested...?

**Land Agent Supervisor Matt Leon Guerrero:** I'm sure it was her father.

**Chairwoman Pika Fejeran:** Before his passing?

**Land Agent Supervisor Matt Leon Guerrero:** Yeah. Her father came in and he passed not long after he requested to transfer to her.

**Chairwoman Pika Fejeran:** Oh I see. Did they... he did not... he never submitted though... okay so at that time it was practiced that he could transfer the application to her?

**Land Agent Supervisor Matt Leon Guerrero:** Mhmm

**Chairwoman Pika Fejeran:** Okay rather than just putting her as a beneficiary, right? Okay so her mother is still the beneficiary? Or was the beneficiary?

**Land Agent Supervisor Matt Leon Guerrero:** Yeah until we transferred it to her because she ended up getting a lease. Her own lease.

**Land Agent II Jhoana Bragg:** In file though, there was an attempt to leave Maria as a benefactor however, it wasn't approved, so there was the intention to leave her.

**Chairwoman Pika Fejeran:** Ah okay. Okay. But then her father ends up passing away before that could be approved?

**Land Agent II Jhoana Bragg:** He put in a request to transfer his application rights to her, in turn.

**Chairwoman Pika Fejeran:** Okay but because none of that went through, it's still a... his file still list her mother as the benefactor?

**Land Agent II Jhoana Bragg:** Um yes, the original named benefactor was Ms. Violeta Camacho.

**Chairwoman Pika Fejeran:** Okay and then since the Commission cannot recognize that transfer of application rights then she, it was never transferred to her basically so it would just go to the original benefactor which is Violeta? And then has Violeta submitted anything requesting that Maria assumed the application?

**Land Agent II Jhoana Bragg:** There was only a written request from Mr. Juan Camacho.

**Chairwoman Pika Fejeran:** Okay

**Land Agent II Jhoana Bragg:** To transfer his application rights to Maria.

**Land Agent Supervisor Matt Guerrero:** Madam Chair

**Chairwoman Pika Fejeran:** Yes

**Land Agent Supervisor Matt Leon Guerrero:** Her mother works downstairs, she's been up to the office a few times and she verbally indicated that (inaudible) she wanted to ensure that it stayed with her daughter.

**Chairwoman Pika Fejeran:** Okay it looks like at the time the transfer was approved, right? In 2015 and then the lease was issued in 2017... okay and then we had the Attorney General's opinion. So am I interpreting this right, since the father passed away it would go to the original benefactor, Violeta? And Violeta can request that we designate Ms. Maria as the new benefactor?

**Legal Counsel Toft:** Right. So it would be a new lease based of that reversion in the (inaudible) Commission to choose the successor.

**Chairwoman Pika Fejeran:** Okay I think I guess it was a verbal thing, um...but we should probably get an affidavit from her just so we can put it in the file. Um, okay. I don't have any questions. Are you currently occupying the property?

**Maria Dolores Camacho-Gacgacao:** No because I'm still waiting for the surveyor to survey. The last time I checked, they said he wasn't able to because everything was put on hold. (inaudible)

**Chairwoman Pika Fejeran:** Oh okay. So you're waiting on us to move forward, hopefully, right? And then you'll reengage with the surveyor and get that going, okay. So if the Commission wanted to resolve this, what would our... the first step would be to um pending the receipt of the affidavit approved designating Ms. Maria Dolores Camacho-Gacgacao as the benefactor for Mr. Juan A Junior Camacho's application and then the second motion would be to issue a lease to Ms. Maria based on that inherited application.

**Legal Counsel Toft:** Yes

**Chairwoman Pika Fejeran:** Okay. Okay, so the first would be designate Maria as the benefactor for her father's application upon receipt of an affidavit from her mother or is conditional upon receipt?

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Okay.

**Commissioner Duenas:** Would the second motion also require be conditional upon receipt of that affidavit?

**Chairwoman Pika Fejeran:** Mhmm

**Commissioner Duenas:** Yes?

**Chairwoman Pika Fejeran:** Mhmm

**Commissioner Duenas:** Um Ms. Maria I'm going to do my best to not mispronounce your last name.

**Maria Dolores Camacho-Gacgacao:** Don't worry.

**Commissioner Duenas:** Motion to approve Ms. Maria Dolores Camacho-Gacgacao as the benefactor of Juan A. Camacho Jr. pending I'm sorry condition upon receipt of the affidavit from Ms. Violeta Camacho.

**Chairwoman Pika Fejeran:** Okay a motion has been made.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Okay. So as soon as we get that affidavit from your mom relinquishing her beneficiary rights to you then you will assume your father's December 9<sup>th</sup> 1995 application rights. Okay.

**Maria Dolores Camachao-Gacgacao:** Is that when I guess like start with the survey and everything?

**Chairwoman Pika Fejeran:** Um... almost almost. We need one more motion.

**Commissioner Duenas:** Motion to approve lease for Ms. Maria Dolores Camacho-Gacgacao pending via signed affidavit from her mother relinquishing her rights to Maria.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay motion made and seconded.

**Legal Counsel Toft:** You might want to name the lot.

**Commissioner Duenas:** Oh I'm sorry, Lot 5382N-21 BA

**Chairwoman Pika Fejeran:** Is that Barrigada?

**Commissioner Duenas:** Barrigada

**Chairwoman Pika Fejeran:** Okay motion made and seconded already right? Okay further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay the ayes have it. Okay so as soon as we get that affidavit those two motions will be finalized and they'll prepare your lease and once that lease is prepared and signed and recorded then you can move forward with the surveyor.

**Maria Dolores Camacho-Gacgacao:** Thank you.



**Chairwoman Pika Fejeran:** Thank you Maria thank you for coming.

**ALL:** Clapping

**Chairwoman Pika Fejeran:** Alright so the next is a Juan Diaz Muna. Hafa Adai, Sir thank you for your patience. If you can state your name for the record sir.

### 3. JUAN DIAZ MUNA

**Juan Diaz Muna:** Juan Diaz Muna.

**Chairwoman Pika Fejeran:** So okay the original applicant was a Moses Diaz Muna. What is the relation?

**Juan Diaz Muna:** My dad

**Chairwoman Pika Fejeran:** Oh that's your father, okay. Okay and it looks like he was a pre-occupier in Agat under Land Use Permit No. 26. Moises? Is it Moises?

**Juan Diaz Muna:** Yes Moises.

**Chairwoman Pika Fejeran:** Okay well it looks like your father... as a pre-occupier; Legal Counsel, his father is a pre-occupier the CLTC has to issue a lease to him as long as he qualifies under the act, I believe that's the law.

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Okay. So that section applies to those who qualify under the act, but then I'm looking at the report; it says, the father was found not to qualify based on submitted documents, Juan Diaz...who worked on his staff report?

**Land Agent II Jhoana Bragg:** I did.

**Chairwoman Pika Fejeran:** Okay can you just walk us through? I'm trying...

**Land Agent II Jhoana Bragg:** So um the original applicant is Mr. Moises Diaz Muna based on the submitted documents, he does not qualify; therefore, we qualified Mr. Juan under his mother. So we have the submitted documents in file and a letter of relinquishment was submitted July 26, 2012, from Mr. Moises to his son Mr. Juan Muna and approved by Deputy Director July 30 2012.

**Chairwoman Pika Fejeran:** Okay, thank you. Is your father still with us?

**Juan Diaz Muna:** No he passed away six years ago.

**Chairwoman Pika Fejeran:** Okay he's passed away.

**Legal Counsel Toft:** So in that case, the Board can approve the transfer of application rights under 5.8.

**Chairwoman Pika Fejeran:** Okay but if the original applicant is not qualified, does that mean he still has a place in line?

**Legal Counsel Toft:** I believe it does, one of the ambiguities in the original rules says that was something (inaudible) by the legislature at the time.

**Chairwoman Pika Fejeran:** And I think also the fact that his father did have a Land Use Permit and was...

**Legal Counsel Toft:** Right and 5.8; (2) talks about allowing unqualified spouses to designate qualified children to succeed to the application (inaudible) it was something they vaguely considered but didn't fully flesh out all the possibilities on...

**Chairwoman Pika Fejeran:** Okay well I think um since um Mr. Muna has passed away and like Legal Counsel said, we can apply 5.8.

**Legal Counsel Toft:** 5.8a (1)

**Chairwoman Pika Fejeran:** Okay

**Legal Counsel Toft:** In combination with the Pre-Occupier status as well. In theory it can be done with either one of those.

**Chairwoman Pika Fejeran:** Okay. Got it. Oh, Ms. Pat is your wife?

**Juan Diaz Muna:** Yes ma'am.

**Chairwoman Pika Fejeran:** Oh hi, nice to meet you. I know your son. John right? John Galo...

**Juan Diaz Muna:** Yeah.

**Chairwoman Pika Fejeran:** Okay. Okay

**Commissioner Duenas:** Motion to approve lease for Mr. Juan Diaz Muna for L480-71 in Agat.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay motion made and seconded. This is an approval of the lease or is it... do we approve him as a beneficiary to the application and then we approve the lease? Kind of a twostep motion right?

**Legal Counsel Toft:** Yes, that would be a better way to do it.

**Commissioner Duenas:** Okay let me correct my motion then. Motion to approve Mr. Juan Diaz Muna as the benefactor of the application of Mr. Moises Diaz Muna.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Okay.

**Commissioner Duenas:** Motion to approve lease for Mr. Juan Diaz Muna for L480-71 in Agat.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Okay Mr. Muna, thank you for patience with us.

**ALL:** Clapping

**Chairwoman Pika Fejeran:** Alright. Next is Mavreen Jean Muna, do we have anyone for Ms. Muna here today? Mavreen or is it Maureen? It's Mavreen okay. Is she also in this category that we're going through?

#### **4. MAVREEN JEAN MUNA**

**Land Agent II Jhoana Bragg:** Yes. So in Ms. Mavreen's case, it was the original applicant Mr. Juan SA Mendiola and the takeover applicant is Ms. Mavreen Jean Muna, however, in January 15, 2003, the grandchildren were named benefactors to the Agriculture Lease to include Mavreen Muna, Lawrence Muna, Melinda Taitano and Brandon Mendiola, therefore the other benefactors relinquished their beneficiary rights to Ms. Mavreen Jean Muna and a written letter was submitted by the other benefactors approved by Mr. Camacho in 2013.

**Chairwoman Pika Fejeran:** Okay so...again at the passing of the original applicant, Juan SA Mendiola that's when the benefactors came forward and relinquished it.

**Land Agent II Jhoana Bragg:** Yes. All the grandchildren were named and then...

**Chairwoman Pika Fejeran:** Okay. Pursuant to Lawrence and then he relinquished to Mavreen?

**Land Agent II Jhoana Bragg:** Yes.

**Chairwoman Pika Fejeran:** Okay.

**Land Agent II Jhoana Bragg:** And they are occupying on the property.

**Chairwoman Pika Fejeran:** And this is an Agricultural Lease at Lot 10125-11-39 in Dededo?

**Land Agent II Jhoana Bragg:** Yes, the Swamp Road area.

**Chairwoman Pika Fejeran:** Mr. Mendiola's date and time was September 23<sup>rd</sup> 1997.

**Land Agent II Jhoana Bragg:** They were pre-occupier status.

**Chairwoman Pika Fejeran:** Ah I see... pre-occupiers, which is why we are outside of 1995.

**Land Agent II Jhoana Bragg:** Yes Ma'am.

**Chairwoman Pika Fejeran:** So again, this looks like one of those that got roped in with the switch and transfers because the relinquishment of beneficiary rights, the approval should have been done here at the Commission level but they were done at the Administrative level so now it's our chance to kind of um formally approve those beneficiary relinquishments to designate Mavreen Jean Muna as the beneficiary to Juan SA Mendiola and then we would issue a new lease.

**Land Agent II Jhoana Bragg:** Yes

**Acting Admin. Director Joseph B. Cruz Jr.:** Ma'am if I may.

**Chairwoman Pika Fejeran:** Yes

**Acting Admin. Director Joseph B. Cruz Jr.:** Since the initial lease was recorded, we would need to terminate the initial lease because when the abstract is done on the Land Management side it's going to pick up so there's going to be two leases on the same...

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** So um... I don't think we need that in our motion. Do we need that in our motion to terminate?

**Legal Counsel Toft:** (inaudible)

**Acting Admin. Director Joseph B. Cruz Jr.:** (inaudible)

**Chairwoman Pika Fejeran:** Okay. So the first would be the beneficiary approval and then the approval of the lease and termination of the lease instrument no. 859496.

**Acting Admin. Director Joseph B. Cruz Jr.:** I think the termination should come first, then the designation of the beneficiary then the issuance of the lease.

**Legal Counsel Toft:** Yes

**Chairwoman Pika Fejeran:** Ah got it. Termination of existing lease, designate beneficiary and then the lease, thank you.

**Commissioner Duenas:** Motion to terminate lease under L10125-11-39 in Dededo, Instrument No. 859496.

**Chairwoman Pika Fejeran:** Okay motion made.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it.

**Commissioner Duenas:** Motion to approve Ms. Mavreen Jean Muna as beneficiary to Juan SA Mendiola.

**Chairwoman Pika Fejeran:** Motion made.

**Commissioner Santos:** I second it

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it.

**Commissioner Duenas:** Motion to approve lease for Mavreen Jean Muna on L10125-11-39 in Dededo

**Chairwoman Pika Fejeran:** Okay motion made.

**Commissioner Santos:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Motion carries. Alright, thank you.

**Chairwoman Pika Fejeran:** okay next

**5. John Christopher Unpingco, Mark Andrew Unpingco and Meg-Anne Cecilia Unpingco.**

**Chairwoman Pika Fejeran:** Do we have any representatives with us here today?  
Okay.

**Land Agent II Jhoana Bragg:** We weren't able to get in contact.

**Chairwoman Pika Fejeran:** No able to contact? Okay. So can you walk us through this?

**Land Agent II Jhoana Bragg:** So the original applicant here is Mr. Pedro Guerrero Sablan and he is a... based on pre-occupier status with the application date and time of August 14, 2001 at 10:12AM, here the takeover applicants are John, Mark and Meg-Anne Unpingco, here we have Mr. John Joseph Atoigue Sablan designating benefactor of Pedro Guerrero Sablan. In 2006 the original benefactor designated that his son and then changed it to his nephew John Sablan Unpingco.

**Chairwoman Pika Fejeran:** Sorry, hold on...back up... so the...who's John Joseph Atoigue Sablan?

**Unknown:** The son

**Land Agent II Jhoana Bragg:** The son

**Chairwoman Pika Fejeran:** Oh okay sorry so Pedro is the applicant and John Joseph is the son that was the designated beneficiary?

**Land Agent II Jhoana Bragg:** Yes

**Chairwoman Pika Fejeran:** Okay sorry, continue.

**Land Agent II Jhoana Bragg:** And then in turn he designated his nephew; he made a change of beneficiary to name John Sablan Unpingco, his nephew.

**Chairwoman Pika Fejeran:** So did Mr. Pedro Guerrero Sablan pass away in that time.

**Land Agent II Jhoana Bragg:** Ah no...if the applicant is still alive, they can make changes to their beneficiary so he made a change to his original beneficiary.

**Chairwoman Pika Fejeran:** Okay so it wasn't the benefactor changing it, it was the applicant.

**Land Agent II Jhoana Bragg:** Okay so from there, Mr. John Sablan Unpingco addressed the letter indicating that he would like to designate his children as the beneficiaries, instead of himself.

**Chairwoman Pika Fejeran:** Oh okay... so he didn't want to be the benefactor in that time Mr. Sablan had passed away?

**Land Agent II Jhoana Bragg:** Yes.

**Chairwoman Pika Fejeran:** Oh okay so Mr. Sablan passed away his nephew, John Sablan Unpingco was going to inherit the application...

**Land Agent II Jhoana Bragg:** Submitted the death certificate and everything and

**Chairwoman Pika Fejeran:** And then he said, I don't want it because I already have something, give it to my children.

**Land Agent II Jhoana Bragg:** Yes and he went through the director at that time, getting the approval from him; so he named his three children as the benefactors.

**Chairwoman Pika Fejeran:** Okay, and when was the lease issued?

**Legal Counsel Toft:** 2002

**Land Agent II Jhoana Bragg:** I believe 2002 and it was recorded for one acre.

**Legal Counsel Toft:** (inaudible) Who is the lease issued to?

**Land Agent II Jhoana Bragg:** The lease is under all three.

**Chairwoman Pika Fejeran:** Oh... I know we were doing that before. What do we do with that now, do we just leave it?

**Legal Counsel Toft:** Wait in 2002 the lease is to all three?

**Land Agent II Jhoana Bragg:** Yes.

**Legal Counsel Toft:** It doesn't look like they were in consideration

**Chairwoman Pika Fejeran:** No in 2008.

**Land Agent II Jhoana Bragg:** 2008

**Chairwoman Pika Fejeran:** Okay so when was the original lease issued?

**Land Agent II Jhoana Bragg:** 2002

**Chairwoman Pika Fejeran:** So 2002 the original lease was issued...

**Legal Counsel Toft:** To Pedro right?

**Chairwoman Pika Fejeran:** To Pedro

**Land Agent II Jhoana Bragg:** Pedro Guerrero Sablan recorded under 767021 and then requested in 2007 for a takeover of the three children to the lease.

**Chairwoman Pika Fejeran:** Because Mr. Pedro Sablan had passed away?

**Land Agent II Jhoana Bragg:** Yes so Mr. Sablan passed away designating Mr. Unpingco as his benefactor, Mr. Unpingco then designated his three children to take over.

**Chairwoman Pika Fejeran:** So I also see the three individuals that were identified in taking over the lease; they don't have an application in file.

**Land Agent II Jhoana Bragg:** Yes, um there are some files that we have seen where a takeover happens but there was no application that was you know um... basically drawn in so this is one of those cases where the three children never filled out an application but take over. Um so um...

**Chairwoman Pika Fejeran:** Oh okay. Have we determined that they're qualified?

**Legal Counsel Toft:** That's what I was about to ask.

**Chairwoman Pika Fejeran:** Yeah... because I know that we use the application as the method to confirm the qualification.

**Land Agent II Jhoana Bragg:** I believe their qualifying documents are in file but it's just that there is no application for them and you know in the event the Commission does decide to move forward with them being designated as the benefactors then in turn we'll have them fill out the application um so that you know it can be in the file for record.

**Chairwoman Pika Fejeran:** Yeah. Okay I think it's our practice now to only put one name on the lease, right?



**Land Agent II Jhoana Bragg:** I believe that was a decision by the previous legal counsel, however, in our law it doesn't specify that only one name because we do have quite a few still in our inventory with husband and wife or we had one in previous meeting with mother and daughter um....

**Chairwoman Pika Fejeran:** And I don't think we ever issued new leases with multiple names it's always been one name. I recognized that there's passed leases that are current and existing with multiple names, right? Is there um, can we get some clarification on that?

**Legal Counsel Toft:** I mean the rules use the work individual a lot. There's... it's not exclusively spelled out anywhere that there can only be one person on the lease so I'm guessing that's why it was (inaudible) but yeah, it was kind of an unofficial policy where the last few years (inaudible) individuals so that we don't have any issues of problems with succession.

**Chairwoman Pika Fejeran:** Mhmm I agree. Okay, well...

**Legal Counsel Toft:** I mean we could, if the Board wants to could make a motion to request the three individuals to decide among themselves as to who would succeed.

**Chairwoman Pika Fejeran:** Yeah I think I would be more comfortable because we would have to issue a new lease in this case anyway.

**Legal Counsel Toft:** Right

**Chairwoman Pika Fejeran:** Rectify it. One of the individuals take on the lease or volunteer to take the lease.

**Legal Counsel Toft:** And file an application

**Chairwoman Pika Fejeran:** And file an application and then it can be represented to us again.

**Legal Counsel Toft:** That would be my suggestion.

**Chairwoman Pika Fejeran:** Um should we make a motion approving the benefactors... all three of the beneficiaries? No because even the beneficiaries (inaudible)

**Legal Counsel Toft:** I think not at this time. I would say wait until they make a decision.

**Chairwoman Pika Fejeran:** Okay. What do you think is the... do we just wait and have the staff contact them?

**Commissioner Duenas:** Are all three of them being contacted to submit an application? Or...

**Land Agent II Jhoana Bragg:** I believe we were going through the father as the person who was (inaudible) contact but you know we could go ahead and engage again and possibly contact the father (inaudible)

**Commissioner Duenas:** Okay

**Chairwoman Pika Fejeran:** Okay so for this case, we would

**Legal Counsel Toft:** (inaudible) for the staff to contact the three names successors to have them decide amongst each other submit documentation as to which one of them wants to succeed at... I don't think we need to make a motion on it yet... until the staff.

**Chairwoman Pika Fejeran:** Okay...alright. Did you catch that? Alright thank you... That's the last one. So that's it for our Switch and Transfer List, but I know that (inaudible) but can we look again at these categories to determine what cases can be presented to us for resolution. So the first category was leases that were issued after transfer of application rights to a beneficiary who then in turn transferred those rights to another. I think we can resolve those. I see a Natasha Nicole Duenas Cruz listed here, can we have that presented at the next meeting? Christopher James Fejeran okay that is my brother in law, full disclosure. I need a form. We already heard Gisela Acfalle, we just need to contact (inaudible) right? Okay and next is Benny Unsiog Guzman, we can hear that one next time. Allan Michael Jose Mateo would be the next one in that category. So the next category is leases that were issued after transfer of application rights to an ineligible beneficiary. Oh so that's if somebody's beneficiary was named but they were ineligible and then they said okay, I can't get it so give it to somebody else; is that what those are? Can we have....

**Land Administrator Margarita Borja:** No what it is, is the person that was named or issued a lease is not eligible under the 5.8., 5.8 (2).

**Chairwoman Pika Fejeran:** Qualified as Native CHamoru.

**Land Administrator Margarita Borja:** Right. No not necessarily that, it's certain individual that can be named as beneficiaries, your nieces, your nephews, your... so the individuals that were named...

**Chairwoman Pika Fejeran:** Ah that were outside of those relations? Okay so I think the Commission may have the power to designate that person as the beneficiary, right? Yeah...right?

**Acting Admin. Director Joseph B. Cruz Jr. Administrative Director Joseph B. Cruz Jr.:** In the law it identifies who should be the beneficiary (inaudible) named someone outside of those (inaudible)

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Mhm I think we can. Outside of those certain relations rights?

**Legal Counsel Toft:** Let me look at that while we go through the agenda because that's been a reoccurring issue that we've had... we've been talking about. Because there's like a discrepancy (inaudible)

**Acting Admin. Director Joseph B. Cruz Jr. Administrative Director Joseph B. Cruz Jr.:** And also in the Chapter 75 (inaudible)

**Legal Counsel Toft:** Yeah and also in the Chapter 75.

**Chairwoman Pika Fejeran:** Ah okay so more research, right?

**Legal Counsel Toft:** Yes.

**Chairwoman Pika Fejeran:** Okay leases that were issued after transfer of application rights in which a beneficiary was not designated; what are those? There's one, Ronald James Remotigue.

**Land Agent II Jhoana Bragg:** I believe the mom was the beneficiary and then transferred it to him and the father does not qualify under the Trust.

**Chairwoman Pika Fejeran:** Okay can we have this one (inaudible) to see if it is within our purview and then the next one is leases that were issued after transfer of application rights in which the original applicant did not qualify under the CHamoru Land Trust Act. I see one, Tomas Cruz Reyes Jr. I know the Aldon was the one that we did, right?

**Land Administrator Margarita Borja:** Yeah.

**Chairwoman Pika Fejeran:** Can we look at that one too? And then leases that were issued after transfer of lease prior to the seven years without approval. Um, I think we can look at those too because there have been like emergency circumstances, right that we could decide on? So that's Mark Anthony Perez Cruz, Josephine Pangelinan Aguon... that's it... And then transfers in accordance with the law. Why are they here? Okay so perhaps those present (inaudible) right? We might be able to just ratify it, right? Rather than just issuing a new lease.

**Legal Counsel Toft:** Well that's some movement.

**Chairwoman Pika Fejeran:** Okay any other questions for the staff. Yes, one more?

**Land Administrator Margarita Borja:** Can we also just look at Fred Quintanilla? He's actually a red mark. He was red marked on that list, so he did come and (inaudible) transfer, he is the original applicant, I'm not sure... in the file it indicated that he switched his lot so it's just a switch of lot not a switch of... so that's how he fell on the list...

**Chairwoman Pika Fejeran:** Ah I see.

**Land Administrator Margarita Borja:** So do we need to make a motion to remove him or do...

**Chairwoman Pika Fejeran:** No.

**Legal Counsel Toft:** No (inaudible)

**Chairwoman Pika Fejeran:** Well remove him from the list and then present it, request...

### **Multiple Conversation**

**Chairwoman Pika Fejeran:** Well present it, yeah. Remove him from the list and then present it. Ah no just remove him or keep it how it is and then in the notes say, yeah...so just leave it as is but then please present it if he's not on our ratified list.

**Land Administrator Margarita Borja:** Oh okay.

**Chairwoman Pika Fejeran:** Did... Jho you still have one more? Okay. We're running a little bit behind.

### **GUAM RACEWAY**

**Legal Counsel Toft:** If you want to skip to the Raceway, real quick and I can talk about that.

**Chairwoman Pika Fejeran:** Yeah, let's do that. Thank you. Okay we'll move on to the Raceway until Ms. Jhoana comes back.

**Legal Counsel Toft:** So the original bill for the Raceway at the time (inaudible) could proceed with a long term lease authorization (inaudible) under Public Law 34-142 that was not accomplished within the time (inaudible) so the question was, where do we go from here? And talking with the Administrative Director and the past Administrative Director the thought was that, we're basically back to working within the existing Commercial Rules and Regs (inaudible) currently, we are in a month to month situation and I think what we should do is contact Mr. Simpson on this and tell him what we can work within the existing rules and regs and for a lease not to exceed five years or he can go back to the legislature and try and get another bill passed. The benefit that it may have for him to work with the five year lease on this is that it wouldn't be subject to those same restrictions as the legislature placed on it as far as the extraction and things like that that are kind of deal breakers for him and when they get... basically impossible for him to financially sustain on that... um... again the downside is that it's only up to five years because of the existing cap on the commercial leases.

**Chairwoman Pika Fejeran:** Okay so does the bill...does the bill knowing that we passed deadline...

**Legal Counsel Toft:** It's basically expired.

**Chairwoman Pika Fejeran:** Yeah right but because of the bill it allows us to um... because I know with our Commercial Rules and Regs. in order for a property to be leased (inaudible) commercial property we have to go through various steps.

**Legal Counsel Toft:** Right we would have to go back to...

**Chairwoman Pika Fejeran:** So we would have to go through all of that, designate it as commercial, have a public hearing um... okay.

**Legal Counsel Toft:** So present those options to Henry Simpson and say here's where we're at which one do you want to try to go with and then (inaudible) the next move is then...

**Chairwoman Pika Fejeran:** So basically our only channel here is to follow the Commercial Rules and Regs that now apply?

**Legal Counsel Toft:** Right, unless there is another public law passed to...

**Chairwoman Pika Fejeran:** Right that he will pursue. Okay. Okay and because the Commercial Rules and Regs. apply, we have to follow all of that but it's also open to RFP so it's not just him anymore?

**Legal Counsel Toft:** Correct.

**Chairwoman Pika Fejeran:** Okay got it.

**Acting Admin. Director Joseph B. Cruz Jr.** Madam Chair if I may, if we at least... can we at least consider we send him our proposed draft so we can receive his decline, a response from him so can just document it, documentation, we haven't sent him our proposed draft...

**Chairwoman Pika Fejeran:** I don't think we can.

**Legal Counsel Toft:** Yeah, at this point no because the time frame has passed.

**Chairwoman Pika Fejeran:** Yeah. Yeah...cus it would seem like ah...

**Legal Counsel Toft:** Like that's another offer

**Chairwoman Pika Fejeran:** Right like another offer but we are not allowed to offer it to him. Okay so if I could just have the director get in touch with Mr. Simpson and just tell him, you know, I passed.

**Legal Counsel Toft:** (inaudible)

**Acting Admin. Director Joseph B. Cruz Jr.** Should we send him a letter formally or just discuss it with him first.

**Legal Counsel Toft:** I would say prepare a letter and (inaudible) so that we're not

**Commissioner Duenas:** (inaudible)

**Legal Counsel Toft:** Yeah, make sure we're not making any offers that we can't unnecessarily follow up on.

**Chairwoman Pika Fejeran:** Yeah, I know the last

**Legal Counsel Toft:** And Cc the Chairwoman on it.

**Chairwoman Pika Fejeran:** And I know the last time Mr. Simpson was here he was talking about a new bill anyway, right? Or trying to pursue it.

**Legal Counsel Toft:** Right so that maybe the direction he wants to go and if he gets that great and if not, we can go back to the commercial lease.

**Chairwoman Pika Fejeran:** Yeah. I mean my only hesitation is that it's a very huge property to be designated commercial which might...

**Legal Counsel Toft:** Affects the existing (inaudible)

**Chairwoman Pika Fejeran:** Yeah...affects our whole inventory so... okay, thanks for that update. Um just to confirm, Mr. Simpson has been granted a Right of Entry for the... or is a month to month? He's still on a month to month?

**Legal Counsel Toft:** A month to month hold over tenancy.

**Chairwoman Pika Fejeran:** Okay hold over tenancy, is there a...

**Acting Admin. Director Joseph B. Cruz Jr.** Is there a six month cap?

**Legal Counsel Toft:** Nope, I think we had... we had made a motion, I forget which year it was as far as how long we were going to extend the month to month; so we may want to check on that make sure it's...

**Chairwoman Pika Fejeran:** Yeah and let's mention that to Mr. Simpson in the letter too. Just make sure that he's up to date with all of his lease payments and....

**Acting Admin. Director Joseph B. Cruz Jr.:** Already Mr. Simpson has a (inaudible) he has a credit of a thousand (\$1000.)

**Chairwoman Pika Fejeran:** Oh good on him.

**Acting Admin. Director Joseph B. Cruz Jr.** But we're still trying to substantiate his admission fees.

**Chairwoman Pika Fejeran:** Yeah.

**Acting Admin. Director Joseph B. Cruz Jr.:** (inaudible) that because of proper documentation.

**Chairwoman Pika Fejeran:** Doesn't he need to give a report?

**Acting Admin. Director Joseph B. Cruz Jr.** He's supposed to but unfortunately we haven't received but we'll go through all of that in the letter.

**Chairwoman Pika Fejeran:** Yes please. Okay thanks for the update. Okay so the next... so what are these? Oh, this is just one last one? Matilde Castro Mercado. Oh yes hello. Um she is on our 102?

## 6. Matilde Castro Mercado

**Legal Counsel Toft:** Yes, number 64

**Chairwoman Pika Fejeran:** 64? Thank you. Buenas hafa adai.

**Matilde's Family:** Buenas hafa adai.

**Chairwoman Pika Fejeran:** Hi nice to see you again, thank you for coming. Okay let's see um... okay the original applicant is a Lola Wusstig Agero?

**Matilde's Family:** Yes.

**Chairwoman Pika Fejeran:** She requested to relinquish application rights to Ms. Matilde Castro Mercado?

**Unknown:** Right

**Chairwoman Pika Fejeran:** Okay is there somebody on the team that can speak to the case?

**Land Agent II Jhoana Bragg:** Jessica

**Chairwoman Pika Fejeran:** Jessica, Ms. Dayday. Okay so because of the Attorney General's opinion right we have to treat all of these transfer of application rights when the original applicant is still living we have to put you both back in line right. Okay Jessica.

**Land Agent I Jessica Dayday:** Okay so with this one the requesting if we can transfer to or revert the application back to Ms. Wusstig and she also can designate Ms. Mercado as the beneficiary which is her niece. Ms. Mercado is her niece.

**Chairwoman Pika Fejeran:** Okay so I don't think that we need a motion to revert back the application back to Ms. Agero.

**Legal Counsel Toft:** It automatically does. The only thing that (inaudible) is the lease itself. Terminate the lease and then issue that lot to Ms. Agero.

**Chairwoman Pika Fejeran:** Okay so first we terminate the lease of Ms. Mercado and then issue new lease to Ms. Wusstig Agero and then once that's done the beneficiary designated can be approved administratively?

**Legal Counsel Toft:** Yes.

**Chairwoman Pika Fejeran:** Okay so thank you for coming you can state your name for the record if you have some comments or questions for us.

**Matilde Mercado:** My name is Matilde Mercado... Castro Mercado

**Isauro Mercado:** I'm Isauro Castro Mercado

**John Castro Mercado:** And I'm John Castro Mercado

**Chairwoman Pika Fejeran:** Buenas thank you for coming.

**Isauro Mercado:** Okay the question is we had recently notarized the relinquishment paperwork for (inaudible) makes my mom the beneficiary (inaudible) the fact that Auntie Lola's (inaudible) days I mean at the hospital now so we were able to get that done just avert any legalities should they come up. Um what kind of time line are we looking at as far as I guess what I'm getting at here is the common phrase I've been hearing here is most of the benefactors are literally just sad, they are the ones that are living or enjoying the privilege of taking this land um... some but not a whole lot from what I'm hearing from the recent meetings are the original land applicants. So I was hoping you can speed it up so my mom can be amongst those that originally applied and can actually enjoy in her lifetime and not ours, we'll pick up from there when it's her time.

**Chairwoman Pika Fejeran:** Okay thank you. Um I think what the first step would be right um since they're both back in line where they originally applied would be to terminate the lease found to be null and void (inaudible) that's just a... we just have to do that in a motion right.

**Legal Counsel Toft:** Yeah so (inaudible) terminate the original lease approve a lease to the original applicant although (inaudible) and then if necessary she'll be up to (inaudible) we could consider an emergency transfer of lease under 7.5 as well.

**Chairwoman Pika Fejeran:** Okay. Yeah

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Mhm... do we need any

**Legal Counsel Toft:** But I would wait on that third one until the lease is signed and issued.

**Chairwoman Pika Fejeran:** Okay got it.

**Legal Counsel Toft:** yeah for now two different motions, one terminating the original lease and the second one to issue the lease in the name of Lola Wusstig Agero make sure that the Administrative Director approves the change of beneficiary form and then you can transfer after that.

**Acting Admin. Director Joseph B. Cruz Jr.:** (inaudible) All the terminations are going to be fair? Just wanted to ask. So just the Chairwoman would be sufficient to sign at the end...

**Commissioner Duenas:** Motion to terminate lease for L10122-R6 in Dededo Instrument No. 889546



**Commissioner Santos:** I second it.

**Legal Counsel Toft:** I think it's a different instrument no.

**Commissioner Duenas:** Oh is it? Oh interesting. I'm sorry Instrument No.

**Legal Counsel Toft:** Yeah that's the map.

**Commissioner Duenas:** Instrument no. 900608

**Chairwoman Pika Fejeran:** Motion made and corrected.

**Commissioner Santos:** I second it

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it

**Commissioner Duenas:** Motion to approve lease for Ms. Lola Wusstig Agero for Lot 10122-56 Dededo

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None okay. All those in favor?

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay motion carries. Okay so a new lease will be prepared in your aunt, Auntie Lola's name and then I do see there's a paperwork here ready to be approved by the director once that lease is issued then Ms. Mercado will be the benefactor and then if you'd like, you can come before us again once all of that is (inaudible) and then um we can make a determination to issue the lease to her as an emergency transfer. What would we need from Ms. Agero?

**Legal Counsel Toft:** I would say just a letter from (inaudible)

**Isauro Mercado:** What kind of letter? Like I said earlier we just recently notarized that she concurred as to what took place, you know, what kind of letter?

**Legal Counsel Toft:** That might (inaudible) if it's notarized.

**Isauro Mercado:** It's notarized by your people.

**Chairwoman Pika Fejeran:** Is it this one?

**Land Agent I Jessica Dayday:** He's talking about the beneficiary designation form but there was well the relinquishment was one prior to the application.

**Isauro Mercado:** Which you have in file.

**Acting Admin. Director Joseph B. Cruz Jr.** Just have her prepare another relinquishment letter like she did initially to state (inaudible)

**Legal Counsel Toft:** Well request to transfer.

#### **Multiple conversation**

**Acting Admin. Director Joseph B. Cruz Jr.** Request for transfer and then state the reason so they're aware of (inaudible)

**Chairwoman Pika Fejeran:** And then we can make it as an emergency.

**Isauro Mercado:** Well in my previous statement, I don't want to take away that you guys are doing are a tremendous job, okay? We applaud not just the recipients but also all your hard work.

**Chairwoman Pika Fejeran:** Thank you too.

#### **ALL: Clapping**

**Matilde Mercado:** speaking the CHamorU language: Un dankulu na si yu'us ma'ase para todus hamyu (A big thank you to all of you).

**Commissioner Santos:** Enjoy

**Chairwoman Pika Fejeran:** Okay. Alright um we already talked about the Raceway... UOG Hatchery. Is that you Joe...Joey?

#### **UOG HATCHERY**

**Acting Admin. Director Joseph B. Cruz Jr. Admin. Director Joseph B. Cruz Jr.:** We have no updates regarding the (inaudible)

**Chairwoman Pika Fejeran:** I have been... I have a meeting with Therese Terlaje, Senator Terlaje's staff member about this, the bill is currently in committee and she was requesting feedback, I wanted to ask the Commissioner um, our last go at this with the Hatchery you know was, you gotta pay us and all of that and I believe that UOG is open to doing some in kind services for the property but I did want to ask the Commission to...it was actually made clear to me that the property down where they're encroaching on, it actually goes back further and it's cliff line and if we give them that property we really have no access or use for the rest... it's almost like a triangle because it's at the bottom of the cliff that's only accessible for their property. So I wanted to see if the Commission would be amendable to actually transferring that entire property to the UOG Hatchery because it would be otherwise unusable for our purposes. Can we pull it up on the...?

**Land Administrator Margarita Borja:** So we had the Survey Division prepare a map for you guys. What it is, is the whole lot contain...5412 basic lot contains ninety-eight point seven acres (98.7) acres; the transfer to the CHamoru Land Trust was only sixty-one point seven (61.7) so um, we had the Survey Division identify where exactly the 61.7 acres would be, so this is a design that we came up with, we don't know whether or not you wanted the line to include the Hatchery area or not include; this is just a scheme, we just tried to identify where is the 61.7.

**Chairwoman Pika Fejeran:** It's floating

**Land Administrator Margarita Borja:** Yeah, so...

**Chairwoman Pika Fejeran:** Sorry...because we (inaudible) from Mr. Borja at that meeting so this Lot 5412 is actually... what's the total acreage?

**Land Administrator Margarita Borja:** 98.7

**Chairwoman Pika Fejeran:** The total acreage is 98.7 acres but then when you follow the land documents for the land that was transferred into the Trust inventory only 61.7 acres was transferred but it never said which part of this huge lot, so it's almost like floating. So what's your proposal?

**Land Administrator Margarita Borja:** So we recognized, we recognized Public Law 22-18 where agencies came in to reserve certain acreage in the area, so we recognized 17 acres from GWA, GPA and then the 2 acres that was requested by Guam Energy; so we took those out and we came in to whatever the remainder was and we carved out the 61.7 to include the parceling that we did here because these are ours.

**Chairwoman Pika Fejeran:** Um I think what I'd like to see which would be more applicable is based on the contours of it

**Land Administrator Margarita Borja:** Okay

**Chairwoman Pika Fejeran:** Because I think that line would just be (inaudible)

**Land Administrator Margarita Borja:** On what's usable

**Chairwoman Pika Fejeran:** yeah... yeah... I think if we would know what's usable based on the um...

#### **Multiple Conversations**

**Land Administrator Margarita Borja:** Did you take that into consideration?

**Pierce Castro:** No

**Land Administrator Margarita Borja:** When you did this?

**Pierce Castro:** No

**Land Administrator Margarita Borja:** So just looking at this, are you able to say that majority of this down here is not usable?

**Chairwoman Pika Fejeran:** Here I have (inaudible)

**Land Administrator Margarita Borja:** So I'm not sure whether you want...

**Chairwoman Pika Fejeran:** I mean I don't really want to see that all because I'm (inaudible) as CHamoru Land Trust Property. But my proposal is... so if you look here right, this is the hatchery and this is the part they want... that we're like, okay, we'll give it to you if you give us in kind services but if you look here, this is a huge cliff that goes all the way pretty much to the water; so I was thinking you know what let's just give that whole piece to them... we would never be able to access it or use it anyway... and that way all of this really actually just this up here is property that would be usable by the Trust, okay? What do you think? Um, my concern is that I just want to make sure that when property is taken outside of the Trust it's not just taken and we're left with nothing that we have some kind of compensation and I believe that UOG and their extension services can provide us a whole wealth of resources and man power to help us to achieve with some of the goals we have. You know one of the things that they can do and they've offered is a farmers program, which I think can be helpful but I also think that they probably have resources that could actually help the Trust better than just providing farmers training for some people. But I think I feel comfortable, it sounds like that understand that there will be some kind of exchange here, maybe not money exchange for the land but in kind services that we can actually sit down with then and discuss. What does the... yeah, I just want to know, does the Commission comfortable with this or I guess what would happen is that the bill will be revised and then represented.

**Legal Counsel Toft:** Yeah.

**Chairwoman Pika Fejeran:** Okay

**Commissioner Duenas:** They're asking for that, the rest of that?

**Chairwoman Pika Fejeran:** They... I think they had asked. I think that they only asked for this because (inaudible) but better understanding of the site that's (inaudible) you know inaccessible anyway.

**Commissioner Duenas:** If we let them use that one, would they actually do something with it or are they only going to do what they have to do with it that would (inaudible)

**Chairwoman Pika Fejeran:** I think they're just using that one. But then, transferring it all of it to them would mean that they can fully and completely control that whole area.

**Legal Counsel Toft:** Their concern was contamination (inaudible) area because it's delicate (inaudible) operation as far as...

**Chairwoman Pika Fejeran:** Yeah, sensitive. I'm sure that they would be very happy that would have full... full control of the property that's behind them. Okay so should we um...I mean I can present that to Therese and then they can revise the bill and then represent it to the Commission.

**Legal Counsel Toft:** Yeah, that would be (inaudible)

**Chairwoman Pika Fejeran:** Okay alright. Um Mr. Cruz can you maybe remind me or something?

**Acting Admin. Director Joseph B. Cruz Jr.** Should we request the survey guys to prepare a drawing that would (inaudible)

**Chairwoman Pika Fejeran:** Yeah let's do that.

**Acting Admin. Director Joseph B. Cruz Jr.** So for my understanding it's from this point down to (inaudible)

**Chairwoman Pika Fejeran:** Ah yeah, I think you can look at the contour map, 'cus yeah I guess that corner is basically on the cliff anyway. Okay sorry, I just want to finish up with this old business. (inaudible) number 3 um, it looks like there was so much work done and there was a lot of property that was assessed for leasing for the Land for the Landless, I think this is, I don't... yeah, I love this, I like the summary page, it tells us how many developable lots that we have, how much is undevelopable, how many have no access so on and so forth... this is definitely going to help us moving forward but I would like to get a little more time to kind of look at this and um... when you say developable does that mean utilities, access and utilities?

**Pierce Castro:** Um in certain, in Tract in Talofofa and in Merizo, there's already paved road and there are existing houses so yes there is.

**Chairwoman Pika Fejeran:** So there's road and...

**Pierce Castro:** And it's also in the beginning of the check list, just got to go back to the check list.

**Chairwoman Pika Fejeran:** Yeah so if you can give it to us. So what would qualify it as developable?

**Pierce Castro:** Nice and flat... um you know, to me, anything can be developed but it depends on but... we put undevelopable for the ones that were ridiculously sloped or (inaudible) or swamped or whatever.

**Chairwoman Pika Fejeran:** Okay great. So if we can some more information for those identified as developable whether there's infrastructure and access and part of this endeavor also would include the standard operating procedures, right? I didn't see anything yet, so I assume that you guys are still working on that. Okay. What I'd like to see for the SOP, I know that there's a lot of details and weeds that you can get into right based on like what an actual land agent has to do to complete it. But what I'd like to see first is a big picture view okay before getting down to the nitty gritty.

**Acting Admin. Director Joseph B. Cruz Jr.:** Broad (inaudible) detail

**Chairwoman Pika Fejeran:** Yeah...mhm. So that can be presented at another meeting, I'm hoping. I really want to get moved forward and start the process to start leasing these properties. Okay and finally Inadahen I Linala I kotturan I CHamoru, do we have a representative here today? From Inadahen I Linala? Okay um I saw a lease in here but I think I spoke with Mr. Cruz about it was obviously based of our Commercial Rules and Regs and I wanted to um just ask that you revisit the case to see what type of community, facility community center lease can be drafted because we cannot... because we can't ask them to pay the ten percent (10%) of the Fair Market Value because they are a nonprofit, right? So we'll revisit this at a later date. Okay and we are passed our public comment period but if I could just ask for a five minute recess. Thank you everybody, we'll resume in five minutes.

#### **FIVE MINUTE RECESS**

**Chairwoman Pika Fejeran:** Okay I'd like to call this CHamoru Land Trust Meeting back to order. Okay thank you everybody for your patience, we've completed our old business agenda item but we're pretty much behind so I'd like to jump down on under New Business, number 3, Constituent Matters, which what I assume is what everybody is here for um since you're still here so I'd like to get to this. So um, first person is Francisco Leon Guerrero Castro, is that right? Mr. Castro?

#### **NEW BUSINESS**

##### **CONSTITUENT MATTERS**

##### **1. Frank L.G. Castro**

**Chairwoman Pika Fejeran:** Hafa Adai Sir, hi if you could both state your name for the record.

Unknown: My karaoke days are over.

**Marvin Aguilar:** Hello everybody, my name is Marvin Aguilar to my left is Mr. Frank LG Castro if you folks don't know who he is, he is one of the Island's few registered land surveyors, he comes before the Commission to request the opportunity to apply for a building permit; at this time Mr. Castro has a lease, an existing lease for Lot 7055-6 if I'm not mistaken. Alright it's been a while for me for us, in Yigo and what he proposes to do is to construct a single bedroom, single story (inaudible) structure on the property. So we're (inaudible) so my understanding, the policy of the Commission is that you do have to go before the Commission but I think in this case we were or he received approval to apply for a clearing and grading permit at one time and I'm not sure if he received an approval to apply for utilities, water power and sewer. So basically this is what the request, whatever procedures or paperwork is necessary to build this. (Inaudible) I'm his representative at this point only because his actual representative is off island (inaudible) there was a letter that was submitted on July 15<sup>th</sup> 2019 so...

**Acting Admin. Director Joseph B. Cruz Jr.** Madam Chair I think the constituent would just need an approval for building permit authorization because he's already been issued a clearing and grading, utilities...he's just pending a building permit.

**Chairwoman Pika Fejeran:** Okay and in order for DPW for the building permit, they would require and an approval, an authorization from the Commission?

**Acting Admin. Director Joseph B. Cruz Jr.** Yes Ma'am.

**Chairwoman Pika Fejeran:** Okay thank you for coming Mr. Castro and thank you Mr. Aguilar for presenting for him. You know I was looking at, there's some photos of you in file, um... your lot is very well maintained, you have many fruit trees um...quite beautiful. Thank you for your work on the property and using it for its intended purpose.

**Frank Castro:** I had problems initially. When I got the lease, I immediately planted over three hundred (300) banana trees and over three hundred (300) coconut trees because I thought I found a way to try and get around to the coconut beetle, unfortunately, just before... I mean right after I planted it they weren't really two and half feet high, the pigs are so aggressive, they wiped me out and only a few evidence and the breadfruit trees that I planted seven years ago are all bearing of course I haven't picked on it yet because the other owner or the other lessee has been coming over and I'm giving it. Again but really that's beside the point, I don't want to fence it in so that (inaudible) build a one bedroom house and being alone and if I move to the place and fence it in to keep the pigs out, I think that's the solution to my problem. I also wanted to plant Japanese grass or seedlings to whoever wants it can come and get it, I think that would work too.

**Chairwoman Pika Fejeran:** Well um... you know he does have a lease that was ratified last year so everything in his file looks great and I would say that this is a I'm sorry a residential lease? Oh and Agriculture lease, so um...for agricultural leases, the lessee is authorized or is allowed to build one structure so that would be the one bedroom home that he would like to build. I think that this is right in line with our land trust mission so I have no further questions or concerns.

**Commissioner Duenas:** So just (inaudible) we're doing the authorization for the building permit.

**Multiple response**

**Commissioner Duenas:** Alright. Motion to approve a building permit authorization for Francisco Leon Guerrero Castro on Lot 7066-5 in Yigo.

**Commissioner Santos:** I second it

**Chairwoman Pika Fejeran:** Okay a motion made and second it. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Alright Mr. Castro

**ALL:** Clapping

**Francisco LG Castro:** Si yu'us Ma'ase'. Thank you very much.

**Chairwoman Pika Fejeran:** Thank you too. Thank you for your patience today.

**Commissioner Santos:** Plant more coconuts and the bananas.

**2. Valerie Tenorio**

**Chairwoman Pika Fejera:** Yeah... Okay next, staff report we have is for Valerie Tenorio Guerrero. Hafa Adai. Is there somebody that can present her case? Hi Ms. Valerie, welcome back.

**Land Agent II Jhoana Bragg:** Um we have Ms. Valerie Tenorio Guerrero on March 21<sup>st</sup> 2019, the motion was made to approve a residential lease for Lot 5-2, Block 9, Tract 15213 Mangilao on May 14<sup>th</sup> 2019, Ms. Guerrero in a meeting requested for a relocation to Lot 18, Block 9, Tract 15213, Mangilao due to the lot having close proximity to utilities. Ms. Guerrero is a December 7 1995 applicant, in here upon the review the applicant's request to relocate and the assessment of both lots was conducted and our findings on Lot 18, Block 9, Tract 15213 Mangilao is vacant and is accessible to utilities within 100 feet.

**Chairwoman Pika Fejeran:** Wow, how was that property identified?

**Land Agent II Jhoana Bragg:** So through the Master Plan there were names that were put on these lots, however, on Lot 18, we discovered that the person that was placed there is actually on a different lot within the same tract area so therefore that lot became available.



**Chairwoman Pika Fejeran:** So if I remember correctly, is this near your grandfather?

**Valerie T. Guerrero:** Yes

**Inaudible responses**

**Chairwoman Pika Fejeran:** The one she wants to move out of? Or the one she wants to move into?

**Inaudible response**

**Chairwoman Pika Fejeran:** Where she wants to move out of? So she's currently at Lot 5-1?

**Chairwoman Pika Fejeran:** Okay so currently she's at 5-1?

**Land Administrator Margarita Borja:** Yeah 5-1 and she's requesting to be relocated to Lot 18.

**Chairwoman Pika Fejeran:** Oh oh okay.

**Land Administrator Margarita Borja:** Her father is currently on 5402-R5A-26 Lorette Guerrero was given lot 19 and now Val is requesting to (inaudible) to 18.

**Chairwoman Pika Fejeran:** Okay. Um I'm glad that there was a property identified that you found from there that you could use. You know my concern of this is when... you know we have such limited resources right and I remember we visited your case like several times and it was part of a larger discussion for this whole area um and you accepted the lease up there, right. And then now we're having to revisit your case because although you accepted the lease now you want to move to another location and it's...

**Valerie T. Guerrero:** Only because that 18 wasn't identified at the time of (inaudible) until we did research and no one was actually on 18.

**Chairwoman Pika Fejeran:** Okay my only concern and thoughts with this is um with the limited resources we have to be continuously servicing one of our applicants and moving around and you know there's so many people waiting that don't even have a property yet. That's my concern. I just needed to get that off my chest. But because what if you get that property and then two months you come back and say, you know I changed my mind move me over here... you know where it's like we're...we move forward a step thinking okay we're great she's set and then we have to move back a step. And then everybody else is still out there waiting. Um but if we were to issue this property to you, are you ready to build on it?

**Valerie T. Guerrero:** Yes.

**Chairwoman Pika Fejeran:** Have you talked to um Guam Housing to get qualified for a loan?

**Valerie T. Guerrero:** No 'because I'm waiting on all this

**Chairwoman Pika Fejeran:** Okay. Okay but you're prepared to move forward and really use the property.

**Valerie T. Guerrero:** Yes

**Chairwoman Pika Fejeran:** Okay so would this be a decline then? Be considered a decline of the lease?

**Acting Admin. Director Joseph B. Cruz Jr. Administrative Director Joseph B. Cruz Jr.:** Initial lot yeah.

**Chairwoman Pika Fejeran:** Okay and then um...a

**Acting Admin. Director Joseph B. Cruz Jr. Administrative Director Joseph B. Cruz Jr.:** An issuance on this location, relocation

**Chairwoman Pika Fejeran:** Issuance on a different lot? Okay. You guys have any questions?

**Commissioner Duenas:** Motion to approve relocation of Ms. Valerie Tenorio Guerrero to Lot 18, Block 9, Tract 15213, Mangilao from Lot 5-1, Block 9, Tract 15213

**Chairwoman Pika Fejeran:** Okay a motion has been made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes. Okay motion carries. Okay. Okay so the first lease would be terminated and um you'll have new lease for this property. Okay thank you. You know I'm sorry that Ms. Guerrero had to be the subject of my concerns, right because it's concern that I have for the whole program and it's a concern that was brought up last year you know like, one of the huge issues was like; you guys told me that this was the only property available so I took it and then two months later, I find out that you're leasing Barrigada. You know, someone could say, what if somebody had come to us a month ago or when we approve Ms. Guerrero at that first location when we didn't know lot 18 was available and they came to us and said, hey I want to go to Mangilao and oh, it's like there's nothing available but then fast-forward and we did the research and found out there is a lot available. You know, we're giving it to her when someone else might have asked for the same thing. So my question and my concern and I'm going put it on this Acting Admin. Director Joseph B. Cruz Jr. Director, you know to work with the staff, you know to put that on our SOPs, so that we have a very clear idea of when properties come available for leasing because you know...I know that chronologically it makes sense to us but anybody from the outside can say; hey, we're being shady here when really the truth is we're not it's just things happen so.... Thank you.

**Commissioner Duenas:** Can you also verify that no one else currently interested in the area as well besides (inaudible) location?

**Chairwoman Pika Fejeran:** Right like have like a... that could be a almost like a waiting list or something... like you know...

**Commissioner Duenas:** Just to make sure we don't have another person come in and say that they were actually interested in the property.... Just to avoid any conflict especially if the lease was already (inaudible)

**Chairwoman Pika Fejeran:** Mhmm...yeah...

**Legal Counsel Toft:** I think that we can (inaudible) under the additional rules that...(inaudible) create a new policy on that and just (inaudible)

**Chairwoman Pika Fejeran:** Mhmm yeah. You know at my restaurant, we have a reservation, and when they get full we start a waiting list, right... so maybe if someone is like no, I want to be in Mangilao, but at the time that they asked for it and there's nothing available in Mangilao we put them on a waiting list so that if something is in Mangilao, we make sure we start at the top of the list on who wanted Mangilao first... maybe something like that.

**Unknown Individual:** A lot of waiting list.

**All:** Laughing

**Chairwoman Pika Fejeran:** Bula waiting list. Okay thank you so next is Albert Jesus Lizama.

### 3. Albert Jesus Lizama

**Chairwoman Pika Fejeran:** Hi a Jessica...? Hafa Adai.

**Land Agent I Jessica Dayday:** So Mr. Albert Jesus Lizama um is deceased he has been deceased since 2000, um he had named his spouse, his legal spouse as beneficiary however she was unqualified he was issued a lease and at that time when her... I'm sorry...at the time Mr. Lizama had passed away his spouse had submitted the death certificate, requested from Chamoru Land Trust to have her be named as trustee over her kids at that time were minors.

**Chairwoman Pika Fejeran:** Yeah okay.

**Land Agent I Jessica Dayday:** She was aware that she was unqualified or she was unqualified at the time but there was no action then... at that time.

**Chairwoman Pika Fejeran:** To have her be the trustee or guardian of the children?

**Land Agent I Jessica Dayday:** Yes. And so now, today, this um Mr. Lizama's daughter.

**Chairwoman Pika Fejeran:** Hello can you state your name for the record?

**Christy-Lynn Nicole Lizama Cepeda:** Christy-Lynn Nicole Lizama Cepeda

**Chairwoman Pika Fejeran:** Okay so um Ms. Cepeda... okay so now that Ms. Cepeda is over 18 and adult now...now she can assume the lease? Is that what the question is?

**Land Agent I Jessica Dayday:** Yes...well we're here to request for her to be designated um... successor or beneficiary to her dad.

**Chairwoman Pika Fejeran:** Okay and this is for the application or the lease?

**Land Agent I Jessica Dayday:** The lease.

**Chairwoman Pika Fejeran:** There is an actual lease?

**Land Agent I Jessica Dayday:** There is an actual lease.

**Chairwoman Pika Fejeran:** Um and I see that there is three other children?

**Land Agent I Jessica Dayday:** Yes.

**Chairwoman Pika Fejeran:** Oh okay. Um I think the usual way we do that is we get affidavits from all the children, right? Designating a single beneficiary.

**Christy-Lynn Nicole Lizama Cepeda:** But it's hard to get um... from my brother.

**Chairwoman Pika Fejeran:** Okay

**Christy-Lynn Nicole Lizama Cepeda:** He hasn't been here since 19 years after my dad passed away and he's in Washington under parole so I don't have contact with him.

**Chairwoman Pika Fejeran:** Oh okay... okay um...how would we do this? That's your one bother and is then is there another...

**Christy-Lynn Nicole Lizama Cepeda:** Yes, the other one is in the Philippines, that's my biological brother and then the other one is here but we barely talk so it's hard to get in contact with my half-brother on my dad's side.

**Chairwoman Pika Fejeran:** Oh I see.

**Commissioner Duenas:** Has any of them ever voiced any interest in this property at (inaudible)

**Christy-Lynn Nicole Lizama Cepeda:** Um my dad got that when my mom and dad were together. But the first (inaudible)

**Chairwoman Pika Fejeran:** Mmm.. so there's children from the first marriage?

**Christy-Lynn Nicole Lizama Cepeda:** Yes and we mentioned it to them but they never... cared.

**Legal Counsel Toft:** We could... under 5.8; a (2); the Commission can allowed the unqualified spouse to designate a qualified child to succeed in the deceased application rights.

**Chairwoman Pika Fejeran:** Oh okay which she has?

**Land Agent I Jessica Dayday:** Yes, there is a relinquishment letter.

**Chairwoman Pika Fejeran:** There's a lease?

**Legal Counsel Toft:** There is a lease.

**Chairwoman Pika Fejeran:** Okay yeah, the lease was from '97.

**Legal Counsel Toft:** But under 9.2 that the Commission can select a successor provided that (inaudible) the fact (inaudible) if we want to move forward with designation as presented or if we want to do more investigation.

**Chairwoman Pika Fejeran:** mm okay. Well I can imagine the predicament she's in trying to get ahold of half siblings or other siblings that don't even live here in Guam. Okay so you mentioned Patrick, that's your um...

**Legal Counsel Toft:** Maybe just a simple affidavit stating the reason why it would be...

**Chairwoman Pika Fejeran:** Yeah... and then if anyone comes forward at a later date then we can look at it at that point.

**Legal Counsel Toft:** Right.

**Chairwoman Pika Fejeran:** Um Ms. Cepeda, if you're granted beneficiary rights to the lease and you take over the lease, does that mean that you're ready to use the property?

**Christy-Lynn Nicole Lizama Cepeda:** Yes

**Chairwoman Pika Fejeran:** Yeah? But what would you do? You'd built a home on it?

**Christy-Lynn Nicole Lizama Cepeda:** Yes

**Chairwoman Pika Fejeran:** Okay. Okay Christopher Lizama is?

**Christy-Lynn Nicole Lizama Cepeda:** (inaudible)

**Chairwoman Pika Fejeran:** Okay and where is he?

**Christy-Lynn Nicole Lizama Cepeda:** He's in prison

**Chairwoman Pika Fejeran:** Oh he's the one (inaudible) okay um would you be able to get a... get a... something in writing from him?

**Christy-Lynn Nicole Lizama Cepeda:** Yes

**Chairwoman Pika Fejeran:** Yeah. Okay I think if we can get an affidavit 'because I'm looking at um a letter from your mother and she lists just the two of you and so as for the spouse of the lessee, she named the two of you so if you can get something from your brother, Christopher...  
Okay.

**Acting Admin. Director Joseph B. Cruz Jr.:** Madam Chair, if I may, on item F, I'm reading that there's an SBA, do you know if your father had an SBA loan?

**Christy-Lynn Nicole Lizama Cepeda:** I'm not too sure.

**Acting Admin. Director Joseph B. Cruz Jr.:** Okay. Only because if the decision is to decide to transfer to have her be the beneficiary and if she assumes the lease she is also going to assume the indebtedness of loan... just so you know. So we need to verify whether your dad has an SBA loan.

**Christy-Lynn Nicole Lizama Cepeda:** I can as my mom.

**Acting Admin. Director Joseph B. Cruz Jr. Admin Director Joseph B. Cruz Jr.:** We have records, we can verify.

**Chairwoman Pika Fejeran:** Okay.

**Acting Admin. Director Joseph B. Cruz Jr.** Just so it's disclosed and that's what it entails also.

**Chairwoman Pika Fejeran:** Okay so it wouldn't just be the lease that she'd be receiving?

**Acting Admin. Director Joseph B. Cruz Jr.:** Also the debt, if there's a loan. (inaudible) has to make payments and stuff like that.

**Chairwoman Pika Fejeran:** Okay. Thanks for pointing that out. So I guess um pending submittal of the affidavit from her brother. Should we wait for the affidavit or could we do like a conditional approval?

**Legal Counsel Toft:** Conditional approval.

**Chairwoman Pika Fejeran:** Conditional approval okay.

**Commissioner Duenas:** Um motion to approve **Christy-Lynn Nicole Lizama Cepeda** as the beneficiary to the lease of Mr. Albert Jesus Lizama, Lot 10, Block 13, Tract 9210, Phase I in Yigo Conditional that we receive the affidavit from the other sibling mentioned for beneficiary.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Okay motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay motion carries. Okay so get that affidavit from your brother come and then we'll have your lease put on your name and at the same time they'll also be looking to see if your dad owes anything for the SBA loan of which you would have to take. Okay. Any questions? No okay thank you.

**ALL:** Clapping

Inaudible discussion

**Chairwoman Pika Fejeran:** Okay. Alright. Moving on next Constituent Matters, Sanonie Salas Melia.

#### 4. Sanonie Salas Melia – Not present

**Land Agent II Jhoana Bragg:** I'm sorry Chairwoman we were not able to contact her.

**Chairwoman Pika Fejeran:** Okay. Did you want us to... or do we...?

**Land Agent II Jhoana Bragg:** Table

**Chairwoman Pika Fejeran:** Table it? Okay so we'll table Ms. Melia so she can be here (inaudible)

**Commissioner Santos:** She's not here today?

**Chairwoman Pika Fejeran:** Not here. Does she need to be here? She wants to be here?

**Land Agent II Jhoana Bragg:** Yeah. They were the family that was here with um... the young gentleman that was speaking CHamoru, do you recall?

**Chairwoman Pika Fejeran:** Oh yes, I remember. (inaudible) Alright. Okay Ms. Chrissy Jean Quinata is our next.

#### 5. Chrissy Jean Quinata

**Chrissy Jean Quinata:** Yeey finally.

**Chairwoman Pika Fejeran:** Alright... welcome! Thank you for your patience.

**Chrissy Jean Quinata:** I've been very patient

**Chairwoman Pika Fejeran:** Alright, Ms. Jhoana can you walk us through.

**Land Agent II Jhoana Bragg:** Okay, here we have Ms. Chrissy Jean Quinata um she's here to do a request of change of application type also a survey retracement and an issuance of residential lease. She came before the Board in February 7<sup>th</sup> of 2019 and to do a request as beneficiary transfer from her grandmother who was the original benefactor to Mr. Antonio Aguon Quinata. So based on our findings, we have found Ms. Quinata a lot within Tract 2831, Block 9, Lot 1 in Talofoto so from there, we are requesting for a survey retracement and a lease issuance and also a change of application type from agriculture to residential as this area is a residential subdivision.

**Chairwoman Pika Fejeran:** Okay. Thank you. I see the original applicant's date and time is June 8, 1998.

**Land Agent II Jhoana Bragg:** Ah yes. Mr. Quinata was actually occupying on an unregistered as a pre-occupier therefore we did do an advisement that based on the fact that it's unregistered if they were to move forward with a map, they wouldn't be approved so it was a decision to move Ms. Quinata to a registered property.

**Chairwoman Pika Fejeran:** Okay. Alright um...for the approval for the application type from agricultural to residential, I know that was always done administratively and that's not one of those um... approvals that we have granted the director authority, right? Which is why it's being presented here?

**Land Agent II Jhoana Bragg:** Yes Ma'am.

**Chairwoman Pika Fejeran:** Thank you. And then the Survey Retracement?

**Land Agent II Jhoana Bragg:** The area is actually already surveyed so um...because one of the older subdivisions that were surveyed if um... you know for Ms. Chrissy to know her markers then she would need to hire a surveyor to show her where the correct markers are.

**Chairwoman Pika Fejeran:** Okay. Um I think at one of our last one...maybe the last one, we gave approval for this retracement... oh but that was only if there was a lease (inaudible)

**Land Agent II Jhoana Bragg:** Only for the Ratified.

**Chairwoman Pika Fejeran:** Oh which is why you're asking us. Okay.

**Acting Admin. Director Joseph B. Cruz Jr.** Did you also consider and (inaudible)

**Land Agent II Jhoana Bragg:** Um... actually yes if we... well the utilities would be at the Director's approval. There are utilities within the area as there are already houses built.

**Chairwoman Pika Fejeran:** Oh okay. So um Ms. Quinata, I'm glad that the property was identified for you and you plan to build a home?

**Chrissy Jean Quinata:** Yes. Right away.

**Acting Admin. Director Joseph B. Cruz Jr.** (inaudible) building permit just so that (inaudible)



**Chairwoman Pika Fejeran:** All at once?

**Acting Admin. Director Joseph B. Cruz Jr.** Yeah because I don't think there's an expiration on that. She said she's ready to build a home so she's going to need something.

**Chrissy Jean Quinata:** Yes ready in like two years not like tomorrow ready.

**Land Agent II Jhoana Bragg:** I think in the past meetings you requested first for like a building plan before the building (inaudible)

**Chairwoman Pika Fejeran:** Yeah and the last one that we gave authorization for is for agricultural and it was the one story home... so yeah I think maybe when you're ready um and you have building plans, you may even need us to guarantee a loan from Guam Housing 'because Guam Housing can provide you a home loan um... you have to come back to us anyway and (inaudible) Okay so there's two um three approvals here that we're considering.

**Commissioner Duenas:** Motion to change application type for Ms. Chrissy Jean Quinata from Agricultural to Residential.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye.

**Chairwoman Pika Fejeran:** Okay motion carries.

**Commissioner Duenas:** Motion to grant survey retracement for Tract 2831, Block 9, Lot 1 in Talolofofo for Ms. Chrissy Jean Quinata.

**Chairwoman Pika Fejeran:** Motion made.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Ah further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay ayes have it. Motion carries.

**Commissioner Duenas:** Motion to approve lease for Ms. Chrissy Jean Quinata upon completion of survey retracement for Tract 2831, Block 9, Lot 1 in Talofotofo.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it

**Chairwoman Pika Fejeran:** Seconded by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** Okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay motion carries.

**Chrissy Jean Quinata:** Thank you

**All:** Clapping

**Chairwoman Pika Fejeran:** Thank you Ms. Quinata. Okay next um... Christine Diane Roberto

## 6. Christine Diane Roberto

**Chairwoman Pika Fejeran:** Anyone for Ms. Roberto?

**Land Agent II Jhoana Bragg:** She was contacted um...I don't know.

**Chairwoman Pika Fejeran:** Let's see, request for takeover, lot reduction, change of application type, survey authorization, addendum request.

**Land Agent II Jhoana Bragg:** Well she's actually been coming into our office, she's occupying on a portion of Lot 10154-R5, Dededo which has been registered um within the last recent year or two years. So here, there was already a... well there's a couple of requests, well number 1; is a request for takeover, number 2; request for lot reduction, number 3; request for change of application type, number 4; request for survey authorization and number 5; an addendum request. So the original applicant is Mr. Jesus C. Peredo who is deceased, he is the pre-occupier in the Agafagumas Area under December 2, 1995 application date and time... in April of 1997 the staff interviewed Mr. Peredo and named four beneficiaries to include Ms. Christine D. Roberto, in November 12, 2014, the request of relinquishment from the other beneficiaries to transfer to Christine D. Roberto, all documents were submitted and it was approved by Deputy Director David Camacho in 2015.

**Chairwoman Pika Fejeran:** Okay so um because that was done at the administrative level, it's being brought to us now for Commission approval.

**Land Agent II Jhoana Bragg:** Yes

**Chairwoman Pika Fejeran:** And the requesting of the lot reduction, why?

**Land Agent II Jhoana Bragg:** He has a lease for one acre, however, I believe she just decided that it would be best for the half acre as she's clearing half of it... so that's why there's a request for the lot reduction, from one acre to a half acre.

**Chairwoman Pika Fejeran:** Okay

**Commissioner Santos:** Is this residential?

**Land Agent II Jhoana Bragg:** This is an agriculture, that's why she is requesting to transfer to residential as a residential applicant as she has the intention to finish building or completing what they currently have on the property and we did advise her that she can go through with Guam Housing if she were to go ahead and build a concrete home if you know... for future.

**Chairwoman Pika Fejeran:** Okay. Do we have Ms. Roberto's file?

**Commissioner Duenas:** Were you able to contact her though?

**Land Agent II Jhoana Bragg:** Yes. She came in about a couple of weeks ago, we did advise her that it will be best if she did come in and she did advise that she was going to be here... but I don't know, maybe an emergency.

**Acting Admin. Director Joseph B. Cruz Jr.:** Did she submit a letter to request for a decrease (inaudible)?

**Land Agent II Jhoana Bragg:** She did request for it, verbally request... I could advise her to go ahead and submit that.

**Acting Admin. Director Joseph B. Cruz Jr. Administrative Director Joseph B. Cruz Jr.:** Just so that there's something documented because any (inaudible) reduction would require if there (inaudible)

**Commissioner Duenas:** Madam Chair, would you know how long (inaudible) as much as I want us to get to this one, I think we should we table until (inaudible)

**Chairwoman Pika Fejeran:** Yeah. Can we get the letter from her requesting the lot reduction and until we get that documentation then it can be presented.

**Land Agent II Jhoana Bragg:** Okay.

**Chairwoman Pika Fejeran:** Thanks. Okay... who's next? Annie L.G. Santos

## 7. Annie L.G. Santos

**Chairwoman Pika Fejeran:** Do we have a representative? Hafa Adai. Okay so Ms. Santos is deceased, she was the original applicant, December 2<sup>nd</sup> 1995 she was identified as a pre-occupier with a Land Use Permit... so it looks like Mr. Patrick James Santos... is that you, Sir?

**Patrick James Santos:** Yes.

**Chairwoman Pika Fejeran:** Okay. Has been identified as the successor to your mother's application rights, right? Okay... there's no lease so it's an application but it is, they are pre-occupiers so we would have to find an appropriate property for them? So the request right now... and you are one of six children?

**Patrick James Santos:** Yes Ma'am.

**Chairwoman Pika Fejeran:** Okay and all your siblings said...

**Patrick James Santos:** I submitted the documents that was required by me, all the notarized documents, the death certificates of my mother and father and also informed the Commission or the agency that in the beginning, my grandfather originally opened up that area in the '50s and we've been occupying that property up to current... so...

**Chairwoman Pika Fejeran:** Is his lot 439-1

**Patrick James Santos:** Yes Ma'am.

**Commissioner Santos:** Arruendo?

**Patrick James Santos:** Yes Ma'am. In regards to my mother and my father, we just wanted to maintain occupancy.

**Chairwoman Pika Fejeran:** Right okay. But from the notes here, it looks like the property...

**Patrick James Santos:** water storage

**Chairwoman Pika Fejeran:** Is it water storage re...

**Patrick James Santos:** That's what I was told...and a portion of it was deeded to (inaudible) the neighbor.

**Land Agent I Jessica Dayday:** Who is also a pre-occupier.

**Chairwoman Pika Fejeran:** Who deeded it to him?

**Patrick James Santos:** I really don't know Ma'am...I did a research with the Land Management Records Division, and their maps are very vague... it's just two big squares on a big lot that's marked 439R1 and I'm not a scholar of Land Management or survey but looking at the map there, it looks like Ms. (inaudible) three quarters of her house is on the property, was built on

CHamoru Land Trust property... and I'm just inquiring because even if my parents were contacted and the phone didn't work, why wasn't there any other sort of communication made to them... through a letter or something. I had a hard time trying to apply of this, I went through a lot of labor to get documents, notarized documents then all of a sudden Ms. Diras's own is a part of it... and we've been there over sixty some years.

**Commissioner Santos:** Where's this place?

**Patrick James Santos:** On Felix Roberto or Felix C. Babauta St. off of Cross Island Road in Santa Rita. My grandfather actually was the first one to open that area because of his family relationship of the Chargualaf's and Mama Sandy family.

**Commissioner Santos:** Is Annie your mom?

**Patrick James Santos:** Yes Ma'am, chaka from Toto...

**Commissioner Santos:** I got the same name.

**Patrick James Santos:** I know that.

**Chairwoman Pika Fejeran:** This is in Agat, right?

**Land Agent I Lorraine Nededog:** Santa Rita

**Patrick James Santos:** Did I make a mistake or does that map show that Diras' house is built on the property?

**Chairwoman Pika Fejeran:** I'm not sure what I'm looking at up there. Can you...

**Acting Admin. Director Joseph B. Cruz Jr.:** I think that rectangle... the small rectangle is the subject lot so it does look like there's a...

**Patrick James Santos:** It's like three fourths of their house is built on the CHamoru Land Trust Commission property and if I had hard time trying to get my siblings to notarize documents, how is it that all of a sudden without any notification from my parents she was an applicant and got granted?

**Chairwoman Pika Fejeran:** Well that wouldn't come from the Trust.

**Patrick James Santos:** I understand, I'm just raising questions here that I want answered... and even if you gave me a ten by ten as long as I get there with my family and...(inaudible), that's all I'm asking. I'm not trying to get an acre or anything bigger than that... you know, we've been there for sixty some years... ten by ten for me and my kids is good. I'm not asking for anything else.

**Chairwoman Pika Fejeran:** So do we have property there or is all GWA?

**Land Agent II Jhoana Bragg:** It's been um... there is a map (inaudible)

**Patrick James Santos:** GWA put on an acre where the pole side right there...in the front side...Ms. Fejeran the front is an acre that was the property deeded to my parents, it was a surveyed but come to find out that that area was given to GWA... there was actually three or two other properties in the back that were surveyed, there's markers there in existence and even if it's in the back, I don't care as long as we're there, that's all I'm asking.

**Chairwoman Pika Fejeran:** Okay. Go ahead John.

**Land Agent I John Gumataotao:** I believe this area right here, the former (inaudible) refinery... this property actually use to belong to my great grandfather's family, the Limtiaco's

**Patrick James Santos:** And my grandfather is a Limtiaco from Asan also.

**Land Agent I John Gumataotao:** So this property is designated under the Land Registration as deemed Government of Guam... anyways so there's some questions regarding the return of federal lands to my ancestors, the Limtiaco's and this question of the areas is still questionable.

**Chairwoman Pika Fejeran:** So that big chunk of area... the big one right, you see where that small rectangle is cut out, that's the one that is owned by his neighbor?

**Land Agent II Jhoana Bragg:** The Diras'

**Chairwoman Pika Fejeran:** So that's private property?

**Land Agent II Jhoana Bragg:** No that's CHamoru Land Trust

**Chairwoman Pika Fejeran:** That's CHamoru Land Trust? So there's a lease?

**Land Agent II Jhoana Bragg:** Yes.

**Chairwoman Pika Fejeran:** Okay

**Land Agent II Jhoana Bragg:** And it's pending survey. So she is one of the ones that had a lease um... ratified. She's a ratified lessee.

**Chairwoman Pika Fejeran:** Okay so she has a sound lease there...the property outside of her box; that is also CHamoru Land Trust Property?

**Land Agent II Jhoana Bragg:** Yes. But GWA has also come in and the adjacent right beside it where I believe (inaudible) the family is claiming area GWA came into survey an acre of it.

**Chairwoman Pika Fejeran:** Okay so if it's still CHamoru Land Trust Property; how could GWA come in and claim it?

**Engineering Tech Pierce Castro:** Because it's a part of the Grant Deed.

**Land Administrator Margarita Borja:** There's a Grant Deed for Government of Guam properties and was through public law when they became an autonomous agency, Government of Guam came in and deeded them parcels and it deeded the whole property.

**Chairwoman Pika Fejeran:** Okay the whole outside of that lease?

**Land Administrator Margarita Borja:** Yes and it indicated in there that... it was indicated in the deed that after... they would have first rights to it to determine the area that they need once the survey is completed, the remainder gets

**Chairwoman Pika Fejeran:** Is available... it gets reverted back to the Land Trust.

**Land Administrator Margarita Borja:** Yes.

**Chairwoman Pika Fejeran:** Okay and so you said, they came in they surveyed a certain area.

**Engineering Tech II Pierce Castro:** They submitted the map for approval but it's not approved yet.

**Chairwoman Pika Fejeran:** Okay so they just want that acre and they understand that outside of that acre the property is coming back to the Trust.

**Land Administrator Margarita Borja:** Oh yeah... yeah.

**Chairwoman Pika Fejeran:** But it just so happens that the part that they surveyed is the part that he wants to occupy or does it... or can we possibly place you...

**Patrick James Santos:** You can place me in the back. It doesn't matter Ma'am as long as we're there. We actually have trees that we planted there over 20 years ago. All the bearing fruit trees. You know just to be in the area is good enough, that's why I'm not asking for anything big. I understand the frustration that the committee is going through but I'm begging you, ten by ten is all I ask. I don't care, you know. That's all I ask and my family is really rooting for me on this and I'm trying my best but I see and hear the frustrations that everybody is going through I don't want to be a burden to your committee but if you can consider and let me know I'm fine.

**Chairwoman Pika Fejeran:** I appreciate that. I'm glad that you are here um...

**Patrick James Santos:** And you know, if I can just occupy it until GWA says get out of here then you know, I'll do that.

**Chairwoman Pika Fejeran:** Well first, I think what was wrong was that your family had been occupying but then the land was deeded to GWA and so you know...

**Patrick James Santos:** That's what we were discussing nai... I feel like we've been railroaded. My mom and dad missed two calls because of a disconnected phone but there's no other means of a transmittal to them... then all of a sudden after our mourning and everything else,

we're told different regulations that we were not aware about. I'm sorry, I apologize I wasn't the applicant and we're only learning this through the steps that I'm going through right now.

**Chairwoman Pika Fejeran:** Okay well I think the first thing that the Commission has in its power today, is to designate you as the successor for your mother's application.

**Patrick James Santos:** Thank you very much Ma'am.

**Chairwoman Pika Fejeran:** Okay so that would be a motion that's needed.

**Commissioner Duenas:** Motion to designate Patrick James Santos a successor to Annie LG Santos (inaudible) application rights.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Motion made and seconded. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** None okay all those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay motion carries. Okay so now you've taken over your mother's application rights and it seems like we're not at the point yet where we can say, okay let's put you there and let's get you a lease issued right away; it sounds like first we have to um... we have to scheme it.

**Engineering Tech II Pierce Castro:** We'll inspect it first.

**Chairwoman Pika Fejeran:** What is it?

**Engineering Tech II Pierce Castro:** We'll inspect it just to make sure it's....

**Chairwoman Pika Fejeran:** Oh okay, we'll do a site inspection

**Patrick James Santos:** I'm willing to pay for a surveyor to come out there map out the place. My only interest right now is just to be in that area, that's it.

**Chairwoman Pika Fejeran:** Okay so it sounds like staff's next steps is they're going come out, they're going do a site visit um figure out where to place you and they're going come back and map it out but um if the property is still owned by GWA...like what... how do we get it back under CLTC?

**Land Administrator Margarita Borja:** I know what they're doing, they haven't done it but they've already completed maybe like... how many maps?

**Engineering Tech II Pierce Castro:** Um gosh...



**Land Administrator Margarita Borja:** Maybe like about 30 to 40 maps and according to them as the maps get recorded they were supposed to deed the portions that were not ah...

**Chairwoman Pika Fejeran:** Not...(inaudible)

**Land Administrator Margarita Borja:** Yeah so I think now they're working on it and they're going to include all the maps that were completed and just do one deed and transfer it all back.

**Chairwoman Pika Fejeran:** Okay can we inform them of Mr. Santos' predicament that he was pre-occupying and we're waiting for them to issue back to us so we can issue him a lease. So maybe they can pull that one out if it's done already and not wait for everything else.

**Land Administrator Margarita Borja:** I think that's one of the recent maps that came in already right?

**Engineering Tech II Pierce Castro:** Yes

**Land Administrator Margarita Borja:** So it's still going through the process so I'm not sure where it's at right now, if it's in the final stages or but it's still going through that process. But they're already working on the deed.

**Chairwoman Pika Fejeran:** Okay

**Land Administrator Margarita Borja:** Yeah because there was a concern on another lot and that's what prompted them to pursue the deed because we needed it. So we'll go ahead and let them know to pull it.

**Chairwoman Pika Fejeran:** Okay so as GWA and our staff work together to get the property under CLTC, are you currently occupying there?

**Patrick James Santos:** Yes Ma'am.

**Chairwoman Pika Fejeran:** You are, okay. Okay so they'll do a site inspection and hopefully everything from there...kind of follows up really quickly um but our intent is to allow you to stay where you're family has stayed for a long time...

**Land Agent I Jessica Dayday:** Okay so when I conducted the site inspection, the areas that were...that had farm activity is the Diras'. They're the ones that are... that's the only farm activity so I'm not quite sure from that is Mr. Santos' own or Ms. Diras'.

**Patrick James Santos:** I forwarded you a photo right Ms. Lorraine?

**Land Agent I Lorraine Nededog:** That's the same photo that she has.

**Land Agent I Jessica Dayday:** The photos are in the file of what I took and at the time when I went there, Mr. Diras was farming as well. He was there (inaudible)

**Chairwoman Pika Fejeran:** Okay well...I think in either case...

**Land Agent I Jessica Dayday:** Just see which one, which area?

**Chairwoman Pika Fejeran:** Yeah yeah yeah.

**Patrick James Santos:** You know prior to all of this confusion, when I went back to the ranch to do a side survey I never knew and I was never told by Mr. Diras that he applied and he got awarded right so I actually felt stupid because he put several abandon vehicles on the property where the ranch is at and I told him to remove it. So if he's planting anything, it's metal. You know you have to understand and I'm not trying to get him in trouble I actually asked him to remove it and had it removed by the people who remove junk but I sort of felt stupid after knowing all of this and I apologize but Ma'am like I said, my only concern is even if you give me a ten by ten where I can park myself with my kids, I'm cool. You know, I'm not asking for much. I don't want to build anything on it, I just want to continue farming and I don't want to own it I'll just rent it or whatever.

**Chairwoman Pika Fejeran:** Yeah yeah well it's a lease...

**Patrick James Santos:** I'm not going ask... if somebody needs it more than me, please god, give it to them. But for now, I just want to occupy it and tell my grandchildren, this is the tree the Papa planted, this is the tree that that I planted you know... nothing more.

**Chairwoman Pika Fejeran:** Okay well, this is a good first step for you now that you have taken over the application.

**Patrick James Santos:** Thank you very much Ma'am. Thank you everbody.

**Chairwoman Pika Fejeran:** Okay alright. Thank you Mr. Santos.

**Patrick James Santos:** You guys have a good day and be safe.

**Chairwoman Pika Fejeran:** Thank you, you too.

**ALL: Clapping**

**Chairwoman Pika Fejeran:** Okay. Next Elizabeth Ann Unchangco formerly Elizabeth Ann Cruz, is there somebody here to represent.

#### **8. Elizabeth Ann Unchangco**

**Chairwoman Pika Fejeran:** Okay Ms. Unchangco you are a December 2<sup>nd</sup> 1995 applicant. In 2003 a lease was signed by the director but not signed by you... okay so there was a lease... last year you asked to terminate your application with us and now you're asking to have the board terminate your lease and that you won't be assessed any taxes is that right? Request for tax reversion? Okay um... could you state your name for the record?

**Elizabeth Ann Unchango:** Elizabeth Ann Unchango

**Chairwoman Pika Fejeran:** Okay so have you ever occupied the property?

**Elizabeth Ann Unchango:** No.

**Chairwoman Pika Fejeran:** Oh no...

**Elizabeth Ann Unchango:** I don't even know where the place is at.

**Chairwoman Pika Fejeran:** Wow so you're asking today if we can terminate the lease and then umm...

**Commissioner Santos:** If she never occupy it, they won't give you... charge her tax... what's the deal?

**Elizabeth Ann Unchango:** They won't even tell me where the place is at.

**Chairwoman Pika Fejeran:** Yeah and you never signed the lease either so it's pretty much a not executed, right?

**Commissioner Santos:** We don't agree on that, you don't occupy the place.

**Chairwoman Pika Fejeran:** Okay

**Commissioner Santos:** That's ridiculous.

**Elizabeth Ann Unchango:** It is.

**Chairwoman Pika Fejeran:** Okay, was there anything else John?

**Land Agent I John Gumataotao:** Yeah and also the way that um... I don't know if you want... (inaudible) but we gave Revenue and Tax a list of leases and that's how they were able to access the tax against the CHamoru Land Trust. Unfortunately, she was a part of that list when she shouldn't have been but ah...moving forward, we need to try and correct it so um... you know, she going request that the Board I guess make a motion to terminate the lease because it does exist and issue a kind of like a memorandum to Revenue and Tax to request an abatement of tax that's to zero out the tax. But I'm not sure if Ms. Uncangco wants to pursue a lease in the future.

**Elizabeth Ann Unchango:** I don't know Sir. I... (inaudible)

**Chairwoman Pika Fejeran:** Okay. Okay so you'd like us to terminate the lease and your application?

**Elizabeth Ann Unchango:** Mhmm

**Chairwoman Pika Fejeran:** So you will be removed from our waiting list, okay. And then you're also, finally you're asking for a um... a request from the CLTC to DRT for tax abatement. Any taxes that were levied in relation to this leased property.

**Land Agent I John Gumataotao:** It's unfortunate that um... you know the law doesn't allow for Ms. Unchangco to transfer her application, right? Because basically she'll lose that privilege of leasing government land but if they had a law that allowed for her to transfer that application...

**Chairwoman Pika Fejeran:** So you're sure you want to terminate your application?

**Elizabeth Ann Unchangco:** (inaudible)

**Chairwoman Pika Fejeran:** Okay.

**Commissioner Santos:** How much are they charging you for tax?

**Elizabeth Ann Unchangco:** (inaudible)

**Land Agent I John Gumataotao:** Like in the thousands.

**Commissioners:** (inaudible discussion)

**Chairwoman Pika Fejeran:** Yeah... do we need to terminate the lease? For all intents and purposes it's not executed, it's an unexecuted lease. So maybe just deny the lease?

**Land Agent I John Gumataotao:** Well maybe for formality because it is unsigned but in record somewhere in the Government of Guam it's...

**Chairwoman Pika Fejeran:** It says that it's hers.

**Land Agent I John Gumataotao:** Correct yeah so maybe just to...

**Chairwoman Pika Fejeran:** We'll just terminate it... terminate it but then in the letter to Revenue and Tax we'll explain to them what happened, right?

**Land Agent I John Gumataotao:** Yeah. Real Property has the authority to abate or amend the tax roll.

**Chairwoman Pika Fejeran:** How did you...was your name as someone that was due taxes or something?

**Elizabeth Ann Unchangco:** (inaudible)

**Chairwoman Pika Fejeran:** Oh man, that must have been scary. Like what? Oh my gosh, okay. Well um... oh wait let me just look at this... yeah lease and application.

**Land Agent I John Gumataotao:** Unless, the Board wants to give her some hope for the future that we're going request for the law to be amended to do the application transfers.

**Chairwoman Pika Fejeran:** Yeah, I think so. I mean you would be giving up your place in line but that's your right to but if in the future if that is allowed keeping your place in line would allow you to pass it to your children...

**Elizabeth Ann Unchangco:** I have them (inaudible)

**Chairwoman Pika Fejeran:** Not interested, okay.

**Elizabeth Ann Unchangco:** No, I have my own land so I can transfer it to them...

**Chairwoman Pika Fejeran:** Oh okay, well thank you for stepping out of line to let those behind you.

**Commissioner Duenas:** Motion to terminate the lease and application of Ms. Elizabeth Ann Unchangco and provide a tax abatement letter to DRT.

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded it by Tan Amanda. All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Ayes have it. Motion carries. Okay.

**Elizabeth Ann Unchangco:** Thank you.

**Chairwoman Pika Fejeran:** Thank you too.

**Elizabeth Ann Unchangco:** Can I get the letter?

**Chairwoman Pika Fejeran:** They'll prepare it and they'll give you a copy and then DRT should act on it, right?

**ALL: Clapping**

**Chairwoman Pika Fejeran:** Next and final Constituent Matter is Felix S. Muna. Mr. Muna and Ms. Tomasa Aguon. Okay last time that we visited this case it got a little heated in here; can I please ask that we remain respectful no talking out from the audience when it's... when you're called to speak, that's your turn to speak, okay?

## **9. Felix Muna and Tomasa Aguon**

**Chairwoman Pika Fejeran:** Hafa Adai.

**Tomasa Aguon:** Hafa Adai, good afternoon Ma' dam Chair and Board members. I'm here again to request that the Commission reconsider my request to be prioritized to return to my land in... I don't know the lot number off hand because it was changed when it was transferred

to Land Trust. Ah... whether or not I left Guam I still did not authorize, I did give special power of attorney to my brother at the time and I did not authorize any of his kids to move in there but unfortunately the minute I left Guam they flocked... I found out when I returned in March of '96 that there were two structures already that sprouted and my nephew Gregory has an interest right now to that portion of land. He came in a school bus, okay? Number one, I did not authorize anybody to move there, it was only supposed to be my brother. I gave my brother special power of attorney to handle any and all transactions pertaining to the land. Unfortunately, he had an accident that left him partially paralyzed, he could not speak, no one even found...(inaudible) I found out a year later that you know, he was sick and all that. So now um and based on all the ongoing incidences of (inaudible) disrespect to human life and property; I am requesting the Commission to relocate my nephew Gregory Aguon and his family out of Pagat and move them somewhere else. And I be considered to relocate back to the land, the house that I built. I paid for a power pole, a power pole that is right in between Robert Pangelinan and my sister, I laid all the water pipes, conduits, everything needed, I even got a building permit for that house and that the application for Gregory Aguon be considered null and void because he... I don't know where I got all those pigs, picked up a house, went to the Mangilao Mayor and he gave his house a number 312A just to get a Mayor's Verification to apply for that part of the land.

**Chairwoman Pika Fejeran:** Okay. Um Ms. Tomasa Aguon, um... you are speaking on behalf of your husband, Felix S. Muna?

**Tomasa Aguon:** Yes. We're both on that Land Use Permit that was then issued by Governor Joseph Ada in February of '97.

**Chairwoman Pika Fejeran:** Okay and your husband is the applicant?

**Tomasa Aguon:** Yes Ma'am.

**Chairwoman Pika Fejeran:** Okay. Um I'm very familiar with your case. I know you and I have spoken at length about it. My question, I'm going ask Legal Counsel, what is our interpretation of a pre-occupier and how does it apply here?

**Legal Counsel Toft:** So 6.4, the language of it says; the Commission shall not serve eviction notices to individuals who presently reside and have continuously resided on CHamoru homelands prior to July 12<sup>th</sup> 1995 and qualify under the act. So, this was passed in September of 1995 under Public Law 23-38. So, it's not really a mandate to grant leases to those people who were pre-occupying; it's that, the Commission did not have the power to evict those people who happen to be on the land at the time this Bill was passed. So...

**Commissioner Santos:** What if their name is not on the application?

**Legal Counsel Toft:** For the?

**Commissioner Santos:** Farm, the land?

**Legal Counsel Toft:** If the pre-occupier's name isn't?

**Commissioner Santos:** In 1995, she applied, her name is on the list.

**Legal Counsel Toft:** No, so Gregory applied in 1995 and claimed he was the pre-occupier.

**Tomasa Aguon:** No correction Sir. He just applied in 2016 and the recommendation of one of the Land Agents here at Land Management who is related to Gregory Aguon's daughter in law.

**Commissioner Santos:** Who's the one that died?

**Tomasa Aguon:** My brother died, unfortunately. But see, I gave him special power of attorney to act on any and all affairs pertaining to that land use, the Arruendo program. I've been paying every year for my land lease and Land Management has (inaudible)

**Commissioner Santos:** Maybe you can relocate...

**Tomasa Aguon:** My other question, I'm sorry, Ms. Tan Amanda my other question was; when the Land Trust Act was enacted in September of 1995, okay, there was no notification on my part and I did not know or see or hear of any research done by Land Management to ascertain whose the original land use permit holder, they just went in converted the Arruendo Program into Land Trust property and my nephew and his siblings, they were not allowed, I did not authorize them to move there; it was specifically for my brother his second wife and at the time his second wife had little children. I considered them needing a place to stay because they got evicted from some place that they were renting in Dededo so I always have a heart for everybody that needs help. And I had a heart all these years allowing my brother's kids to live there even if he passed away already, god bless his soul. And Ma' dam Chair, I have my niece Jocelyn Pangelinan here and if you can afford her to the opportunity to speak.

**Jocelyn Pangelinan:** Do I need to say my name for the record?

**Chairwoman Pika Fejeran:** Yes please.

**Jocelyn Pangelinan:** The lessee is my mom Julia A. Pangelinan she occupies the land adjacent to Tomasa Aguon so in January of 2018 I had closed the side portion of my mom's property. So I'm pretty sure the Commission is aware of that, so entitled of that, we had been just underlying just problematic problems from aggravated assault, terrorizing, family violence that's just to name of few and it's (inaudible) where people are occupying whether or not they have a lease or not but my main objective here is to try and find some sort of resolution because we have been living nineteen months on a (inaudible) pressure. The law is not helping, nine people had just jumped my common law husband on June 6, 2019, and one of them that was arrested was Gregory Aguon's son Randy Aguon out of nine people so in return we were told that we have no business on the land. It made it seem like... I don't know... it's just unruly I just don't know how to describe it. So on top of that, daily harassment... you know it's really something that my mom is really stressed out on... broken windows, my family getting assaulted for no reason. GPD has failed... you know, nine months of terror.

**Chairwoman Pika Fejeran:** And has this all been documented?

**Jocelyn Pangelinan:** Yes, I do. It's going right now through a process where permanent stay away order for one of their visitors. Even as far as when we're having a gathering, they're allowing that specific visitor to torment, harass, assault to name a few... throw rocks and whatever... and they're allowing that to happen on Land Trust property, knowingly that that's their visitor in general.

**Chairwoman Pika Fejeran:** Okay... I hear you and I'm so sorry that you're going through this. Have you submitted the documents to Land Trust?

**Jocelyn Pangelinan:** I'm going to Guam Legal Service right now, um we're still in the process of meeting with the prosecutor.

**Chairwoman Pika Fejeran:** Do you have a police report that you can turn in?

**Jocelyn Pangelinan:** Yes um... there is.

**Chairwoman Pika Fejeran:** If your mother is a lessee and if she's and if there's some activities that are obviously what you're describing, I think you need to turn it into to the Trust so that we can determine...

**Jocelyn Pangelinan:** Yes this is why like I said, I've been here since 12:30 p.m. and I really want... you know, my mom is fighting for her life right now. She has double pneumonia you know and she's slowly recovering but I do have a durable power of attorney on hand so I'm her representative but on top of that, I want to find out how can the Commission grant whoever is going to be granted for that lot, regulation (inaudible) in compliance because we can't live like this. And you know and there was a Facebook post and Ms. Anjolisha had posted and somebody had sent it to me and it says, land will be taken it's going go down dirty and so my family has been tormented by just that posting... you know being assaulted. My husband has four broken ribs, he has a metal object in his arm which he had to have an operation. He has 24 screws inside his arm.

**Commissioner Santos:** Who did that?

**Jocelyn Pangelinan:** Their visitor because of a road closing and I don't know what to do.

**Commissioner Santos:** No police assistance?

**Jocelyn Pangelinan:** No GPD has you know... failed us but I'm not stopping here and this is where the Commission needs to hear us. They're not being compliant... we this you know... to be on the record. She is a legit lessee but to their knowledge, they're saying that my mom is trying to get that land which in return I (inaudible) in 2004 that my mom's name was placed in that land... if I hadn't come here to the CHamoru Land Trust and to see that on that map, my mom would have known so she released all interest into that land which is what is supposedly now you heard to begin with but her name was placed when CHamoru Land Trust and Land Management consolidated when your surveyors came out, her name was placed there.

**Chairwoman Pika Fejeran:** On the back property?



**Jocelyn Pangelinan:** Yes, if I hadn't come here in 2004 she wouldn't have known so you know in return, that's what they need to know is that my momma has no interest in that land alone but get our families subjected to just about every little thing and I... I...can actually bring everything to you guys that you're requiring because it's really...

**Chairwoman Pika Fejeran:** It's public record.

**Jocelyn Pangelinan:** Yeah. I'm already up to my wits already. I'm stressed out as it is... you know... this is just the beginning of it but if you're going allow Gregory Aguon, Bernice Aguon and whoever is staying in that blue house to occupy it then you should allow everyone else (inaudible) and not be in compliant.

**Commissioner Santos:** We should evict them out.

**Jocelyn Pangelinan:** Yeah you just need to relocate them because they're being very unruly. Regardless if we call GPD you know... they could get it down on record come next week, next month, next day, they'll do the same thing over and over again. And every time we call GPD they do not respond.

**Commissioner Santos:** Oh my goodness.

**Jocelyn Pangelinan:** And I even met up with the Chief of Police and he knows me by heart, and he promised to me... we're going get that guy... we're going get him...

**Commissioner Santos:** The Attorney General is listening so report it.

**Jocelyn Pangelinan:** Yes one week, it was Monday morning when I called him; I said, and now you're going act on it when that perpetrator had broken my husband's arm.

**Commissioner Santos:** Oh my goodness.

**Jocelyn Pangelinan:** And now he's left with everything you know... but he has no involvement because of the fact that you know... like I said, we are involved by staying there.

**Chairwoman Pika Fejeran:** At your mom's property?

**Jocelyn Pangelinan:** Yeah at my mom's property.

**Chairwoman Pika Fejeran:** And all of this is done on your mom's property?

**Jocelyn Pangelinan:** Yes. It's by their own visitor. And Mr. Glenn Eay, Mr. Matt Leon Guerrero and everybody that... your CHamoru Land Trust has entity it's already... you know... they know what's going on even as far as the road closed that individual has threatened your employees.

**Chairwoman Pika Fejeran:** Who is this?

**Jocelyn Pangelinan:** Drake Fejeran. He has no interest on the land but he is a visitor of Mr. Gregory Aguon, Bernice Aguon... Anjolisha... I don't even know what's her last name and (inaudible) allowing him to continuously harass, assault... and they're not doing nothing about it and they think they can allow it to you know to happen.

**Chairwoman Pika Fejeran:** Okay well you know...this is very serious.

**Jocelyn Pangelinan:** Yes it is.

**Chairwoman Pika Fejeran:** I mean the um... Gregory Aguon behind you does not have a lease, right? There's no lease. It was one that was going to be contemplated, okay. Um... but we do recognize that they are occupying it and then Ms. Tomasa who is before us...asking to recognize her as the pre-occupier and there's some technical things that we need to look at but really I want to ask Legal Counsel what do we do here?

**Tomasa Aguon:** Actually Ma'am, I'm sorry, Gregory Aguon is a pre-occupier but he was not authorized to be there in the first place so was Bernice and Joseph... Joseph left, Stephanie left but every time the power bill comes out and they try to collect from the others, they become physical over...

**Chairwoman Pika Fejeran:** Okay I'm sorry... I need to... I hear you and I want to resolve this but like everything we do, we have to make sure that we're following the law and making sure things are done right. Ah... Legal Counsel, what do we do here?

**Legal Counsel Toft:** So the problem is because 6.4 (a) as far as what it says, if they resided there and continue to reside prior to July 12, 1995 so it doesn't even say that (inaudible) authorize there either. And we had issues (inaudible) squatting there, we can even verify whether or not they have authorization and all but they applied... you know... because we're not allowed to evict them off of it that we just grant the leases (inaudible) be resolved.

**Chairwoman Pika Fejeran:** Okay.

**Legal Counsel Toft:** Again we're not bound to issue leases to them (inaudible) 6.4 regardless but we cannot evict them just because um... they'd probably need (inaudible)

**Chairwoman Pika Fejeran:** Okay so what you're saying is that based on 6.4 the law, because they were presently residing and have continuously resided on that property on July 12, 1995, even though they were not authorized to that, the law recognizes that they were there and does not authorize the Commission to evict them.

**Legal Counsel Toft:** Right.

**Chairwoman Pika Fejeran:** Okay.

**Commissioner Duenas:** Ma' dam Chair, if I can just inquire, I know I wasn't at the previous meetings but on April 18, Anjolisha Aguon had spoken on behalf of Gregory Aguon stating that they'll relocate.

**Chairwoman Pika Fejeran:** She withdrew that and said... she withdrew that. Okay so we cannot evict them because they're identified as a pre-occupier so does that mean Ms. Tomasa Aguon cannot be identified as the pre-occupier as the original pre-occupier?

**Legal Counsel Toft:** As written yes.

**Chairwoman Pika Fejeran:** As written, that's what it means?

**Tomasa Aguon:** He just said that whatever statute he's citing, it cannot be recognized that Gregory is... he cannot be evicted but he cannot be considered to be the pre-occupier. So which is it? Occupier or cannot be?

**Chairwoman Pika Fejeran:** He has to be recognized as a pre-occupier, therefore; he cannot be evicted. Is that right?

**Legal Counsel Toft:** Yeah that's what I'm saying.

**Chairwoman Pika Fejeran:** Yeah that's what he is saying.

**Tomasa Aguon:** And to top it all of Ma'am, the... I mentioned this before, I think after Typhoon Paka, 1997... they approached me asking me authorization to allow them to claim for FEMA, Red Cross because the house had damages since Omar and we didn't patch it up good, that was my... we didn't do it good, it wasn't really finished so another typhoon came it did some damage... they were asking me for an authorization to apply for their FEMA or Red Cross or whatever. I did not issue one, so they went to my sister who lived in the front, Jocelyn's mother requesting and my sister said, I have nothing to do with that land back there. So I'm thinking, they must have forged an authorization... signed my name so they could... they did get assistance.

**Commissioner Santos:** FEMA

**Tomasa Aguon:** FEMA, in '97 or early '98 after Typhoon Paka because I was already here in Guam when that Typhoon.

**Chairwoman Pika Fejeran:** Yeah I don't know that that has any bearing on what we're deciding or what we have today.

**Tomasa Aguon:** But it seems like they're recognizing me as the original owner...

**Chairwoman Pika Fejeran:** It sound like they knew... yeah.

**Tomasa Aguon:** Because they're asking me permission and even my nephew Gregory went over to his mom one time and asked (inaudible) Auntie Lang, I only want the land where my house is at, where his bus stop...his school bus but my sister told him, she has no interest in that because it was mine. And then I don't know if he has any bearing on the case for the Board's information, I just received confirmation that Gregory Aguon and the common law wife or girlfriend relocated to Saipan last week or something like that so that Ms. Cepeda can qualify for some kind of assistance from the Saipan (inaudible) they have to establish residency

so I don't know if that has any bearing to this case but I just think if they up and left to get more benefits from another place then that means that they're just trying to get this land because they think it's theirs.

**Chairwoman Pika Fejeran:** Okay well I'm sorry Ms. Aguon um... the Legal Counsel has advised that we basically must recognized Gregory Aguon as the pre-occupier, is that right? And cannot evict him based on his pre-occupier status but that has nothing to do with the situation today with what's happening on the property and the fact they're having on the neighbors, okay? That's a completely separate thing, what the law is saying; is it was protecting those people who was Gregory Aguon, your brother, right, who was there but living as a pre-occupier, it protected them so that the Commission could not come in when the Act was passed and evict them, okay?

**Tomasa Aguon:** I understand Ma' dam Chair, but when the Land Trust was enacted in September my brother was partially paralyzed, he could not speak the only thing that he was able to do is walk a little bit, eat and cry. I started lecturing his kids that first day I visited that place, March of 1996, they were not taking care of him and now after all this now they want to benefit at the expense of me and my brother.

**Chairwoman Pika Fejeran:** It sounds awful.

**Tomasa Aguon:** It is unfortunate.

**Chairwoman Pika Fejeran:** It's awful. Um... but again, the Commission cannot arbitrarily decide when to... we have to work within the law and the law tells us that we have to recognize him as the pre-occupier. With that aside, I think the larger issue is um, everything that was brought up today.

**Tomasa Aguon:** The violence.

**Chairwoman Pika Fejeran:** The violence, I think it needs to be documented. This is the first time I think I've heard that one of our own staff has been assaulted.

**Jocelyn Pangelinan:** Yeah I have one more thing to bring up Ma' dam Chair. Since the road is opening on the side, the easement, Bernice Aguon and people on the back had encroached on my mom's property zooming down the you know... tearing down the sakâte (sord grass) without my mom's knowledge even to access her property. So um, in terms of that how can the Board stress or even to go out to tell these unruly people to stop their nonsense already. This is already one to many I mean even if I call GPD, they tell me all we can do is talk to them, all we can do is this all we can do is that.

**Chairwoman Pika Fejeran:** Well as the Commission and as the authority that manages the properties, they don't have a lease um but we have the power right and we've done it before where we've gone out and told people to cease and desist, you need to leave this property, you're not authorized to be here etc...etc.. we have those powers, right but again we need a bit more documentation and presented it to us.

**Jocelyn Pangelinan:** If your officials come out even tomorrow...

**Chairwoman Pika Fejeran:** If what?

**Jocelyn Pangelinan:** If they come out and assess the situation, supposedly they need to get them out. You're going to see on the side of the road that they put a barrier and it's a broken gate, a broken tree and two tires that's how unruly they are. They have no respect no respect for anybody you know not even for the Commission, I tell you. And they're just doing what they want to do and they could care less if they hurt and they could care less if they're going to land in jail.

**Commissioner Santos:** Even if they arrest them?

**Joecelyn Pangelinan:** Yes. They don't care. There is a house that used to exist on that property that was burned down because of a beer incident. The Commission is not aware of this but if you look into the PDN files, that area has been problematic and you know it's sad that nobody is you know... they cannot occupy that actual structure because they were arguing over a can of beer. How sad is that? You know... and to top it off, there's no running water, there's no running power, I don't even know where they use the restroom now a days. I don't there's a dump in back of their house. There's a lot of junk cars you know...

**Chairwoman Pika Fejeran:** Okay. I'm sorry to cut you off, I hear you and I know that you are pleading with us as Tomasa Aguon and I understand the situation that we are in but I don't believe the Commission is ready at this point to issue a decision in either way. And also this also just um... I've only been able to afford you the opportunity to speak and not the other side so at this point I'd like to ask if we can... looking at the time, it's 5:30 p.m. um we were supposed to be completed at 5:00 p.m. but what I'd like, I'd like to ask you to please bare with us and I'm going work closely with the Director with our Director and our Legal Counsel to see what kind of authority we have to move forward what kind of documentation we need um...but I'm sorry we can't do anything today for you. We hear you and we want this to be resolved and we don't want to issue leases to individuals that spoil the land and harass their neighbors. That is not what... that is not what the CHamoru Land Trust is for... you know.

**Jocelyn Pangelinan:** I think the whole part of this is that they lost respect for just about everybody. I mean, I'm not here to say, don't give them or give them but you need to look at the underline matters. I think that they're affecting us as general. I mean... I don't even know...I'm just here today because you guys deserve to hear what's going on and my mom is the unfortunate because she is not here but I'm speaking on he behalf and like I said, I'm just stressed out to the max

**Chairwoman Pika Fejeran:** I hear you and I understand it's safety you know and I don't want to ask you to wait longer but unfortunately, I have to at this point. I don't see anything presented before us that we can use to act on but I think that it's something....

**Commissioner Santos:** It sound like they're using that place for boxing rign or whatever to start creating trouble.

**Tomasa Aguon:** You know Ms. Fejeran I've been listening all these hours you know when you grant people leases and the first question you ask them is; are they able to build? Are they

able to use the land? And I'm sorry to say, eleven years, that house, my house has had no power, no water, no running water, there were babies born in that kind of environment so if my nephew and his family and even my niece, Bernice who lives I think I heard she applied also for the part where her structure is at. If those people, eleven years and they still haven't done anything to better their lives, at least apply for running water. What makes the Commission sure that they'll be able to, when they're granted a lease? Are they able to build and maintain? They're piggy backing, that's how they survived this far in life, they piggy back on people, they're getting power from the neighbor down the other side of the street. I guess just for fan or plug their cell phone.

**Chairwoman Pika Fejeran:** Okay Ms. Aguon um...we need to do some work. I feel for you and I'm sorry that all of the families that we're talking about are in this situation. You know because if they're that angry they're also suffering too.

**Jocelyn Pangelinan:** I believe that we need to come to a mediation.

**Chairwoman Pika Fejeran:** Yeah.

**Jocelyn Pangelinan:** At least to get back to a norm... you know, because right now, we have all the lights on because that's how scared.

**Commissioner Santos:** How many people staying in that place? A hundred?

**Jocelyn Pangelinan:** Where? No maybe twenty seven people. No water no power. But you know Ma' dam Chair, come to some sort of resolution.

**Chairwoman Pika Fejeran:** Yeah and we do to. We have to figure out a way to resolve this you know but we also have to remember that we have to take care those that need the help and support but if um...

**Tomasa Aguon:** He still my nephew, my blood runs through his veins but I don't think he realizes that. You know.

**Jocelyn Pangelinan:** Like I said, we're not here to displace anybody I just don't want that.

**Chairwoman Pika Fejeran:** Well I think you both brought very valid issues and concerns that the Commission will take under advisement and figure out a way forward for all involved. Okay. Thank you.

**Jocelyn Pangelinan and Tomasa Aguon:** Thank you. Thank you very much.

**Commissioner Santos:** Stay away from there. Why are you staying with them?

**Tomasa Aguon:** We're not staying. She lives next door.

**Jocelyn Pangelinan:** I have no choice, they're my neighbor.

**Commissioner Santos:** Your husband has broken bones, get away from there.

**Commissioner Duenas:** We still have (inaudible) on the agenda.

**Chairwoman Pika Fejeran:** Oh we still have public comment.

**Chairwoman Pika Fejeran:** Ms. Anjolisha Aguon. We're going to do public comment right after. I'm sorry you're the first on the agenda and now you're the last.

**Anjolisha Aguon:** It's alright.

**Chairwoman Pika Fejeran:** Thank you for your patience. I hope you understand we had to allow them.

**Anjolisha Aguon:** Yeah it's alright. It'll be quick. Anyway my father in law didn't relocate to Saipan, my mother in did. But they are not married so they didn't relocate, she did.

**Chairwoman Pika Fejeran:** Okay.

**Anjolisha Aguon:** He is there though, right now but not relocated. So anyways, aside from that visitor that terrorizes all our neighbors there, we tell him constantly don't come... don't come but it's hard to tell him not to come around. He will bash anyone, he will bash anyone's car even GPD he aint afraid of... he runs. So really even if we tell him don't come, he will still come, he will find his way through jungles, barefoot whatever.

**Commissioner Santos:** Oh my goodness.

**Anjolisha Aguon:** But right now, we're at a little peace because he's not out.

**Chairwoman Pika Fejeran:** He's in jail right now?

**Anjolisha Aguon:** As soon as he does get out though, he's back in it again. Doing the same things. But other than accessing through um Pangelinan's property, that was none of mine nor Gregory's but it was people there though that live in the opposite side. Aside from that though, I'm here today to see if my um... you know my notarized document was uplifted or you know...

**Land Agent II Jhoana Bragg:** She came in to request to...

**Commissioner Santos:** You never apply for Land Trust?

**Anjolisha Aguon:** No I'm here to speak... oh yes I did apply, I applied separately.

**Commissioners and Land Agent II Jhoana Bragg (In audible discussion)**

**Chairwoman Pika Fejeran:** Yeah supersede that, yeah we're aware.

**Anjolisha Aguon:** I did apply on my own but (inaudible) you know, I just decided to help out for now that that's where we live and you know aside from all the problems there, it's hard for

us to you know what can we do... we live right smackd in the middle. We're literally locked in like an animal. I mean, I know people around there act like animals and yes they are drunkies, they're alchies they're whatever....

**Chairwoman Pika Fejeran:** So there's multiple dwellings on the property?

**Anjolisha Aguon:** What do you mean? Oh you mean like problems?

**Chairwoman Pika Fejeran:** Multiple... multiple...homes

**Anjolisha Aguon:** There's two homes. There's one... the blue house in the front

**Chairwoman Pika Fejeran:** That's the one... that Ms. Aguon built with her husband?

**Anjolisha Aguon:** That's the main. Yes.

**Chairwoman Pika Fejeran:** Okay

**Anjolisha Aguon:** And there's one in the back is what my father in law and I guess his spouse built. Then Bernice has her own place but that's on a separate lot. That' the red house.

**Chairwoman Pika Fejeran:** Is that...?

**Anjolisha Aguon:** That's the red house

**Chairwoman Pika Fejeran:** Encroaching?

**Anjolisha Aguon:** Yeah

**Chairwoman Pika Fejeran:** On another property?

**Anjolisha Aguon:** Yeah that's on the opposite side, that one right there.

**Land Agent I John Gumataotao:** This has a Bernice, the one that she's referring to. This is her claim, she's claiming that she's...

**Chairwoman Pika Fejeran:** So she doesn't have a lease either?

**Land Agent I Johna Gumataotao:** No

**Land Agent II Jhoana Bragg:** She's claiming a pre-occupier.

**Anjolisha Aguon:** She's a pre-occupier also.

**Land Agent I John Gumataotao:** And this is the main house and this is the back house.

**Anjolisha Aguon:** And yes there is cars there that I guess they brought in and apparently think that they can mechanic on it and all that but as our road closed, we had no way of taking it out



as you know... when yes we did try to apply for water and power but we can't because that's why I'm still here today also is for power and water.

**Chairwoman Pika Fejeran:** And um is the the infrastructure there to apply for it or does...

**Anjolisha Aguon:** Everything needs to be um... rerouted like you stated because um we have a new road. That' what you stated... so DPW opened that fifty foot easement already we do have our road there we could clear it ourselves with our own hand it's just (inaudible) fence is still there. DPW is still working their way out to remove that fense.

**Land Agent II Glenn Eay:** Ma' dam Chair, DPW I'll be working with them um very soon and they're ready to open up the access (inaudible)

**Anjolisha Aguon:** Yeah she's been calling me and telling me that you know it's hard for us and you know we're even lucky that mother nature puts water in our tanki's (container drums) you know but... ay what can we do, there's nothing else we can do we don't get water from the neighbors. We probably get some power yeah but other than doing illegal, anything illegal I go by this.

**Chairwoman Pika Fejeran:** Um for the property that their... you know I'd like to look at everything comprehensively

**Anjolisha Aguon:** Yes and there isn't a dump back there... you know everyone here especially Lorraine they came through the back road... they see... they saw the back side there's not a dump back there... there's no trash build up there.

**Land Agent II Jhoana Bragg:** It's just junk cars.

**Anjolisha Aguon:** There is junk cars, yes and I do intend to drag all that out as soon as our road is open. I do intend to be in compliance with whatever... other than the problems it's hard to keep him away... it's hard to keep Drake away... doesn't matter if you have a restraining order... it doesn't matter what kind of documents you have he thinks he's stronger than everyone. I'm telling you, he's like...

**Chairwoman Pika Fejeran:** Sounds like a scary individual.

**Anjolisha Aguon:** Yes.

**Commissioner Duenas:** What's the relationship?

**Anjolisha Aguon:** There's no relationship.

**Commissioner Duenas:** He just comes around?

**Anjolisha Aguon:** Yeah he's just a friend up the street and he just comes around... like they've known eachother for so many years you know because they've been living in that area so you know he always comes down and he... you can tell he's coming because all the dogs would start barking... literally like from a distance like they can smell fear... that's how crazy it is. And

he even tried to machete my husband but what can I do you know... if my husband tried to machete him, he would get arrested too.

**Commissoner Santos:** Are you neighbors with Mr. Benavente?

**Anjolisha Aguon:** Yes.

**(Inaudible discussion)**

**Chairwoman Pika Fejeran:** Okay well so you know, if it's your unwanted visitor that's harassing you it's not your family?

**Anjolisha Aguon:** Sometimes yes. I mean you know with what Ms. Pangelinan was sharing earlier some were true but Bernice Aguon does not live on our lot, Randy Aguon yes he does, he does live there but I don't know what his intentions was... you know.

**Chairwoman Pika Fejeran:** Causing trouble

**Anjolisha Aguon:** I have kid of my own, I stayed in my house when all the incidents were going on I have kids too you know, I fear for my life too. I have little kids so of course I'm not going to bring them outside while all that is going on so I'm inside my house while all that is going on.

**Commissioner Santos:** Do you have a vacant in a dollar home? Can we look in here?

**Chairwoman Pika Fejeran:** I know.

**Anjolisha Aguon:** We don't want to...

**Chairwoman Pika Fejeran:** Like I told Ms. Aguon we need to figure out a resolution that takes into account all of the fact. We can't do that right now okay so thanks for coming.

**Anjolisha Aguon:** Okay so road is okay, right? We can still go through our road.

**Land Agent II Glenn Eay:** Yeah I made arrangements already... the (inaudible) but (inaudible) has to be there when they open the road.

**Anjolisha Aguon:** Yeah yeah yeah that's what they said. So we can still go through that road though?

**Land Agent II Glenn Eay:** The fifty foot easement

**Anjolisha Aguon:** No the flagged lot

**Land Agent II Glenn Eay:** That's where they're going to open up the fence.

**Anjolisha Aguon:** But we can still go through?

**Land Agent II Glenn Eay:** Actually it's not a road it's part of your lot.

**Anjolisha Aguon:** Yeah it's apart of the property I know. It's apart of the property I know so it's okay we can go through it even if we're walking through it?

**Land Agent II Glenn Eay:** Yes.

**Anjolisha Aguon:** And we don't need to have any type of document stating that we can walk through it.

**Land Agent II Glenn Eay:** Once we open up the...

**Anjolisha Aguon:** Because we're still getting harassed by Benavente saying that it's private property we need to stop walking through it and all that. That's how we get like on the outside you know.

**Chairwoman Pika Fejeran:** Yeah if you look the property, it's not private property it's CHamoru Land Trust property.

**Anjolisha Aguon:** No I know but he doesn't understand that or even if he does understand he just can't accept it.

**Chairwoman Pika Fejeran:** Okay well he...

**Anjolisha Aguon:** I mean I know he's worried for his pigs but we're worried for his pigs too because it has a smell but we're not complaining for that. He doesn't like the fact that people are going through it.

**Chairwoman Pika Fejeran:** Okay well unfortunately you don't really have a choice because that is the property... it's CHamoru Land Trust property. Do you have a map?

**Anjolisha Aguon:** Yeah

**Chairwoman Pika Fejeran:** Okay I mean if he's harassing you go again I mean we already went through the whole court system.

**Anjolisha Aguon:** Yeah I know with a restraining order.

**Chairwoman Pika Fejeran:** The restraining order, the cease and desist and um if we have to do it again then we have to do it again. If he continues to give you problems.

**Anjolisha Aguon:** Yeah not constant... he just like...he'll keep telling my husband, it's private property and he'll walk away and my husband would be like, I don't understand what you're saying you know like look at me and tell me so I understand what your saying but you know my husband just wants to know if like we're able to at least walk through with like water if we need to get or...

**Chairwoman Pika Fejeran:** Yes yeah. Have your map...

**Anjolisha Aguon:** Man we have a lot of different colored maps with different roads that we had there but thanks to you know the Trust they helped us find a way out.

**Commissioner Santos:** Oh my goodness.

**Chairwoman Pika Fejeran:** Okay thank you. Thank you Ms. Anjolisha. Okay thank you everybody, I know we are way late um but it looks like there are some individuals in the... for public comment so if I call your name, please come forward. Patrick J. Santos

### **PUBLIC COMMENTS**

#### **1. Patrick J. Santos**

**Land Agent I Lorraine Nededog:** That's done already.

#### **2. Kenneth Guerrero**

**Kenneth Guerrero:** Here

**Chairwoman Pika Fejeran:** Okay Sir I'm sorry you were the second one to sign in.

**Kenneth Guerrero:** My hats off to you guys... you guys are doing a great jobs. Carry on.

**Chairwoman Pika Fejeran:** Thank you.

**Kenneth Guerrero:** Good afternoon, good evening um... ladies and gentleman of the Board I'm here on behalf of my son, Gabriel Guerrero okay... located in Pagat, Lot 5402 and I see you guys got a map here and I'm asking the Board's leniency to get a lease on 5-R2 for my son Gabriel Guerrero I have a legal documents giving me general power of attorney to speak for my son and I'm that's why I'm here to see if I can get things settled and moving on so I can get the mahons (markers)

**Commissioner Santos:** Did he apply already?

**Kenneth Guerrero:** Yes Ma'am. He's currently off island seeking his major in phycology and as so in the future he wants to come when he's done soon he used to work in the Sanctuary and how do you say it, instead of committing suicide he's (inaudible) so that's what I'm here for Ma'am.

**Chairwoman Pika Fejeran:** Okay have you met with any of our land agents?

**Kenneth Guerrero:** Yes Ma'am. I talked to a lot of people. I talked to Lorraine, I talked to Mr. Hattig just wanted to be here to talk to you guys you know... I talked to Margarita back there, I just wanted to see an outcome because I'm getting older and my son... he's not in great health too, he has a bad heart but I'm trying to help him so less stress for him. He went an got all his paperwork done to be a legal spokes person for him, everything is documentd Ma'am I've given everything.

**Commissioner Santos:** How old is he? How old is your son?

**Kenneth Guerrero:** He is 27 now... he was born in '93 and he only build the house where we're occupying right now.

**Chairwoman Pika Fejeran:** So are you a current lessee, Land Trust?

**Kenneth Guerrero:** Yes Ma'am.

**Chairwoman Pika Fejeran:** And you're occupying it as your residence?

**Kenneth Guerrero:** Yeah (inaudible)

**Chairwoman Pika Fejeran:** And your... your...

**Land Agent II Jhoana Bragg:** He has a lease for um a 9210. However, he is occupying here in Mangilao and he came here as stated in '96 so he met with us and Mr. Hattig and he did explain to him that we can move his lease here but he would have to get rid of the lease in 9210 to decline 9210 to move here because this is his main residency.

**Chairwoman Pika Fejeran:** Oh.

**Land Agent II Jhoana Bragg:** So he's coming requesting for his son however his son's date and time is not up um you know.

**Kenneth Guerrero:** Excuse I hate to interrupt...a lot of people I've noticed, and (inaudible) and I'm not going to bring up dirt from the past right, and you guys (inaudible) good job... a lot of people in the past got passed over from the '95, 2006, 2008, and you're going to go by law and howcome those things still exist and if your saying it right now, that's no longer acceptable... good job, I appraise you for that, you know my son, I am a decendant of Tun Kiko Feja, Francisco Feja (inaudible) I am Feja, you know... my son is Feja I've picked pineapple on that place when I was a little boy my son wants to live on that history of the family, Feja. I'm Guerrero but my tata is Feja so that's why I'm here, to speak for my boy strictly for my boy, I'm only here for my boy not for me, for my boy. I just want to make sure you understand because some how some way it always gets mixed up, can't have to two, I'm not talking to me... I'm talking for Gabriel, Y lahihu (my son).

**Chairwoman Pika Fejeran:** Okay so your son, is not a 1995 applicant we can't... the Commission cannot entertain his application and give him a lease.

**Kenneth Guerrero:** Even though he's the one that helped me build the house ma'am? You know?

**Commissioner Santos:** Where did he apply?

**Chairwoman Pika Fejeran:** So what is your question? You want your son to have that lease?

**Kenneth Guerrero:** Well what I'm trying to basically say Ma' dam Chairman is as simple as this; I want to get the property surveyed which I'm planning and register it so we can do this right you know.... My hat's off to you guys where you have to deal with people for example, like me. I was told from my auntie, Auntie (inaudible) defunta (deceased) my tata has been there since nineteen tinake as the granfather's clause with me having Feja, I am entitled to that... to go back home to the ranch, you know... I kuttura umbre... un dalac I kuttura'ta (our culture, we follow our culture) eyigui bidata gi halom I korason ma'me (that's what we do in our hearts) pun saga ha gi lanchon ma'me ni hagas ha un poksa (we stay at our ranch where we were raised) ti'un saki ginen ut' tru taotao (we don't steal from what belongs to others) ginen hitta ha, I familiaku ha pun sagua gi gua'tu' (it has been our my family that's been staying there and we only want to stay on what is our families)

**Chairwoman Pika Fejeran:** Is this... this is a main Feja place?

**Kenneth Guerrero:** All my family is all over it, me, Lorette even Valerie

**Chairwoman Pika Fejeran:** Okay the one that Valerie just evicted, left was 5-1

**Land Agent I John Gumataotao:** Which is just this portion right here.

**Chairwoman Pika Fejeran:** So um I know you're saying; I'm not here for me, I'm here for my son um... but you are living here?

**Kenneth Guerrero:** Yes but the place that they gave me up in Yigo that's since Gutierrez's time, there's no water and you know what all the Governor's had told me Ma'am and straight up, they don't have money. I have seven poles to go to get water, I have to luffan ha I hanom (I have to carry / bring the water in) you know but if... ma'am.

**Chairwoman Pika Fejeran:** So you don't have a lease for this?

**Kenneth Guerrero:** No ma'am.

**Chairwoman Pika Fejeran:** Okay so that's the first thing we need to do, since you're occupying um you would have to decline the lease that was given to you 'because you can't have two leases right? Decline the lease up there, so we can legitimize your occupancy here.

**Kenneth Guerrero:** Eventhough my son is over 18 he can claim that property as a CHamoru... You understand what I'm saying?

**Chairwoman Pika Fejeran:** Not... no I don't think so... because you can list him as your beneficiary

**Commissioner Santos:** Yes you can name your son the beneficiary.

**Chairwoman Pika Fejeran:** Yeah you can name him as a beneficiary.

**Kenneth Guerrero:** I just wan to get the mahons down (survey markers) and get the land back (inaudible) and the lease issue I've been paying since... I got that property up there...

(inaudible ranting)

**Chairwoman Pika Fejeran, Land Agent II Jhoana Bragg & Land Administrator Margarita Borja (inaudible discussion)**

**Chairwoman Pika Fejeran:** We already determined pre-occupier status right? Is there anyone on 5-2?

**Land Administrator Margarita Borja:** We already issued to Michael Bukikosa Arriola who is the brother in law of Valerie...(inaudible) went out and did an inspection and found out that the brother who is sitting in the back, he's coming in he was occupying that so now we're looking at transferring Michael to the front (inaudible)

**Chairwoman Pika Fejeran:** I see.

**Commissioner Santos:** Pika, sa there's another public comment.

**Chairwoman Pika Fejeran:** Yeah we have more public comments okay um... shees..

**Kenneth Guerrero:** I just want you to know what's my status... I had a stroke a couple of years ago, my body is not doing well, my son wants to come home soon and he's going to do good for Guam, he's going to be a great counselor.

**Acting Admin. Director Joseph B. Cruz Jr.**Ma' dam Chair, maybe you can afford us to review and package a staff report so we can get all the documents together just so at least (inaudible)

**Chairwoman Pika Fejeran:** Yeah. I agree. So Mr. Guerrero so I appreciate you came today to talk to us and let us know your concerns and your issues but what we're going have to do is we're going to instruct the Director and the staff to look into your case and your son's file and put together a staff report and we can put you on the agenda so we can actually spend some good time, have your folder here and work it out.

**Kenneth Guerrero:** (inaudible) This is all I want.

**Chairwoman Pika Fejeran:** Okay so the staff will call you um their going work on a staff report and whenever you make it on to the agena, they'll give you a couple days notice if you can reappear before us.

**Kenneth Guerrero:** I gave them my house number, my cell number, my work number and (inaudible)

**Chairwoman Pika Fejeran:** Okay thank you Mr. Guerrero.

**Kenneth Guerrero:** Thank you Ma' dam Chair, everybody... keep up the good work I salute you again I appreciate it.

**Chairwoman Pika Fejeran:** Okay August Guerrero alright... Mr. Guerrero.

**Kenneth Guerrero:** Hagu next partner.

**Chairwoman Pika Fejeran:** Hafa Adai Sir.

**August Guerrero:** Hi Hafa Adai! Ma' dam Chair, Commissioners thank you for (inaudible)

**Chairwoman Pika Fejeran:** Could you state your name for the record?

**August Guerrero:** Ah my name is August C. Guerrero and I have something... (inaudible) so I thought I'd keep it straight and get the point I want across. So my name is August Guerrero I'm a CHamoru Land Trust applicant I have been designated by the CHamoru Land Trust department and I'm a previous occupant...

**Commissioner Santos:** Did you apply?

**August Guerrero:** Look at that map on 5-2, um alright I had permission to stay there, I have permissions from previous Directors, Joseph Borja, Jesse Garcia, (inaudible) I'm sure they have it. And to hook up water and power and all that stuff...so I also have been working with John Gumataotao and Margarita Borja very closely and I come here before you today to request a lease on the property that I am currently on... to allow me to hook up the water because they really need a lease in order for us to give them Three Thousand Dollars (\$3,000.00) that (inaudible), right? So that's why I'm here, I talked to John yesterday, I told him I'm a very bad public speaker so at any time you can jump in... just want to fill you guys in on what I want to do.

**Chairwoman Pika Fejeran:** You're doing great, I hear you.

**August Guerrero:** Don't make me cry.

**Chairwoman Pika Fejeran:** Being that you're in that same subject area that um Mr. Kenneth Guerrero, is your brother?

**August Guerrero:** I'm Feja too.

**Chairwoman Pika Fejeran:** So you're a relative, a very close relative also neighbor...what we'll do is the staff will put staff reports together so we could look at it as a whole for an upcoming meeting.

**August Guerrero:** So you guys are aware of the history of the land right?

**Chairwoman Pika Fejeran:** Oh yeah, we had a very long meeting here with...

**August Guerrero:** Is that the one on March 21<sup>st</sup>?

**Chairwoman Pika Fejeran:** I think so.

**August Guerrero:** See the thing is the family told me about it but I thought it was the issue of the land swap then all of a sudden that just came out out of no where... not the land swap but



the swapping of the lines... and then that thing just moved and then maybe a couple of days later that's when I was knocking on John Gumataotao's door and I was like, I'm here.

**Chairwoman Pika Fejeran:** We told them at the meeting too, like hey, there's gotta be more Feja's out there... they're going (inaudible) you know.

**August Guerrero:** We're first cousins... we're all first cousins.

**Chairwoman Pika Fejeran:** Well you guys are here, you appeared before us well we'll be sure to get to you on an upcoming meeting where we have the information we need to move forward.

**August Guerrero:** So I'll be on the agenda? I don't want to be on public comment.

**Chairwoman Pika Fejeran:** Yes you'll be on the agenda...

**August Guerrero:** Okay thank you very much. I appreciate your hard work.

**Chairwoman Pika Fejeran:** Awe thank you Mr. Guerrero.

**August Guerrero:** I'm looking forward to... let me know whenever you want, I'll be there.

**Chairwoman Pika Fejeran:** I think the practices is like they'll probably give you like two or three days notice before the meeting.

**August Guerrero:** Thank you for your help John. Thank you for your help Margarita.

**Chairwoman Pika Fejeran:** Okay um Patricia J. Santos. It's already okay... Is there someone here to provide public comment here today?

**Commissioner Santos:** Si Shiroma

**Chairwoman Pika Fejeran:** Okay come forward.

**Elizabeth Camacho:** Hafa Adai my name is Elizabeth Camacho and I am here requesting that I have an application that I applied in 1996 but apparently they could not find my receipt so I'm on the unpaid list. I'm requesting that I'm willing to pay that fifty dollars (\$50.00) and so my application can be entertained.

**Chairwoman Pika Fejeran:** Okay I think we can allow that, right?

**Legal Counsel Toft:** (inaudible)

**Chairwoman Pika Fejeran:** Yeah sure so go ahead and pay that submit your receipt and then we'll be sure to get you in line where you belong.

**Elizabeth Camacho:** Oh okay thank you.

**Legal Counsel Toft:** We should do a motion.

**Chairwoman Pika Fejeran:** A motion, we need a motion.

**Commissioner Duenas:** Motion to accept her payment? What is the name... Elizabeth?

**Chairwoman Pika Fejeran:** Elizabeth Camacho

**Elizabeth Camacho:** Elizabeth Manibusan Camacho

**Commissioner Duenas:** You applied in 1996?

**Elizabeth Camacho:** Yes. When will that... will I still be on a waiting list or something?  
For how long?

**Chairwoman Pika Fejeran:** Yeah. As soon as we can.

**Elizabeth Camacho:** Oh

**Land Agent I John Gumataotao:** Just to clarify, you're not pre-occupying on government land, right? Are you currently living on government land?

**Elizabeth Camacho:** No

**Acting Admin. Director Joseph B. Cruz Jr.**How did you research wheter you paid or not?

**Elizabeth Camacho:** I went to DOA

**Acting Admin. Director Joseph B. Cruz Jr.:** Treasure of Guam?

**Elizabeth Camacho:** They couldn't find anything they were just looking at all these receipts but they're not going research the whole '95 to '96. So I said that's okay, I'm willing to pay I have another fifty dollars (\$50.00) to get back on the list and anyways they're not even calling yet... so. I have another question, if I have a cousin that was awarded their land but is not on the land because she like relocated...so she has her brother, she's willing to transfer...is that allowable?

**Chairwoman Pika Fejeran:** If she's had the lease for seven years.

**Elizabeth Camacho:** She could okay. Okay.

**Chairwoman Pika Fejeran:** As long as whoever she transfers to is qualified under the act and as an applicant (inaudible)

**Elizabeth Camacho:** Okay great.

**Commissioner Duenas:** Motion to accept payment for Elizabeth Camacho's 1996 application.

**Chairwoman Pika Fejeran:** Motion made

**Commissioner Santos:** I second it.

**Chairwoman Pika Fejeran:** Seconded it by Tan Amanda. Further discussion?

**Commissioners:** None

**Chairwoman Pika Fejeran:** All those in favor?

**Commissioners:** Aye

**Chairwoman Pika Fejeran:** Okay motion carries. Okay than you for coming Ms. Camacho.

**Elizabeth Camacho:** Thank you so much. Have a good evening.

**Chairwomam Pika Fejeran:** Okay thank you. And finally Mr. Shiroma. Thank you for your patience...your utmost patience.

**Ivan Shiroma:** My name is Ivan Shiroma for the Hals Angels representing the Hals Angels verses rugby. Basically I was told at the last meeting to not do anything and just... while we serve them the cease and desist letter. Apparently they got nothing that's why I'm... the access from the otherside, they're still going through my property. Am I able to start my development on the second field? These people just keep coming in again then (inaudible) in the area when I open the gate for my people to come in they're people come right behind us and take advantage. (inaudible) let the Board know that I'm doing my best to refrain from taking any action and that's what I was advised at the last meeting so I want to know what's the status and if I can just go ahead and do what I have to do?

**Chairwoman Pika Fejeran:** Okay thank you Mr. Shiroma.

**Ivan Shiroma:** (inaudible) on the Board and do I handle this thing.

**Chairwoman Pika Fejeran:** Yeah. I appreciate your patience and restraint taking anything into your own hands as work our end of it... so.

**Acting Admin. Director Joseph B. Cruz Jr.:** We initially sent the first letter to Mr. I forget his name but (inaudible) the letter was returned because the address was not valid. So what had happened was, we went out on a site visit... I forget what day it was but we went after 5pm to try to serve the notice but unfortunately we were unsuccessful again and then that one of the foot ball practices, Jessica Dayday was able speak to somebody which in turn (inaudible) which they came in so we served them a second notice with (inaudible) the first notice... Mr. Ross Morrison had provided a document that was signed by Mr. Mafnas, former Director, Monte Mafnas and I don't recall the document title but I have it upstairs because I'm researching the whole Guam Rugby... so we're starting from day one and the request from Guam Rugby when we met with Mr. Hattig was will the Hal's Angels be open to at least allowing them access for the remainder of the season, that's what they were requesting for.

**Chairwoman Pika Fejeran:** Okay.

**Ivan Shiroma:** Mike Borja was still the Administrator

**Chairwoman Pika Fejeran:** We solved that, didn't we? We solved it, we ruled on it. Did you find it in the minutes?

**Acting Admin. Director Joseph B. Cruz Jr.:** We cited the minutes that you gave him up until the end of 2018, we did all (inaudible) we were just advised that Mr. Morrison had provided us with a document from Mr. Monte Mafnas, but in that meeting Mr. Morrison and the group had asked him, Hal's Angels to consider to allow them the access for the remainder of the season. If Mr. Shiroma disagrees then you know, we'll inform them that we spoke with Mr. Shiroma and as of today that he stands firm and he'll just won't allow them to access. But we had informed them that their access is on the other side through Lada Avenue and that the easement from Santa Monica has been deleted, we showed them the map, we did everything that...

**Chairwoman Pika Fejeran:** Yeah okay. Well I think that the paper that he was showing you was the one that was presented to the Commission and the Commission decided that that was a illegal like how that was done right like the amended your lease for them without your knowledge I think that's what it was.

**Acting Admin. Director Joseph B. Cruz Jr.** I don't remember of hand

**Chairwoman Pika Fejeran:** But aside from that I believe the Commission has already decided the course of action but they were asking if...

**Acting Admin. Director Joseph B. Cruz Jr.** If you would consider to allow them to use it for the remainder of the season.

**Ivan Shiroma:** We reached out to them so many times already and I'm just tired I can't do anything lost so many oppertunites to develop that field. We have all these people that want to help they want to see something... and then it's hold on because the Commission says something and then they go away and I loose that oppportunity to develop and then aside from the 8 months from Mike Borja there's 3 months again, from January to the present. With no effort to do...

And then another thing, when Jessica was there, the totally ignored her again like no respect. These people are something else.

**Acting Admin. Director Joseph B. Cruz Jr.:** So you're not going to allow them access?

**Ivan Shiroma:** No no no

**Chairwoman Pika Fejeran:** No yeah.

**Acting Admin. Director Joseph B. Cruz Jr.** Okay just need to clarify... just so I can prepare the third notice tomorrow, that's it.

**Chairwoman Pika Fejeran:** Okay okay so after the third notice, what happens? And when that goes out what happens?

**Acting Admin. Director Joseph B. Cruz Jr.** It's up to Mr. Shiroma how he secures his gate, whether he padlocks it that will be on him.

**Ivan Shiroma:** And then they'll probably cut it and (inaudible) like the last time and then the waterline they're supposed to remove and they're not even acknowledging that. (Inaudible) I'm trying to be patient with these people.

**Acting Admin. Director Joseph B. Cruz Jr.** We already

**Chairwoman Pika Fejeran:** All the points that they have to comply with.

**Acting Admin. Director Joseph B. Cruz Jr.:** Yes because that's on the second notice to cease and desist. We'll just reiterate again, we'll serve them (inaudible) because I just found out that Mr. Ross Morrison works at Morrico so I know where his office is at. And we'll also give you a copy so you can have it for your file, so (inaudible) you secure your entrance that was (inaudible) you have a document from us.

**Ivan Shiroma:** The last thing Mike Borja said he was suppose... Mr. Morrison whoever is in charge of rugby supposed to let the people know which is all the schools using that, they're supposed to access from the other side. He hasn't done anything because every body is still coming in and you know these are like kids, middle school so I just let it go. I keep on and I have to come to a decision where something has to be done. I don't want to come here with a problem, my solution is this I'm not the Board but I would revoke their license because your (inaudible) given a five year renewal and they're playing this game like they always want to slow down the progress. Send them a message.

**Chairwoman Pika Fejeran:** Yeah. Like if two cease and desist has already gone out and they're not complying, the third one goes out then what? What is our remedy? If they don't comply with the cease and desist, then that's enough for us to say okay, well we revoke your license.

**Legal Counsel Toft:** We'd have to look at the terms as far as...

**Chairwoman Pika Fejeran:** I think we need to have some teeth with the cease and desist.

**Acting Admin. Director Joseph B. Cruz Jr.:** I don't recall of hand exactly but we'll cite something in the lease about not following some term or the provision of the lease.

**Chairwoman Pika Fejeran:** Okay and does the cease and desist have a deadline date?

**Acting Admin. Director Joseph B. Cruz Jr.** We'll do it immediately. This is the third one, I believe that (inaudible) We'll get the letter out tomorrow, first thing in the morning we'll have it. Can I get your contact number Sir so I can call you when (inaudible)

**Ivan Shiroma:** 888-4301

**Chairwoman Pika Fejeran:** Thank you Mr. Shiroma. Okay well there were several items on our agenda that we did not get to. Is there anything absolutely pressing at this time or can we visit it at our next upcoming meeting?

**Acting Admin. Director Joseph B. Cruz Jr.** Are we still on for the special meeting?

**Chairwoman Pika Fejeran:** Yes so

**Acting Admin. Director Joseph B. Cruz Jr.:** Okay just need to consult with Nic about the executive session part.

**Legal Counsel Toft:** (inaudible) yeah the Determination of Need

**Acting Admin. Director Joseph B. Cruz Jr.:** And then we just need to find a court report and then we need to consult with DOA because the timing of it, we don't have an open P.O. to (inaudible) a court reporter but they may allow us to use a direct payment with it because it doesn't happen all the time, it's very rare. We'll do our best to (inaudible)

**Chairwoman Pika Fejeran:** Okay. How soon can we do that, so just for the Commission's knowledge, I'm calling a Special Meeting as soon as possible and in that meeting we're going have a bunch of agenda items but we'll also be going into executive session to talk about the ongoing litigation with Department of Justice and the Trust. But with calling the executive session, there's a lot of administrative things that need to happen and we also like Joey mentioned, we have to hire a court reporter so do you know how soon you can get back to me so I can let our Attorney know.

**Acting Admin. Director Joseph B. Cruz Jr.:** Ah maybe tomorrow.

**Chairwoman Pika Fejeran:** Okay okay.

**Acting Admin. Director Joseph B. Cruz Jr.** We just need to find out whether the court reporter will be available that day, he or she is on island so we'll try to get all that together by the afternoon.

**Chairwoman Pika Fejeran:** Okay so the soonest would be Tuesday, the 29<sup>th</sup> right that was the day.

**Acting Admin. Director Joseph B. Cruz Jr.** July 30.

**Chairwoman Pika Fejeran:** July 30 that would be a Tuesday but again it depends on the noticing the notice would have to go out next Tuesday, we might not have enough time so we're looking at the...

**Acting Admin. Director Joseph B. Cruz Jr.** I think we'll be okay.

**Chairwoman Pika Fejeran:** Do you think we can do it?

**Acting Admin. Director Joseph B. Cruz Jr. :** Just as long as we can secure a court reporter and the payment process we can do it.

**Chairwoman Pika Fejeran:** Okay and we'll put everything that we tabled under new business, financial report, um we'll move that to the upcoming meeting, Special Meeting. Oh my gosh. You guys are rock stars. Thank you so much. Um Commissioner comments?

**Acting Admin. Director Joseph B. Cruz Jr.** So everything that was tabled, we go over it at the next meeting? Just to clarify.

**Chairwoman Pika Fejeran:** Yeah.

**Acting Admin. Director Joseph B. Cruz Jr.** Okay.

**Chairwoman Pika Fejeran:** Um can I get a motion to adjourn?

**Commissioner Duenas:** Motion to adjourn

**Chairwoman Pika Fejeran:** Alright we're adjourned. Thank you guys.