

**GUAM ANCESTRAL LANDS COMMISSION REGULAR MEETING MINUTES  
VIA ZOOM**

**April 21, 2021 • 2:07 p.m. to 5:08 p.m.**

**Notices were published in the Guam Post on Wednesday, April 14, 2021 and  
Monday, April 19, 2021, in the Guam Daily Post**

**I. CALL TO ORDER**

**Chairman Eclavea** called the virtual special meeting of the Guam Ancestral Lands Commission to order at 2:07 p.m. In Compliance with Public Law 24-109, Guam Ancestral Lands Commission announced the virtual meeting on Wednesday, April 14, 2021 and Monday, April 19, 2021 in the Guam Daily Post.

**II. ROLL CALL**

**Commission Members Present:** Chairman Ronald F. Eclavea, Vice Chairman Ronald T. Laguana, Secretary/Treasurer Maria G. Cruz, Commissioner Angela M. Camacho, Commissioner Anita F. Orlino, Commissioner Jeffrey B. Rios, Commissioner Louisa F. Wessling. **Staff Members Present:** Executive Director John T. Burch, Administrative Officer Cathi Blas, Assistant AG Nicolas Toft, Land Agent II Joey Leon Guerrero, DOL Land Agent Trainee Antolin Mendiola, and DOL Administrative Aide Trainee Mara Perez.

- **Director Burch** took roll call and said they had a quorum.

**III. APPROVAL OF MINUTES**

**A. March 24, 2021 – Summarization**

- **Commissioner Camacho** requested time to review the minutes.
- **Commissioner Cruz** motioned to approve the March 24, 2021 minutes subject to any corrections.
- **Vice Chairman Laguana** seconded the motion.
- **Chairman Eclavea** took a vote and said the motion passed (Commissioner Wessling abstained, because she had an excused absence for the March 24, 2021 meeting).

**B. April 7, 2021 Special Meeting**

- **Commissioner Cruz** moved to approve the April 7, 2021 Special Meeting minutes.
- **Vice Chairman Laguana** seconded the motion.
- **Commissioner Wessling** asked why the amount of funds to be transferred from the Survey, Infrastructure and Development Fund (Account 0102) to the Land Bank Trust Fund (Account 0100) was given as \$4,550,357.13 in the April 7, 2021 minutes, but was listed as \$4,511,038.97 in Resolution No. 2021-003.
- **Director Burch** said the amount given in the minutes was calculated in error and that the amount given in the Resolution was correct; it was reconciled with all supporting documents such as bank statements and receipts. This is in his report and will need action from the Commissioners to correct this.
- **Commissioner Wessling** said based on this information, she voted to approve the April 7, 2021 Special Meeting minutes.
- **Chairman Eclavea** said the vote was unanimous and the motion passed.

#### **IV. EXECUTIVE DIRECTOR'S REPORT**

The following are updates for the Guam Ancestral Lands Commission:

##### **A. Office Space**

According to ITC, we are now waiting for IT&E to install the needed lines for our computers. Until then we are unable to complete the move into our new office.

- **Chairman Eclavea** asked about the delay.
- **Director Burch** said GALC and OTECH had been trying to coordinate with ITC and IT&E.
- **Chairman Eclavea** asked if they had given us a timeline.
- **AO Blas** said ITC was still waiting for us to get on the list with IT&E. IT&E only did a walk-through of the office space.
- **Commissioner Cruz** asked if they could get another tech company to handle the lines.
- **Director Burch** said no, IT&E was under contract to handle ITC's tech needs.

##### **B. ARP Supplemental Budget Request**

On April 6, 2021, GALC was advised that federal funds from the American Rescue Plan may be available to supplement the Commission's budget. That the deadline to submit the Commission's supplemental budget request was April 15, 2021 at 2:00 pm.

On April 15, 2021, GALC submitted to BBMR an ARP Supplemental Budget Request for \$453,695. The ARP Supplemental Budget Request was developed with the intent of resolving the difficulty the Commission has had with the fulfillment of its mandates due to the limited funds available within the Commission's Survey, Infrastructure and Development Fund. The SIDF was created for the purposes of surveying and mapping, purchase and installation of infrastructure, including paved access roads and commercial development of GALC properties, and for the administrative, operational and financial support of these activities.

Therefore, it was determined that in order to best fulfill these mandates, it would be prudent to recruit much needed personnel. Along with this recruitment, GALC needs additional funds for drug testing, computers, supplies and training. Please see the ARP Supplement Budget Request in the Commissioners' Meeting Packet.

##### **C. Resolution No. 2021-003**

Resolution No. 2021-003, FY 2021 Transfer of funds in the Trust for Guam Ancestral Lands Commission "Survey, Infrastructure, and Development Fund" and "Land Bank Trust Fund" Instructions to Coast 360 Federal Credit Union.

After reconciling the amount of AT&T funds placed into the SIDF to be transferred to the Land Bank it was determined that the original amount of \$4,550,357.13 provided to the Commissioners was inaccurate. The correct amount of funds to be transferred is \$4,511,038.97. Action is needed to correct this error. Please see Resolution No. 2021-003 in the Commissioners' Meeting Packet.

- **Director Burch** recommended the Board move to correct the error in the amount of funds to be transferred from the SIDF account to the Land Bank Trust Fund.
- **Commissioner Cruz** said the date of the correction needed to be referenced.
- **Director Burch** said they could adjust the Resolution to include the date.
- **Commissioner Cruz** made the motion that the correct amount to be transferred from the SIDF account to the Land Bank Trust Fund was \$4,511,038.97.
- **Commissioner Wessling** seconded the motion.
- **Chairman Eclavea** called for a vote, it was unanimous, and said the motion passed.

#### **D. GALC Oversight Hearing**

On April 9, 2021, Speaker Therese Terlaje held an oversight hearing with the GALC. The focus of the hearing was on the status of the promise made by the federal government to return federal excess lands to the government of Guam listed since the National Defense Authorization Act for FY 2017 “NDAA 2017” and listed again in the NDAA 2019. Section 2208 of the NDAA 2017 mandates that the Navy report to Congress the status of the “net negative strategy” for the USMC relocation from Okinawa to Guam, which promised to result in a smaller DoD footprint on Guam and return underutilized land to the Government of Guam.

Thank you for the opportunity to present this update. Please let me know if further information is required.

#### **V. GEDA PROGRESS REPORT – Presented by Tony Arriola, also present were Diego Mendiola and Mike Cruz**

The following is a progress report on GEDA’s efforts to manage Land Bank Trust properties as required by Section 1(i) of the MOU between GEDA and GALC Land Bank Trust:

##### **A. Wettengel Junction – Northern Market, LLC (NM)**

1. No changes from last report.

- **Commissioner Cruz** commented that their extension expires soon. She asked if GEDA could follow up on the development of Northern Market.
- **Mr. Arriola** said they would.

##### **B. Apra Harbor Parcel No. 1 (Commissary Junction) – \$3,910.52/Month**

1. KwikSpace – Tenant is current with its lease rents.

##### **C. Apra Harbor Reservation F-12 (Matson) – \$25,000.00/Month**

1. Matson Navigation Company- Tenant is current with its lease rents.
2. Letter of Appraisal was sent to Matson on April 2, 2021, informing them that GALC has agreed to the original terms of the lease agreement as stated in Section 4.02, in that GALC will be selecting and ordering the appraisal. Upon completion of Appraisal, GALC will

provide a copy to Matson and in turn, Matson will be required to reimburse GALC for the cost within 30 days after completion.

- **Mr. Arriola** said Matson called GEDA and agreed to the original terms of the lease agreement. He asked if the GALC wanted GEDA to order the appraisal.
- **Chairman Eclavea** asked the Board if they were okay with this.
- **Commissioner Cruz** asked if they could table this.
- **Chairman Eclavea** said they should move forward with this.
- **Commissioner Wessling** recommended they have GEDA obtain quotes from appraisers certified to value land of the size Matson occupies and to present those quotes at the next meeting.
- **Chairman Eclavea** was agreeable to Commissioner Wessling's recommendation.
- **Commissioner Camacho** requested that if they decide to have GEDA order the appraisal, that they include Cornerstone and Micronesian appraisers.
- **Commissioner Wessling** agreed and added that GEDA should get quotes from all appraisers certified to handle the lot size.
- **Mr. Mendiola** commented that a GEDA Board member owns Cornerstone Valuation Guam, Inc.
- **Chairman Eclavea, and Commissioners Camacho and Wessling** all commented that if the GALC ordered the appraisal, it wouldn't be a conflict of interest.
- **Assistant AG Toft** agreed.
- **Mr. Cruz** asked for clarification about appraisers who are certified to handle large lots.
- **Commissioner Camacho** responded that they needed appraisers who can do large commercial lots. Special certification may be required for this type of lot.
- **Chairman Eclavea** asked if appraisers aren't necessarily certified to appraise all types of lots.
- **Commissioner Wessling** answered that she believes there are different levels of certification. She added that there are numerous factors that appraisers consider such as the size of the lot, the zoning, how it's being used, how much income is being generated, whether the lot is leased or owned, etc. Appraisers would have taken specific courses to get certified on these different factors.
- **Chairman Eclavea** asked if the appraisers needed to provide their qualifications.
- **Commissioner Wessling** said the appraisers would normally include in their proposal the experience they have doing this type of appraisal. The key thing is that GEDA gives the appraisers a very definitive scope of work that GALC wants done.
- **Commissioner Camacho** asked if they needed to provide the lease to the appraisers.
- **Commissioner Wessling** replied no, not initially.

#### **D. Lot Apra Harbor Reservation F-12-R2 (Trans Steel) - \$500/Month**

1. License agreement expired as of May 31, 2018. GALC placed Tenant on a Month-to-Month tenancy without formal notification and license agreement has no provision for month-to-month tenancy.

2. GEDA sent First Notice of Arrears, Statements and Invoices on March 26, 2021 via Certified mail. Letter stipulates the total arrears amount due with an attached statement provided and for all arrears payment to be paid immediately with all future payments to be paid in a timely manner.
  3. On April 5, 2021, GEDA met with tenant.
    - a. Tenant stated that his business is significantly affected by Covid 19 and is the main reason why he was unable to make monthly payments.
    - b. Tenant also stated that he's not avoiding his monthly obligations/responsibilities as shown by his payment history.
    - c. Tenant requesting that he needs license or some other form of authorization to obtain SBA or other relief assistance due to Covid 19.
    - d. Tenant contested the amount of arrears identified in the letter sent by GALC dated Feb. 27, 2021, by providing a copy of a check for a month the letter indicated was not paid.
    - e. GEDA informed tenant of its desire for the Commission to issue some form of written authorization stipulating that tenant is on a month-to-month tenancy under the same terms as provided in the license agreement. However, the tenant must make a good faith effort to help us obtain commission approval. As a result, GEDA was able to:
      - i. Request from tenant to make some kind of payment immediately and tenant assured GEDA that he will try and come up with some money in a couple of days. Tenant acted in good faith by making a payment of \$1,000 with a check on April 7, 2021, 2 days after meeting was held which was on April 5, 2021.
      - ii. GEDA secured tenant agreement that he will reconcile his payments by April 30, 2021.
      - iii. Tenant assured GEDA that he will be making payment of \$500 plus extra after reconciling arrears. Payments to be made will commence on May 2021.
      - iv. GEDA recommends GALC issue a letter authorizing tenant to utilize the property on a month-to-month tenancy under the terms specified in the license agreement. Should tenant demonstrate compliance with the payment plan, GEDA will recommend issuance of a license at that time.
- **Commissioner Wessling** asked how much Trans Steel was in arrears and how much will be reconciled by April 30, 2021.
- **Mr. Arriola** said Trans Steel was in arrears of \$10,500.
- **Commissioner Wessling** asked if Trans Steel would be reconciling those arrears on April 30, 2021.

- **Mr. Arriola** said yes and added that on May 1, 2021 Trans Steel would make a \$500 payment plus extra.
- **Commissioner Wessling** asked if Trans Steel would be all caught up on rent by the end of April, then why the extra payment.
- **Mr. Cruz** clarified that Trans Steel disputed the amount in arrears, so tenant would be bringing in proof of past payments by the end of April. Tenant had already provided proof of one \$500 payment that was not reflected in the list of arrears given to GEDA. The extra payment beginning May 1, 2021 would be going towards settling the arrears in rent.
- **Commissioner Wessling** thanked Mr. Cruz for the clarification and said GEDA's report needed to be amended to state that there is a dispute on the outstanding amount due.
- **Chairman Eclavea** asked if GEDA was recommending they keep Trans Steel on a month-to-month lease.
- **Mr. Arriola** replied yes.
- **Commissioner Cruz** asked how much was disputed.
- **Mr. Arriola** said Trans Steel showed proof of a \$500 payment that wasn't in GALC's records.
- **Commissioner Orlino** asked if the total in arrears should be closer to \$17,000.
- **Mr. Cruz** said that GEDA and Trans Steel would be reconciling the total in arrears by the end of April 2021. He added that currently there is no license that allows Trans Steel to use the property, so GEDA is asking GALC to approve the issuance of a month-to-month license.
- **Mr. Arriola** added that the license would protect them from liability.
- **Chairman Eclavea** said they should move on issuing a month-to-month license.
- **Vice Chairman Laguana** agreed.
- **Chairman Eclavea** asked if GALC had ever revoked Trans Steel's license.
- **Commissioner Cruz** said no and that they put Trans Steel on a month-to-month basis.
- **Chairman Eclavea** asked legal counsel if GALC had put a timeline on it.
- **Assistant AG Toft** said no, there was no timeline. Each month was like a one-month lease. GALC would have to provide a 30-day notice to do any sort of eviction.
- **Chairman Eclavea** asked if the previous month-to-month license was still valid.
- **Assistant AG Toft** said yes. He added that GALC was still protected the same way as if they had a lease. He continued that Trans Steel ability to get grants was affected. He suggested the Board may want to set a discussion for some point in the future as to the long-term plan for this piece of land.
- **Chairman Eclavea** asked if GEDA still wants GALC to re-issue a month-to-month lease.
- **Mr. Cruz** said they recommend sending a letter to Trans Steel identifying what the commission approves. GEDA couldn't find anything that says formally that Trans Steel is on a month-to-month lease.
- **Assistant AG Toft** said it just happens as an operation of law. But it would help if they wanted to get back rent from him.
- **Commissioner Wessling** questioned how the commission previously could agree on a month-to-month basis, if they couldn't do that.
- **Assistant AG Toft** said we can do it. It just happens as a matter of law at the expiration of a lease or license.
- **Chairman Eclavea** commented that it's in the minutes that they gave Trans Steel a month-to-month lease, but there wasn't a formal document. He suggested they act on that now.
- **Vice Chairman Laguana** moved to act on GEDA's recommendation to grant Trans Steel a month-to-month lease.

- **Commissioner Orlino** seconded the motion.
- **Vice Chairman Laguana** asked GEDA if they knew if Trans Steel was still operational.
- **Mr. Arriola** said it looked like there was no activity at the property when they did the last site inspection.
- **Commissioner Orlino** said Mr. Pearson has been off-island.
- **Commissioner Camacho** said given his business and the situation on-island with the lockdown, it's realistic to see no activity on-site.
- **Mr. Cruz** said he got the impression that scrap metal is not Trans Steel's major business. He asked Mr. Arriola what the licensing agreement said about his business.
- **Mr. Arriola** said when GEDA met with Mr. Pearson on April 5<sup>th</sup>, he told them that he buys heavy equipment parts from off-island, repairs them, and then sells them to Micronesian islands. He added that the license says that the property will be used solely as a staging area for containers, chassis, trailers, and equipment. Also, processing for the disposal of tires and various metals.
- **Commissioner Rios** said he is familiar with the lot. He commented the best thing would be to get Mr. Pearson some form of authorization with payment terms on back pay.
- **Commissioner Orlino** said they needed to be firm with Trans Steel.
- **Commissioner Camacho** commented there is little risk in following GEDA's recommendation.
- **Chairman Eclavea** called for a vote on the motion to follow GEDA's recommendation to get Trans Steel on a month-to-month license. The motion passed. He added that he wanted it in the record that he agreed with all previous motions for today.

**E. AT&T – Tanguisson Cable Landing Station, Dededo (Lot 10192) – \$22,939.42/Month**

1. Tenant is current with its lease rents.

**F. Tiyon Properties**

1. Guam Environmental Protection Agency (GEPA) \$8,000.00/Month

- a. GEPA Roof Repair:

- i. IFB 21-001 for GEPA Roof Repair issued on March 26, 2021. Ad published on the Guam Daily Post on Friday, March 26, 2021 and Monday, March 29, 2021.
- ii. Pre-bid conference was held on April 8, attended by 6 potential bidders.
- iii. IFB 21-001 Bid Submission Deadline and Bid opening scheduled for April 30, 2021.
- iv. GEPA made 2 payments via ACH Deposit in the amount of \$16,000.00, payments indicate for March and April 2021, monthly lease payments.

2. DPHSS (WIC)- \$8,400/Month

- a. No changes on last report.

- **Commissioner Camacho** asked where we were at with the WIC.
- **Mr. Arriola** said GEDA is amending the MOU to stipulate that all payments are to go to GEDA instead of GALC.
- **Director Burch** said this will be on the agenda of the next regular meeting.

Should you have any questions, please contact Tony Arriola at 647-4332. *Si Yu'os Ma'ase'* for your continued support in generating revenues for the beneficiaries of the Trust.

## VI. OLD BUSINESS

### A. GALC Land Inventory

## VII. NEW BUSINESS

### A. Estate of Agnes Sgro

- **Vice Chairman Laguana** moved to amend the agenda to discuss the estate of Agnes Sgro ahead of the discussion of the GALC Land Inventory.
- **Commissioner Orlino** seconded the motion.
- **Chairman Eclavea** took a vote and the motion passed unanimously.
- **Assistant AG Toft** explained that the Sgro family created a trust for their children in 1989. The trust included land that the U.S. Government had not yet deeded back to the Sgro family. In 2001 the U.S. Government deeded this land back to Guam. Then in 2007 the GALC executed a quick claim deed to the estate of Agnes A. Sgro. The problem was with the chain of title. It went from the Sgro parents to the Sgro trust, then from the GALC to the estate of Sgro. The GALC is being asked to cancel this quick claim deed and to deed it to the trust, which Mr. Anthony P. Sgro believes will solve the chain of title issue. He concluded that the 2007 quick claim deed has already been recorded, which affects the legal rights.
- **Attorney Charles H. McDonald** stated that this is an old issue. Lot 5013-2 was transferred to the estate of Agnes Sgro. He asked the Board to either cancel the 2007 deed or to amend it to insert the proper grantee.
- **Commissioner Cruz** asked if they had a copy of the condemnation case for this property.
- **Chairman Eclavea** asked who the U.S. Government took the property from.
- **Attorney McDonald** said from Mrs. Agnes Sgro.
- **Chairman Eclavea** asked if the GALC had deeded it to the trust.
- **Mr. Anthony P. Sgro** said the GALC deeded it to the estate of his mother, Agnes A. Sgro.
- **Chairman Eclavea** asked if this matter shouldn't go to probate.
- **Mr. Sgro** said the trust was created to avoid probate.
- **Attorney McDonald** added that Mrs. Sgro deeded her future interest in the property to the trust and then Ancestral Lands deeded it to her estate. They came today to ask the Board to return it to its rightful owner, the trust.
- **Chairman Eclavea** asked if it isn't just a matter of probating it.
- **Attorney McDonald** said maybe that's an option, but they believed this was the best route to place it in the hands of the rightful owner.
- **Commissioner Orlino** asked if it was possible for Mr. Sgro to bypass probate without any action from GALC.



- **Attorney McDonald** replied that there is a cloud on the title, because previously GALC had deeded it to the estate. He asked GALC to help clear up this title issue.
- **Commissioner Wessling** said GALC's policy was to deed property to the last vestee of the Title. She said it didn't look as if the commission erred in deeding it to the estate of Mrs. Sgro.
- **Attorney McDonald** said the law allowed Mrs. Sgro to put her future interest in the property into a trust. He repeated that they are asking the GALC to amend the previous deed to place it with the trust.
- **Commissioner Cruz** requested GALC's documents from the time they deeded the property to the estate.
- **Chairman Eclavea** asked for clarification on what GALC did when Mr. Sgro appeared before the Board previously.
- **Mr. Sgro** said the Board approved the transfer of the property to the trust.
- **Commissioner Cruz** requested again for documents from the first time Mr. Sgro appeared before the commission.
- **Director Burch** asked for the month and year of Mr. Sgro's first appearance.
- **Chairman Eclavea** questioned if the GALC approved the transfer to the trust if Mr. Sgro was asking for this today.
- **Assistant AG Toft** clarified that Mr. Sgro was asking to amend the deed.
- **Attorney McDonald** reiterated that the conveyance of the property to the estate messed up the title and they are asking for the Board to help clear this up by amending the deed.
- **Chairman Eclavea** asked if Mr. Sgro has appeared twice before the Board.
- **Mr. Sgro** said only once before. It was a title hearing.
- **Chairman Eclavea** asked if at that title hearing Mr. Sgro requested the property to be deeded to the trust and that it was.
- **Mr. Sgro** said that was correct.
- **Chairman Eclavea** asked Land Agent II Joey Leon Guerrero if he recalled this happening.
- **Land Agent II Leon Guerrero** said he would have to review the records.
- **Chairman Eclavea** asked Mr. Sgro if any family member would challenge this.
- **Mr. Sgro** said he would hate to go through probate.
- **Attorney McDonald** said all the heirs are beneficiaries under the trust.
- **Vice Chairman Laguana** recalled that they did deed it to the trust.
- **Chairman Eclavea** said if they did deed it to the trust, then that was still valid.
- **Assistant AG Toft** repeated that, no, the deed itself says estate.
- **Chairman Eclavea** said so we didn't deed it to the trust.
- **Attorney McDonald** said GALC did not, but GALC agreed to it.
- **Vice Chairman Laguana** said check the recordings.
- **Chairman Eclavea and Commissioner Cruz** both talked about GALC's policy of deeding property according to the condemnation case.
- **Assistant AG Toft** suggested he and Joey Leon Guerrero go through the records and they could do a corrective deed, if the records show it was supposed to be deeded to the trust.
- **Chairman Eclavea** asked if everyone was fine with that.
- **Commissioner Cruz** repeated that she needed to see the documents.
- **Commissioner Orfino** agreed.
- **Assistant AG Toft** said if the recordings show that it was supposed to go to the trust, we could do a provisional motion now to amend the deed. And copies of the recordings would

be sent to the Board. Then an email agreement would be fine since they would already have voted.

- **Commissioner Orlino** said she was uncomfortable doing a motion now.
- **Commissioner Cruz** agreed and asked why Mr. Sgro was looking into this only now.
- **Attorney McDonald** said they had been exploring this issue for almost 2 years.
- **Commissioner Cruz** said they wanted to help as long as they don't deviate from the Board's policy.
- **Attorney McDonald** said they weren't asking for anything illegal.
- **Chairman Eclavea** asked if there was a consensus regarding legal counsel's suggestion to do a provisional motion.
- **Commissioners Cruz and Wessling** said they needed to see the old records and to listen to recordings before voting.
- **Vice Chairman Laguana** suggested they do a special meeting.
- **Chairman Eclavea** said everyone is uncomfortable with making a motion now.
- **Attorney McDonald** said if the records show a vote had already occurred, then they won't need to come back to the Board. At that time Mr. Toft could amend the deed. But with the information in front of the Board now, they could make a decision without looking back. He repeated that the actual owner is the trust. And they asked the Board to give it back to the trust. He believed they had enough information before them now to make a motion.
- **Mr. Sgro** said it's very clear that the property was deeded to the trust.
- **Attorney McDonald** said they provided an affidavit, a copy of the trust, and a copy of the deed. Therefore, he said there is enough information to move today.
- **Commissioner Cruz** said she didn't have any documents in front of her to review.
- **Assistant AG Toft** said he and Joey Leon Guerrero could provide the documentation via email and if anybody had any objection, they put it in the next meeting. But if everybody is in agreement that's it's sufficient, they sign off on the amended deed.
- **Commissioner Cruz** said she wanted to table this until the next meeting. She said they needed to be careful in their deliberations.
- **Assistant AG Toft** agreed, but added that the argument was that they had already done it.
- **Chairman Eclavea** said he was comfortable with following legal counsel's suggestion.
- **Attorney McDonald** said their preference was to do a motion now based on the information they provided, which is that the trust owns the property.
- **Chairman Eclavea** said legal counsel's suggestion was to do a provincial motion.
- **Commissioner Wessling** said her understanding was that the past Board agreed to put it in the trust's name, but it was never put in the trust's name. It was put in the estate's name. She asked if this was correct. She said Mr. Sgro was here today asking to deed the property to the trust.
- **Chairman Eclavea** said he understood the issue to be that the past Board deeded it to the trust, but the paperwork came out deeding it to the estate.
- **Commissioner Wessling** said she wanted to see the past documents and to listen to the past recordings.
- **Chairman Eclavea** said if the past Board deeded it to the trust, then they just need to fix the paperwork. But if they did not, that's a different story.
- **Attorney McDonald** said the property belongs to the trust. He suggested they forget about what the past Board did, and to focus on the trust being the rightful owner of the property. He said they are here today asking the Board to amend the deed to convey it to the trust.
- **Chairman Eclavea** said he didn't think they could do that today.

- **Attorney McDonald** said conveying it to the estate put a cloud on the title, and they really needed to fix the deed by amending it. He said they provided to the commission a copy of the trust itself, and it shows the trust is the rightful owner. He said he believes that GALC has the policy of placing the property in the rightful owner's hands.
- **Chairman Eclavea** asked if it was the court that deeded the property into the trust.
- **Attorney McDonald** replied that it was Agnes Sgro herself who intended the property to go to the trust. He said time is of the essence, and he believed the Board had enough information today to place the property into the trust now.
- **Commissioner Camacho** said all she has before her is what the agenda says. She said she needed to see the affidavit, copy of the trust, and copy of the deed.
- **Attorney McDonald** said their legal counsel can lay out the facts, because he has had a chance to review the declaration, the trust, and the deed.
- **Assistant AG Toft** said the problem is there are two different situations depending on what the minutes say from the previous meeting. Did the previous meeting say to deed it to the trust, and we made a typographical error deeding it to the estate? That is very different from everyone having said deed it to the estate and now we are being asked to deed it to the trust, because of the chain of ownership.
- **Attorney McDonald** said the issue with Commissioner Camacho was who owns the property. He asked legal counsel to confirm that the trust owns the property.
- **Assistant AG Toft** said he could confirm that there is a document that created the trust that put this property into it. He added he has not seen an official chain of title.
- **Attorney McDonald** said the property is listed in the trust, and they feel that that should be enough for the commission to act to put the property back into the trust. The deed to the estate created a cloud on the title, and they want to fix that.
- **Commissioner Orlino** said the Board needed the time to review the old records and recordings.
- **Chairman Eclavea** said they would do this is a timely matter.
- **Attorney McDonald and Mr. Sgro** thanked the Board.
- **Chairman Eclavea** said next up was the Land Inventory.
- **Commissioner Wessling** pointed out that it was already after 5:00 p.m. and motioned to adjourn and to table the rest of the business.
- **Vice Chairman Laguana** seconded the motion.
- **Chairman Eclavea** asked Joey Leon Guerrero and Director Burch if they could get the Land Inventory documents to review before the next meeting.
- **Director Burch** asked if the next meeting would be a special meeting or a regular meeting.
- **Chairman Eclavea** said it would be a regular meeting. He said he wanted to get to the Land Inventory as soon as possible.
- **Director Burch** said at the next meeting under Old Business would be the Land Inventory, the Estate of Agnes Sgro, and review of the Oversight Hearing. He asked if they still wanted the next meeting to be on the second week of next month or to adjust it.
- **Chairman Eclavea, Commissioners Camacho, Wessling** said adjust it to May 5<sup>th</sup>.
- **Vice Chairman Laguana** suggested they have a special meeting for the Estate of Agnes A. Sgro.
- **Chairman Eclavea** said there wasn't time. They needed to address the Land Inventory as soon as possible, too.

- **Director Burch** said that they would be losing DOL Land Agent I trainee Antolin Mendiola, because he is being called back to DOL starting next week. They would know about Mara Perez's status tomorrow.

**B. Review of Oversight Hearing**

**VIII. PUBLIC COMMENTS**

**IX. ANNOUNCEMENTS**

- A. Next GALC Board Meeting is scheduled for May 5, 2021.**

**X. ADJOURNMENT**

- A. The meeting was recessed at 3:46 p.m. and reconvened at 3:56 p.m.**

- **Chairman Eclavea** thanked everyone for joining the meeting and adjourned the meeting at 5:08 p.m.

**Additional Remarks:** The summarization of the GALC Board Meeting Minutes has been approved by the board due to the shortage of GALC Staff. Please refer to the Office of Public Accountability (OPA) Website for the GALC Board Meeting Minutes Audio Recording for detailed information.

**APPROVED BY:**

**DATE APPROVED:**



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**Ronald F. Eclavea, Chairman**  
Guam Ancestral Lands Commission



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**TRANSCRIBED BY:**



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**Mara Perez, Administrative Aide**  
Guam Ancestral Lands Commission

**REVIEWED AND APPROVED BY:**



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**John T. Burch, Executive Director**  
Guam Ancestral Lands Commission