



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

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*Lourdes A. Leon Guerrero*  
Governor

*Joshua F. Tenorio*  
Lieutenant Governor

## Commission Members

*John F. Reyes, Jr.*  
Chairman

*Arlene P. Bordallo*  
Commissioner

*Angela T. Santos*  
Commissioner

*(Vacant)*  
Commissioner

*(Vacant)*  
Commissioner

*Angela Camacho*  
Acting Administrative Director

## COMMISSION MEETING MINUTES

CLTC Conference Room and via Google Meet  
Suite 223, ITC Building

590 S. Marine Corp Drive, Tamuning, Guam  
Thursday, September 16, 2021; 1:11 p.m. – 4:21 p.m.

Public Notice: The *Pacific Daily News* on September 9, 2021 and September 14, 2021

**Chairman John F. Reyes, Jr:** Okay, before we call this meeting to order we're going to cite the Inefresi. \*Inaudible\*

**Commissioner Angela T. Santos:** Leading the Inefresi

**All:** Citing the Inefresi

**Commissioner A. Santos:** Biba CHamoru!

All: Biba!

**Chairman J. Reyes, Jr.:** Si yu'us ma'ase' Commissioner Santos. Okay, the time is 1:11 and I call this regular meeting of ChamoruLand Trust to order. Public notices for today's meeting \*inaudible\* Pacific Daily News on \*inaudible\* and September 14, 2021. Notices were also posted on the ChamoruLand Trust website at dlm.guam.gov, the ChamoruLand Trust Commission Facebook page, \*inaudible\* portal at notices.guam.gov. This meeting is being livestreamed on \*inaudible\* Facebook page and \*inaudible\* Youtube at govguamlive, our video and audio recording is made possible by our partners at KGTF \*inaudible\* Okay, roll call.

### Roll Call

**Chairman J. Reyes, Jr.:** Commissioner Bordallo?

**Land Agent I Tina Tainatongo:** She's online.

**Chairman J. Reyes, Jr.:** Okay, we can confirm that she's online?

**Land Agent I T. Tainatongo:** Yes.

**Chairman J. Reyes, Jr.:** Commissioner Santos?

**Commissioner A. Santos:** Esta gui yu'

**Chairman J. Reyes, Jr.:** Administrative Director Angela Camacho?

**Acting Administrative Director Angela Camacho:** Present

Rev. 8/10/2021

**Chairman J. Reyes, Jr.:** Attorney Toft?

**Legal Counsel Nicolas Toft:** Present

**Chairman J. Reyes, Jr.:** Okay, thank you. Attorney Toft, could you confirm that we do have a quorum?

**Legal Counsel N. Toft:** We do.

**Commissioner A. Bordallo:** \*inaudible\*

#### Approval of Minutes

**Chairman J. Reyes, Jr.:** Okay, first item on the agenda is the Approval of Minutes for the August 19, 2021, Regular CLTC Meeting. I'll give the Commissioners a couple of minutes to review.

**Commissioner A. Bordallo:** I'm here. I'm here listening.

**Chairman J. Reyes, Jr.:** Tina, I just wanted to point out \*inaudible\* some spelling \*inaudible\* this one for an example, page 28, the last... \*inaudible\* "proposing" just minor things \*inaudible\*

Long pause

**Chairman J. Reyes, Jr.:** Commissioner Bordallo, I see that your back, could you hear us okay?

**Commissioner A. Santos:** \*inaudible\* Saina. Gos adahe' hao please.

**Commissioner A. Bordallo:** Okay. Can you hear me now?

**Chairman J. Reyes, Jr.:** Yes, thank you.

**Commissioner A. Bordallo:** Pardon me Commissioner Santos. Can you repeat?

**Commissioner A. Santos:** \*inaudible\* manu na gaigue hao? Kao malagmagi hao?

**Commissioner A. Bordallo:** I am coming over. I am on airport road.

**Commissioner A. Santos:** Okay, Saina. I think \*inaudible\* and drive safely here \*inaudible\*

**Chairman J. Reyes, Jr.:** \*inaudible\* it's okay.

**Commissioner A. Santos:** Oh, okay.

**Chairman J. Reyes, Jr.:** \*inaudible\* No just listen

**Commissioner A. Bordallo:** I can see you guys.

**Chairman J. Reyes, Jr.:** Okay, we can proceed.

**Commissioner A. Bordallo:** I think with the minutes...

**Chairman J. Reyes, Jr.:** Yes, we're still on the minutes. With the minutes, we can bring that back up when I get there.

#### Null and Void Updates

**Chairman J. Reyes, Jr.:** Okay, sounds good so \*inaudible\* we'll continue with our discussions. So the next item on the agenda would be an update on the Null and Void leases as well as an update on the SOP's. So, Ms. Taleu, I'll pass this over to you.

**Land Agent I Lydia Taleu:** Okay, good afternoon Commissioners.

**Chairman J. Reyes, Jr.:** \*inaudible\* if you could turn on your camera so we can see you please.

**Land Agent I L. Taleu:** Oh, sure.

**Commissioner A. Santos:** Thank you, Ms. Taleu.

**Land Agent I L. Taleu:** Is my camera on... okay. Hafa Adai, Commissioners.

**Commissioner A. Bordallo and Commissioner A. Santos:** Hafa adai!

**Land Agent I L. Taleu:** Hafa Adai, Commissioner Bordallo. So, at the last board meeting the number of cases have been adjudicated \*inaudible\* brought forth. But between that time and this time Ms. Topasna who handles... who's on the administration side; her and I have reviewed the files and have discovered there was an...actually there were six cases that were adjudicated that I did not claim it is. So the adjudicated cases for the null and voids have increased to twenty-three which brings down the cases waiting to be adjudicated to eighty-one which twenty-three plus eighty-one equals the number of cases which is a hundred and four.

**Chairman J. Reyes, Jr.:** Okay so that extra six Ms. \*inaudible\* if you can walk us through that from the findings.

**Land Agent I L. Taleu:** Sir, hold-on someone is talking to me.

**Chairman J. Reyes, Jr.:** Sure.

**Land Agent I L. Taleu:** Sorry. Is my camera on? Okay, I thought I clicked it, my apologies. Okay, so one of the things is because we have to do the follow-throughs if they didn't follow through then sometimes we didn't update the google drive. So in reviewing it, we have discovered that cases that were adjudicated were never followed through so what we're trying to do is make sure follow-throughs are going forward therefore the numbers are being corrected.

**Commissioner A. Santos:** \*inaudible\*

**Chairman J. Reyes, Jr.:** And so Ms. Lydia can you walk us through the \*inaudible\*

**Land Agent I L. Taleu:** I'm sorry, can you repeat that?

**Chairman J. Reyes, Jr.:** \*inaudible\*

**Land Agent I L. Taleu:** You know what, let me physically walk over, okay?

**Chairman J. Reyes, Jr.:** Okay, thank you.

\*back ground muffling\*

**Land Agent I L. Taleu:** Okay, so can you repeat the question for me?

**Chairman J. Reyes, Jr.:** \*inaudible\*

**Land Agent I L. Taleu:** Okay, so what it is and I will use a case that I prepared that Mr. Hattig had me removed from the null and void simply because it didn't fit \*inaudible\* that shouldn't have been the case so therefore, \*inaudible\* requesting for it to be removed. So...

**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Santos:** So was it an overlook or just a... \*inaudible\* and just didn't follow up.

**Land Agent I L. Taleu:** Yes, it was a failure on my part as a land agent that I need to do my follow through.

**Commissioner A. Santos:** Okay. Thank you, Ms. Taleu.

**Chairman J. Reyes, Jr.:** Understood.

**Land Agent I L. Taleu:** Okay. Now, when we look at the application which is where it's application stage no lease \*inaudible\* in reviewing, three applications were done correctly \*inaudible\* the law. Thirteen need to be reverted, it was either a transfer of application type or switch and transfer so those need to be reverted. And then we had one case that was actually a transfer to a minor, so that needs to be reviewed. And as far as cases that have leases that \*inaudible\* ratified none of those. So overall the total number of application files that have been reviewed is seventeen with a hundred and twenty-six prior taking it up to a hundred and forty \*inaudible\* files that have been reviewed.

**Commissioner A. Santos:** By yourself?

**Land Agent I L. Taleu:** Yes.

**Commissioner A. Santos:** And you are a part of...? What do you \*inaudible\* agency?

**Land Agent I L. Taleu:** I'm a Land Agent I

**Commissioner A. Santos:** Alright.

**Land Agent I L. Taleu:** So basically, I have to look at the file and track the applications rights transferred within the law. \*inaudible\* person that transferred it were they alive when they did it or were they deceased. \*inaudible\* I need to double check all the supporting documents \*inaudible\* correctly as required by public law. Or it was a switch and transfer then in that case \*inaudible\* be done. So basically I'm confirming what was done correctly and if it wasn't done in a timely manner those also need to go before the board. And also, remember there was a time when cases we were doing approval of transfer of application \*inaudible\* the board was not meeting whether they didn't have enough board members or whatever so those cases actually need to come back just so we can make sure that we can say, yes, it was board approved.

**Commissioner A. Santos:** Thank you very much. \*inaudible\*

**Land Agent I L. Taleu:** Okay. So that's the end. See you in a bit.

**Commissioner A. Santos:** Thank you. Ms. Taleu, if you don't mind just coming back to the table when \*inaudible\*

**Land Agent I L. Taleu:** Thank you.

Back ground muffling

**Chairman J. Reyes, Jr.:** \*Inaudible\*

**Legal Counsel N. Toft:** \*inaudible\* do everything then \*inaudible\* instead of piece

**Chairman J. Reyes, Jr.:** \*inaudible\* the goal is to address the remaining eighty some

**Legal Counsel N. Toft:** Right

**Chairman J. Reyes, Jr.:** Okay, alright.

**Commissioner A. Santos:** \*inaudible\* right now

**Legal Counsel N. Toft:** \*inaudible\* that could potentially take up \*inaudible\* depending on the steps

**Commissioner A. Santos:** \*inaudible\* in front of us, do we need to get an amendment or a suggestion \*inaudible\* reimbursed, if they were not reimbursed they were granted a right of entry \*inaudible\* reimbursed would not be considered.

**Legal Counsel N. Toft:** If they were granted a right of entry then that would still be... still would not affect any potential options. \*inaudible\*

**Commissioner A. Santos:** \*inaudible\* thank you, Attorney Toft.

**Chairman J. Reyes, Jr.:** So we'll do this....we'll table this...

**Commissioner A. Santos:** SOP

**Chairman J. Reyes, Jr.:** SOP to be \*inaudible\* second option to be reviewed \*inaudible\* Thank you.

New Business; Constituent Matters

Isaias Tenorio Eay

**Chairman J. Reyes, Jr.:** Okay, so we're going to move down to our New Business which is our Constituent Matters and I'll pass it over to Ms. Eileen. Ms. Eileen, can you hear me? You're on mute.

**Land Agent II Eileen Chargualaf:** Okay, the first case is Isaias Tenorio Eay and that will be presented by Jessica Dayday.

**Chairman J. Reyes, Jr.:** Thank you. Ms. Jessica, will you be joining us?

**Commissioner A. Santos:** \*inaudible\*

**Land Agent I Jessica Dayday:** Hafa Adai, Commissioners. I'm Jessica Dayday a land agent for the ChamoruLand Trust Commission.

**Commissioner A. Santos:** Buenas.

**Land Agent I J. Dayday:** So the case I bring before you is Isaias Tenorio Eay. The applicant's date and time is December 6, 1995, 12:19 p.m. Application number is 1467, application type is residential, he is a priority 1, not a pre-occupier and the complaint issue is no designated successor.

The chronology on September 28, 2017, Isaias Tenorio Eay requested to transfer application rights to his niece Cherylynn Tudela Eay. A notarized letter of relinquishment was dated September 26, 2017. On March 1<sup>st</sup> 2018, Cherylynn Tudela Eay submitted a notarized CLTC application qualifying documents copy of her identification and successor's birth certificate. On March 1<sup>st</sup> 2018, Jhoana Casem, Land Agent to interview Cherylyn Tudela Eay and the applicable information that was listed is parent's birthplace, parent's date of birth and Cherylynn Eay put down her father's information which was provided. Grandmother's information was also provided, her employer's information was also provided, she's not a land owner, there was a check on the tax roll so she's priority one. Structure to be build is a three bedroom concrete, household size is 2 adults 2 children, the notes and remarks that was put on the interview sheet is pending lot issuance for A, A means applicant. And then on the checklist applicant is a native Chamorro, applicant is not a CNMI citizen all the documents that were submitted applicant's birth certificate, parent's birth certificate and then there was no further check necessary. Ms. Eay had designated a beneficiary and submitted their qualifying documents. On April 3<sup>rd</sup> 2018, Deputy Director David Camacho approved the request to transfer the application right for Isaias Tenorio Eay to Cherylynn Tudela Eay. On April 16, 2018, application rights was transferred from Isaias Tenorio Eay to Cherylynn Tudela Eay. On April

16, 2018, Cherylynn Tudela Eay submitted a notarized recorded power of attorney on April 20, 2018, Land Agent Jhoana Casem requested to put Cherylynn Tudela Eay on Lot 16, Block 3 REM, Tract 100C in Dededo. On April 20, 2028 (verified date with Land Agent should be April 20, 2018) land agent requested for a lease and a survey authorization for Lot 16, Block 3 REM, Tract 100C, Dededo, map scheme number is M05-S035 and that's in the file for reference. On April 24<sup>th</sup> 2018, a residential lease was prepared and survey authorization for Lot 16, Block 3 REM, Tract 100C, Dededo under Cherylynn Tudela Eay. On April 25<sup>th</sup> 2018, Administrative Director Michael Borja signed residential lease and survey authorization. On May 4<sup>th</sup> 2018, Cherylynn Tudela Eay signed a residential lease. On May 25<sup>th</sup> 2018, Administrative Director signature was crossed out on the residential lease which was signed on April 24<sup>th</sup> 2018, that request was done by the Administrative Director Michael Borja to cross out his signature. On May 30, 2019, a staff report was compiled by staff for June 6, 2019, Board of Commissioners meeting. The complaint and the request was to review a pre-moratorium lease list transfer of application rights. On June 4<sup>th</sup> 2019, Isaias Tenorio Eay submitted a letter requesting emergency transfer to Cherylynn Tudela Eay for health reasons and requesting for the commission to approve the transfer. The health reasons are stated on the letter. On June 6<sup>th</sup> 2019, the Board of Commissioners approved the request to revert the application to Isias Tenorio Eay. June 6, 2019, a Consanguinity of Affinity Relationship disclosure form was submitted. On June 23<sup>rd</sup> 2020, Cherylynn Eay submitted a notarize letter requesting successor claim to the application rights and death certificate of Isaias Tenorio Eay. On September 2<sup>nd</sup> 2020, (*note: verified with staff report- indicates September 2, 2021*) Cherylynn Eay submitted notarized CLTC application, affidavit of eligibility successor designation form, marriage certificate and copy of ID. So her name is now Cherylynn Franquez.

**Commissioner A. Santos:** Cherylynn what?

**Land Agent I J. Dayday:** Franquez. On my findings, on April 3<sup>rd</sup> 2018, the transfer of application rights from Isaias Eay to Cherylynn Eay is not in accordance of Public Law 23-5.8 (*Note: correction to public law said, should be Public Law 23-38, Section 5.8*) Mr. Eay was still alive at the time. Residential lease was approved administratively, application was reverted back to Isaias Eay but there was a pending interview to determine if Isaias Eay is priority one to move forward with the issuance of a residential lease. There was no follow through on the part of CLTC. Isaias Eay requested to transfer the application of lease rights to Cherylynn Eay due to health conditions. Mr. Eay also submitted in writing a request for the emergency transfer. Unfortunately, Mr. Eay passed away and he wasn't able to designate a successor. Cherylynn Eay did submit in writing a request to be successor to Isaias Eay's application, that request was submitted before the 180 days along with the death certificate. Cherylynn Eay is the daughter of Isaias Eay's brother. So our request is to designate Ms. Cherylynn Melanie Eay Franquez to be the successor to Isaias Eay Tenorio's application rights under Public Law 23-38, Section 5.8.

**Commissioner A. Santos:** May I?

**Chairman J. Reyes, Jr.:** Go for it.

**Commissioner A. Santos:** Ms. Dayday, who is the consanguinity form for?

**Land Agent I J. Dayday:** For CLTC staff.

**Commissioner A. Santos:** CLTC staff member that is employed right now?

**Land Agent I J. Dayday:** Correct.

**Acting Administrative Director A. Camacho:** Chairman, may I ask a question?

**Chairman J. Reyes, Jr.:** Yes. Yes.

**Acting Administrative Director A. Camacho:** Ms. Dayday, throughout the report I see that documents were notarized however on May 30... no, I'm sorry, that's on June 4<sup>th</sup> Isaias Tenorio Eay submitted a letter requesting emergency transfer to Cheylynn Tudela Eay; may I ask how that was submitted.

**Land Agent I J. Dayday:** It was mailed. It was mailed in. So at the time Mr. Eay was off island that was the reason why he wasn't able to come back and do the designation.

**Commissioner A. Santos:** When did he pass away?

**Land Agent I J. Dayday:** April

**Acting Administrative Director A. Camacho:** So I have a follow up question to that if you don't mind.

**Chairman J. Reyes, Jr.:** Sure

**Acting Administrative Director A. Camacho:** Was that letter notarized?

**Land Agent I J. Dayday:** Yes, it was. I'm sorry Commissioner Santos, I thought I put it on my report. Mr. Eay passed away...

**Chairman J. Reyes, Jr.:** April 27, 2020, is that correct? I do see it on the number 4 summary.

**Land Agent I J. Dayday:** April 27, 2020.

**Chairman J. Reyes, Jr.:** Okay thank you. And I just want to acknowledge that we do see on our Google meet, Cherylynn Eay is present. Ms. Eay, could you hear us and could you confirm your attendance?

**Cherylynn Eay:** Yes. I can hear it's just a little bit \*inaudible\*

**Commissioner A. Santos:** Thank you, Ms. Eay.... Mrs. Franquez. And you said this was within the 180 days, correct?

**Land Agent I J. Dayday:** Correct. And it's just that last year we were going through the Public Health Emergency and our office was not open at that time that these documents were submitted that we were informed that Mr. Eay had passed away.

**Commissioner A. Santos:** April 27, 2020...



**Chairman J. Reyes, Jr.:** Do you have the date when Mrs. Franquez submitted the request to be the successor?

**Land Agent I J. Dayday:** June 23<sup>rd</sup> 2020

**Commissioner A. Santos:** Ms. Dayday, could you explain on May 30, 2019, the complaint request review of pre-moratorium leases?

**Land Agent I J. Dayday:** So those were the leases that were x'd out by the former administrative director. I'm really not sure why those leases were crossed out... all I know is that the switch of transfer of application rights was just not according to the law.

**Legal Counsel N. Toft:** Yeah, those were subsequent to the AG's opinion coming out but before some of them had been fully executed.

**Commissioner A. Santos:** Okay. So this was a part of that that they thought was a part of the moratorium the whole time?

**Legal Counsel N. Toft:** Yes.

**Commissioner A. Santos:** Thank you.

**Chairman J. Reyes, Jr.:** So just to confirm and follow what that is... in 2018 there was an actual lease, is that correct?

**Land Agent I J. Dayday:** Correct

**Chairman J. Reyes, Jr.:** And so then it was crossed out... signature crossed out?

**Land Agent I J. Dayday:** Yes.

**Commissioner A. Bordallo:**\*inaudible\*

**Chairman J. Reyes, Jr.:** The prior Administrative Director Michael Borja.

**Commissioner A. Santos:** Do we know why that was crossed out?

**Land Agent I J. Dayday:** I did ask about it but I was just told that he crossed out a bunch of these leases and that there was a listing of it.

**Chairman J. Reyes, Jr.:** Yeah. Attorney Toft, can you add to that.

**Legal Counsel N. Toft:** Yeah, those were a part of the....

**Chairman J. Reyes, Jr.:** Same thing?

**Legal Counsel N. Toft:** Yeah, same thing.

Engineering Tech II Pierce Castro: The moratorium

**Legal Counsel N. Toft:** The moratorium and the combination with the null and voids too.

**Commissioner A. Bordallo:** So why did he... \*inaudible\*

**Legal Counsel N. Toft:** So I think the request here is that there was a lease that was voided and before the board now is the option because he's passed away it's no longer under the status of transfer of living rights it's under the 5.8, if applicant has died it can go to a set family member as listed in 5.8 or the Board has the discretion to name a successor under subsection 1 if there are other applicant's for succession so it could fall under either one of those at this point if the Board approved it.

**Land Agent I J. Dayday:** On June 6, 2019, when this case was brought to the Board it was reverted back however an interview and research to be done to see if he is a priority one or if he owned private property so that never went... there was no follow through it was supposed to go back before the board to give her the lease. And that never happened.

**Chairman J. Reyes, Jr.:** Okay and so that's no longer now an issue?

**Land Agent I J. Dayday:** That's not the issue, yeah.

**Commissioner A. Santos:** What's no longer an issue?

**Chairman J. Reyes, Jr.:** The fact whether or not Mr.....the deceased Isaias Eay is...

**Commissioner A. Santos:** Priority one? Correct one?

**Chairman J. Reyes, Jr.:** Right.

**Land Agent I J. Dayday:** That's not the issue however the research was done and it showed that he wasn't on the tax roll.

**Chairman J. Reyes, Jr.:** Right okay. I also got a few more questions. Mrs. Franquez, do you have anything any questions or comments for the Commissioners?

**Mrs. Cherylynn Eay Franquez:** I just wanted some clarity it was a little distorted on my end so I just wanted to clarify. One was the next step on my end to do with this? I didn't hear so if it was mentioned, I do apologize but I didn't hear \*inaudible\* because I had submitted the documents for my great grandparents for the land takings from the US Government, I also submitted the death certificate for my great great grandmother and my great grandmother. I didn't hear \*inaudible\* and I also submitted \*inaudible\* notarized letter from my Uncle Isaias \*inaudible\* which is requesting for his niece which is myself to take over the application right. This was submitted on I believe on June of last year and I just noticed that I didn't hear any of that so I was wondering if this is going to be an issue?

**Chairman J. Reyes, Jr.:** Ms. Dayday.

**Land Agent I J. Dayday:** No, everything was submitted on June 23, 2020 that's when she submitted the request for successor claim and the death certificate. All of that was submitted including the letter from Mr. Eay.

**Chairman J. Reyes, Jr.:** Okay. Alright.

**Land Agent I J. Dayday:** Her qualifications she did submit the one under 75A, those were all submitted.

**Chairman J. Reyes, Jr.:** Okay, and everything checks out?

**Land Agent I J. Dayday:** Yes.

**Chairman J. Reyes, Jr.:** So yes, Mrs. Franquez, I think Ms. Dayday is confirming that all that has been received and your eligibility has checked out.

**Mrs. Cherylynn Eay Franquez:** Okay perfect thank you. I just wanted to verify if I need to resubmit the documents again because I just didn't hear.

**Chairman J. Reyes, Jr.:** Okay we're good. Okay so from that perspective the eligibility is confirmed and checks out and so now I don't have any additional questions but basically we as the Commissioners need to approve that Mrs. Franquez is a successor to Mr. Eay for his application rights, correct?

**Land Agent I J. Dayday:** Correct

**Chairman J. Reyes, Jr.:** Okay. Now, that's just for the application rights. Do we need to move, then we continue the process?

**Land Agent I J. Dayday:** Well that's what I wanted to bring up is was the lease because she was already issued... I mean, there was a lease in place and yes it was canceled or voided but what happens then?

**Commissioner A. Santos:** But... can I interject? I wanted to ask another question, Ms. Cherylynn Tudela Eay submitted in 2018 a \*inaudible\* notarized recorded power of attorney, who was the power of attorney for, ma'am? If you don't mind me asking? Mrs. Franquez?

**Mrs. Cherylynn Eay Franquez:** I'm sorry, can you repeat that?

**Commissioner A. Santos:** Who was the... in 2018 you submitted a notarized recorded power of attorney but who was your power of attorney for? Was it for your uncle?

**Mrs. Cherylynn Eay Franquez:** That was my dad who submitted it, he's my POA.

**Commissioner A. Santos:** I'm sorry, go ahead.

**Land Agent I J. Dayday:** So when the approval to switch for her to have the application from Mr. Eay when she submitted all her documents she also gave a power of attorney to her father so at that time the application everything was already transferred to Ms. Franquez so she designated her successor she did a power of attorney for her not for Mr. Isaias Eay for her.

**Commissioner A. Santos:** I mean it's in here but I'm just wondering because it doesn't say power of attorney for and everything else is you know detailed so if that one was missed out I just want to know why that wasn't stated for her dad and not for Isaias... who is Isaias to her, that's her uncle, right? We want to make sure that everything is on point, we don't want to come back to this later.... to many of that already so power of attorney for her dad, what was it for? For her?

**Land Agent I J. Dayday:** It's for her. She named... she gave her dad power of attorney to speak on her behalf so she like her dad can come in and submit the documents and sign for her.

**Chairman J. Reyes, Jr.:** If needed.

**Land Agent I J. Dayday:** If needed. She's the one that gave power of attorney to her father to speak on her behalf.

**Commissioner A. Santos:** Okay, thank you for the clarification.

**Commissioner A. Bordallo:** So this Lot 16, Block 3 REMAINDER, Tract 100C, Dededo, is it still available?

**Land Agent I J. Dayday:** I haven't gone out to do a site inspection for that. Not surveyed. Subject to survey.

**Chairman J. Reyes, Jr.:** Alright at this juncture I don't think that even if there was a lease already signed and was voided that we would even entertain that as I think they need to go begin the process over again. I don't want to necessary take on that lease and kind of hop over the process even if there was one already there. Whatever reason that it was crossed out and again as part of the moratorium I think Commissioners if we decide that we grant the successor as Mrs. Franquez the process begins step number 2.

**Land Agent I J. Dayday:** So that's what Mrs. Franquez was asking, what's the process? What's the next step?

**Chairman J. Reyes, Jr.:** Yeah, so Mrs. Franquez the first step is that we make sure that the Commission... if the Commissioners decide that you will... to grant the designation as you as the successor and then you work with Ms. Dayday on what the next steps are. But again, that's going to be step one.

**Mrs. Cherylynn Eay Franquez:** Thank you.

**Chairman J. Reyes, Jr.:** Any questions on that, ma'am?

**Mrs. Cherylynn Eay Franquez:** No, I have no questions.

**Chairman J. Reyes, Jr.:** Okay, thank you. Commissioners, any additional questions on this?

**Commissioner A. Bordallo:** \*inaudible\* to approve

**Chairman J. Reyes, Jr.:** You want to go through the motion, Saina?

**Commissioner A. Bordallo:** Okay. I would like to make a motion that Cherylynn Melanie Eay Franquez is the successor to Isaias Tenorio Eay (deceased) application rights under Public Law 23-38, 5.8 (1)

**Chairman J. Reyes, Jr.:** Thank you, Commissioner Bordallo. May I get a second?

**Commissioner A. Santos:** I second that motion

**Chairman J. Reyes, Jr.:** Thank you, Commissioner Santos. Any objections?

**Commissioner A. Bordallo:** Okay, hearing none.

**Chairman J. Reyes, Jr.:** Motion passes, that designates Cherylynn Melanie Eay Franquez as a successor to Isaias Tenorio Eay's application rights under Public Law 23-38 Section 5.1  
Okay, thank you, Ms. Eay for your presence today.

**Mrs. Cherylynn Eay Franquez:** Thank you. You guys have a good day

**Chairman J. Reyes, Jr.:** Okay and then you can work with Ms. Dayday on what are the next steps. Yes, Ms. Dayday?

**Land Agent I J. Dayday:** Can you repeat that again? Did you say 5.8 or 5.1?

**Chairman J. Reyes, Jr.:** 5.8 Section 1

**Commissioner A. Bordallo:** As stated on the public law.

**Chairman J. Reyes, Jr.:** Alright. Ms. Eileen, next up please?

*Rosalia Evangelista Guanzon*

**Land Agent II E. Chargualaf:** Okay, the next person is Rosalia Evangelista Guanzon and it's by Jhoana. Just to let you guys know it's kind of muffled on my end of the....my end I can't really hear it's muffled.

**Chairman J. Reyes, Jr.:** Okay, where's the mic? \*inaudible\* that's kind of where I was going...can everyone hear us?

**Commissioner A. Santos:** Everybody online, can you all hear us?

Unknown: I'm struggling with audio too.

**Commissioner A. Santos:** So we have to be louder

Land Agent I T. Tainatongo: When I turn mine on...that happens. Jho, how did you do it the last time when....?

**Land Agent II Jhoana Casem:** So they turn this one off because they were able to stream on their end...PBS

Multiple conversations

**Commissioner A. Santos:** So we're hearing them from the speakers over here?

**Chairman J. Reyes, Jr.:** So do you have a mic there?

**Engineering Tech II Melvin Javier:** No

**Chairman J. Reyes, Jr.:** There's no mic there?

**Engineering Tech II M. Javier:** No

**Chairman J. Reyes, Jr.:** So everyone on the line, if you could hear me **we're** just going to take a quick pause and figure out our audio. So where's the mic? I mean where's the microphone for everyone to hear us?

(Pause for technical difficulties)

**Chairman J. Reyes, Jr.:** Alright, let's move on. Sorry, about that, we had to take a few minutes just so that everyone can hear us on the line. Hopefully it is a little better and we can try to speak a little louder. So next up, Ms. Eileen?

**Land Agent II E. Chargualaf:** Rosalia Evangelista Guanzon and that will be Jhoana to present.

Land Agent II Jhoana Casem: Oh it's okay, I'll speak loud. Buenas and Hafa Adai. This case is Ms. Rosalia Evangelista Guanzon she is deceased. We have her daughter Ms. Sandra Jean Evangelista as one of the named successors who is requesting to take over her mother's lease. So for her case here, there were two named successors. On the designation of beneficiary, we have Ms. Guanzon who is a December 2<sup>nd</sup> applicant she is number 240 residential, priority 1 not a pre-occupier she was also issued a lease on a portion of Lot 10122-R18, Dededo for a half-acre. On December 18<sup>th</sup> of 2001, a residential lease was issued to Rosalia Evangelista Guanzon and signed by Administrative Director Ronald E. Teehan Jr. October 1<sup>st</sup> 2009, land agent BG indicated that Ms. Guanzon is deceased and pending submission of documents from beneficiary. July 20, 2011, Ms. Sandra Jean Evangelista daughter of Ms. Guanzon followed with CLTC in regards to her takeover. June 10<sup>th</sup> 2021, Ms. Sandra Jean Evangelista requested to take over her mother's CLTC lease as submission of an affidavit was submitted to the ChamoruLand Trust Commission for the request to takeover. Based on our findings in regards to this case within 23-38, section 5.8 transfer of application rights, an applicant may designate a relative qualified under the Act to include husband, children, widows or widowers of the brothers and sister or nieces and nephews to succeed the applicant's application rights upon the death of an applicant. Also under Public Law 23-38, Section 9.1 designation of successors, a lessee shall upon execution of the lease designate the person in whom lessee directs the interest of the tract vest upon death such person must be qualified to succeed to ChamoruHomelands as provided by the Act and these rules. A lessee may elect to provide for the surrender of the lot upon death and may select a recipient for the proceeds from the surrender. A lessee's designation under this section may be changed at any time by the lessee. (B) such designation

shall be made as specified in the Act the right in the lessee to change the beneficiary at any time if filed with approved by the commission. Based on ChamoruLand Trust Commission SOP 2020-01, Section 4.2 Beneficiary Transfer of lessee (3) if the official certificate of death or notarized written request of claim and legal transfer is not submitted within 180 days it shall be subject to the approval of the commission in accordance with the law. Based on CLTC Resolution 2018-08, Ratified lease listing Ms. Rosalia Evangelista Guanzon is listed on the Ratified Lease Listing. Based on Directive 2019-02, survey lease issuance, Ms. Sandra Evangelista will need to fulfill her survey prior to the addendum issuance. To sum it all up, Ms. Guanzon was issued a lease back in 2001 however it is with great regret that she was not able to occupy a piece of property because she simply didn't know where her lot was. Many years have passed and her daughter is now requesting to inherit the residential lease so she can pursue to build a foundation for herself and her family. Based on our Rules and Regulations Section 5.8 (a) a grandchild is not mentioned as a qualified takeover therefore Sandra Jean Evangelista the only child to Rosalia Evangelista Guanzon would be the only qualified successor with that being said, Ms. Evangelista has fulfilled all the requirements to be named as a successor to her mother's residential lease.

**Chairman J. Reyes, Jr.:** Just one quick question just to clear the clarification...Ms. Evangelist from eligibility standpoint where does she \*inaudible\* 75 or 75A?

**Land Agent II J. Casem:** She's under 75, yes.

**Chairman J. Reyes, Jr.:** And so the task or the action for the Board is to designate Ms. Evangelista as the successor to the deceased Ms. Guanzon?

**Land Agent II J. Casem:** Yes, sir.

**Chairman J. Reyes, Jr.:** Okay. And then are there any other conditions before this transfer of the lease be completed?

**Land Agent II J. Casem:** She would have to complete a survey authorization or a survey. Right now, we're pending a lot issuance due to her mother's lease only being on a portion of. From my understanding they are not aware exactly where this lot maybe so we have to allocate a property for her. I know that she did mention that they would like to fulfill to build a residential so there are other possible options that we can offer to Sandra should she go through Guam Housing, we can offer her one for the land for the landless properties to help with the infrastructure so it's the matter now of us upon the approval of the Board we can move forward with the other necessary steps.

**Chairman J. Reyes, Jr.:** \*inaudible\* receive the request for successor within the 180 days?

**Land Agent II J. Casem:** Because there was already... she was a named successor, okay? So based on the SOP that 180 days so the 180 actually surpassed but this was a request that she has been coming to our office for the longest time. So you know, she has worked with other land agents but it's just never been closed out so that's why we advised her to write this request so that the Board can approve her as the successor because she is the only child. Her mom did name three but those are her two children who are the grandchild so based on our 5.8 the grandchildren do not qualify.

**Commissioner A. Santos:** Wait...so two of the three are her grandchildren?

**Land Agent II J. Casem:** So the three that are named is her and Ms. Sandra's two kids.

**Chairman J. Reyes, Jr.:** So let me just clarify though right, so you did in the facts, no designated successor?

**Land Agent II J. Casem:** On F?

**Chairman J. Reyes, Jr.:** Yeah

**Land Agent II J. Casem:** The Land Use Permit?

**Chairman J. Reyes, Jr.:** Sorry, I was looking at the wrong one, please disregard.

**Commissioner A. Santos:** No land use permit or nor a survey map?

**Land Agent II J. Casem:** No the lease that is in file indicates a portion of so that's where we had older leases meaning they were supposed have been given a certain lot and then upon their survey they would have been issued an addendum to reflect that actual lot of survey. However, it didn't go that far so we're still \*inaudible\* a portion of.

**Chairman J. Reyes, Jr.:** Can we just make sure that it's on a survey.... on a registered property.

**Land Agent II J. Casem:** Of course.

**Chairman J. Reyes, Jr.:** Commissioners, any other questions?

**Commissioner A. Bordallo:**\*inaudible\*

**Chairman J. Reyes, Jr.:** No because there's no land yet....there's no land designated so we should just do the designation of successor.

**Land Agent II J. Casem:** Yes.

**Chairman J. Reyes, Jr.:** Attorney Toft anything to....?

**Legal Counsel N. Toft:** Just to comment, 5.8 wouldn't apply here because there was already a lease so it just goes under 9.1 under designation of successors so the board just needs to choose between the three as far who would be the person to succeed and it just make the most logical sense for the daughter and not the grandkid \*inaudible\*

**Chairman J. Reyes, Jr.:** Okay, thank you, sir I just wanted to make sure we didn't miss anything.

**Commissioner A. Santos:** \*inaudible\* on file, do we have her certificate of death?

**Land Agent II J. Casem:** Yes

**Commissioner A. Santos:** Alright, and everything is within the law?



**Land Agent II J. Casem:** Yes.

**Commissioner A. Santos:** Okay.

**Land Agent II J. Casem:** Okay, I'm sorry, I just wanted to clarify that right, attorney, so you mentioned in 9.1 so you're saying in this case it's a 9.1 versus a 5.8?

**Legal Counsel N. Toft:** Correct, because when the original applicant passed there was already a lease that was that was \*inaudible\* so if the has issued then 5.8 is out the window it's all under 9.1.

**Land Agent II J. Casem:** Okay, thank you.

**Chairman J. Reyes, Jr.:** Did you have any clarifications on that Jhoana?

**Land Agent II J. Casem:** Oh, he clarified it for me sir, yes, thank you.

**Chairman J. Reyes, Jr.:** Okay, I have no further questions.

**Commissioner A. Santos:** Just one more...just to make sure that we received that certificate before the 180 days.

**Legal Counsel N. Toft:** The death certificate?

**Commissioner A. Santos:** Yes.

**Land Agent II J. Casem:** So with the death certificate it was submitted but with this case as Attorney Toft validated it's under a 9.1 so the 180 days as indicated on the second page was based on the SOP that previous Director Hattig put down that the Board approved so that's where I referred to that reference.

**Chairman J. Reyes, Jr.:** Okay, but it doesn't apply here?

**Land Agent II J. Casem:** yes.

**Commissioner A. Santos:** As long as we're in the parameters of the law. Alright I make a motion to designate Ms. Sandra Jean Evangelista as the successor of Rosalia Evangelista Guanzon on lot.... or....how would this be?

Multiple conversation

**Commissioner A. Santos:** That's it right? Okay.

**Commissioner A. Bordallo:** I second

**Chairman J. Reyes, Jr.:** Thank you, any objections?

**Commissioner A. Santos:** None

**Chairman J. Reyes, Jr.:** Alright, hearing none the motion passes to designate Ms. Sandra Evangelista as the successor for Ms. Rosalia Evangelista Guanzon. Thank you, Ms. Evangelista for your presence do you have any questions or additional concerns and you'll be working directly with Ms. Casem.

Ms. Sandra Evangelista: Alright thank you.

**Chairman J. Reyes, Jr.:** Okay, have a good day thank you for your presence.

**Commissioner A. Santos:** Thank you Ms. Evangelista.

**Commissioner A. Bordallo:** I have a question because we're coming across portions of lot...  
\*inaudible\* those lot that.... \*inaudible\*

**Legal Counsel N. Toft:** That's been discussed many times over the years and a lot of it.... Part of it has been the cost of us doing preliminary surveys part of it is the land \*inaudible\* there are pre-occupiers that are claiming pieces of land and then we don't know until we get out there sometimes \*inaudible\* so some of these larger lots and a lot of pre-occupiers scattered around what the practice back then was to just allow a person to kind of find their and also \*inaudible\* it could be with the land too, sometimes there's wetlands on the main lot you don't want to give them something that's \*inaudible\* not buildable and then we're back to square one again. And so in the interest of this kind of \*inaudible\* it's been the practice to just have the person survey it out of the larger lots themselves. Long-term, it would be wonderful if we could you know half the time personnel would need to go out there \*inaudible\* all this and I think that has been the eventual plan but a lot of it is just getting the money into the survey and infrastructure fund which that's what commercial leases are designed to do is to kind of lay the ground work for that in the future.

**Land Agent I L. Taleu:** Mr. Toft you might want to move your mic a little closer.

**Legal Counsel N. Toft:** I just realized \*inaudible\* and my mic is over here.

**Land Agent I L. Taleu:** Only because I came from the other side so... but just real quick on that note though there is a public law that does say that it's a prerequisite before a lease issuance that there is a recorded survey map and that's why they get their seven years tax deduction because if they go government they're taxed from the beginning. So if they do a survey then they don't have to worry for seven years especially if build within the one year because once the house is built they'll be assessed a building tax which actually has a tendency to be higher than the land value.

**Commissioner A. Santos:** Good information Ms. Taleu thank you.

**Chairman J. Reyes, Jr.:** Okay, next up Ms. Eileen?

Isabel Tajjeron Sahagon

**Land Agent I L. Taleu:** It's me she sent me over.

**Land Agent II E. Chargualaf:** \*inaudible\* is supposed to be presented by Glenn but do to unfortunate circumstance Lydia is going to present the case.

**Land Agent I L. Taleu:** And just so you know the person who is online is Victoria Camacho so back in December this case went before the Board. And so the original applicant is Isabel Sahagon. She did apply in December '95 and then she had designated her granddaughter so she passed it had been several years then the granddaughter came in to make her claim for her mother's application I'm sorry her grandmother's application and because it was in that grey area she had met with the director we created a staff report and I presented on behalf of Eileen who was on leave. So, in part I feel kind of at fault because one of the questions that was asked was, do you recommend or basically I was asked the question is, are we asking approval for her to be designated as the successor? Well my personal opinion is this is the wishes of the grandmother, however, public law does not support it, 5.8 limits it to the spouse, the children and the widows and widowers of the siblings. The SOP extends it but the way I look at it is, we have to refer back to public law and even in the SOP it doesn't include grandchildren. So while I sympathize with Ms. Camacho, I understand that if we need to rescind it because it doesn't follow the Act that's what is. Because we need to look at the long term effect, if she moves forward and she gets a lease, will it affect her? Will she moved back in 10 – 15 years she will be on null and void list and because it's residential if she gets a loan guaranty, if she has put all this effort into getting this property building on it only for us to have to pull it away, is that fair? So, it's up to the Board, do they want to go ahead to confirm the approval naming her as a successor or will the Board be rescinding the approval made in the December Board Meeting?

**Commissioner A. Santos:** First, can I ask a quick question? Why is this made \*inaudible\* right now to us when... if you're looking at it and there was a motion and...

**Land Agent I L. Taleu:** So when we as land agents after the Board meeting we're supposed to take the minutes or the motion summary and we to submit it to the admin side for the file to be updated in the database. One of the things admin does is to make sure what we are doing is in accordance with the law. It's our back up system, it's the check and balance that we have.

**Commissioner A. Santos:** Get it.

**Land Agent I L. Taleu:** And in the past, we weren't doing that. So this is kind of one of the informal things that we kind of implemented as land agents with the Admin Division to make sure how we're adjudicating cases or moving forward is done within the law. So this got kicked back to the land agent therefore we need to resolve it.

**Commissioner A. Bordallo:**\*inaudible\*

**Land Agent I L. Taleu:** Yes, she did, she passed away.

**Commissioner A. Bordallo:**Both grandma and \*inaudible\*

**Land Agent I L. Taleu:** The grandmother passed away but before she died she designated her granddaughter who is coming forward to make claim. We approved it, however, admin is saying you need to take it back to the Board, grandchildren are not allowed under Public Law 23-38 Section 5.8 to be designated as a successor. The only way that I can see us going about

this is if the grandmother has children like if Ms. Victoria Camacho's father is still alive he can make the request even though it's after 180 days if the Board will allow him to make a claim for the mother's application rights and he submits all his supporting documents he can takeover and then upon his death only then can it be legally transferred to Victoria. That is the only way I see the out on it for other children other aunts and uncles of Victoria. If her father has siblings they can make the claim that is the only way I can see us moving forward on this. Other than that as much as I would really like Victoria and I would really like to fulfill her grandmother's wishes, my opinion doesn't matter, we have to follow the law.

**Chairman J. Reyes, Jr.:** Understand. I think that was Commissioner Bordallo's question, for her father was around, right?

**Land Agent I L. Taleu:** Yes.

**Chairman J. Reyes, Jr.:** So have we explored that?

**Land Agent I L. Taleu:** I've been trying to get in touch with Victoria but she's been busy so she's on the line so we might want to ask her that question.

**Chairman J. Reyes, Jr.:** Okay. Hi! I guess it's Tori Camacho, can you hear us okay?

**Ms. Victoria Camacho:** I can hear you but I can't... it's a little muffled. Can you repeat the question?

**Chairman J. Reyes, Jr.:** So, Ms. Camacho, we're curious right so given the fact that that this was passed however, in accordance and within the parameters of the law; we're back at the table, from a successor perspective and just to be clear Ms. Taleu, this is only the application?

**Land Agent I L. Taleu:** Application only.

**Chairman J. Reyes, Jr.:** It's the application, okay. So, Ms. Camacho, your aunts and uncles, the children of your grandmother; is any of them around to be a designated successor?

**Ms. Victoria Camacho:** So, my father Victor, he's the only child which he's alive.

**Chairman J. Reyes, Jr.:** Is he still alive, ma'am?

**Ms. Victoria Camacho:** Yes.

**Chairman J. Reyes, Jr.:** So I think just going through the process or talking through this we could....there's options here just so that the application doesn't necessary die on the line to point that out. Is that an option with your father take the necessary steps to claim him as a designated successor for your grandmother?

**Ms. Victoria Camacho:** Yes.

**Chairman J. Reyes, Jr.:** And then Ms. Camacho if you're able, are you able to turn on your camera?

**Ms. Victoria Camacho:** Yes, sir.

**Chairman J. Reyes, Jr.:** Just for recording purposes. Okay, so thank you so much. So, I think instead of us taking the next steps here to...and I'll just state this and I'll ask Attorney Toft if we're good with this is that instead of rescinding our decision is to take the necessary steps for your father to claim as designated successor so that we don't lose the application.

**Ms. Victoria Camacho:** Okay.

**Chairman J. Reyes, Jr.:** Of your grandmother right? And then wherever she falls in line with your father then we want to make sure we follow the process to have your father designate you as his successor.

**Ms. Victoria Camacho:** Okay

**Chairman J. Reyes, Jr.:** Now, Attorney Toft, do we still need to rescind the motion that designates Ms. Camacho as the beneficiary and then just leave it as is?

**Legal Counsel N. Toft:** If you wanted to, you can wait until the father makes the...

**Chairman J. Reyes, Jr.:** Makes the claim?

**Legal Counsel N. Toft:** Yes.

**Chairman J. Reyes, Jr.:** Okay, and that's what I was thinking.

**Land Agent I L. Taleu:** Kind of like table it and then when the father comes in we can prepare the staff report because it will be more than a hundred and eighty days then the Board could rescind the December 28<sup>th</sup> 2020 motion to name her the successor and then name him the successor and then they could also approve her as his successor.

**Chairman J. Reyes, Jr.:** Correct

**Commissioner A. Santos:** But table it for now.

**Land Agent I L. Taleu:** Table it for now.

**Chairman J. Reyes, Jr.:** Just so it's documented

**Land Agent I L. Taleu:** Yes, and that way the application remains alive.

**Chairman J. Reyes, Jr.:** Okay, yes. So, Ms. Camacho, we're going to take those steps... Ms. Taleu...you're in good hands with Ms. Taleu to get you through this process and if it works out we can definitely make these motions happen next meeting.

**Ms. Victoria Camacho:** Okay

**Chairman J. Reyes, Jr.:** Thanks Ms. Camacho we appreciate your time today.

**Ms. Victoria Camacho:** Okay, thank you.

**Commissioner A. Santos:** Thanks Ms. Camacho. Thank you, Ms. Taleu.

**Chairman J. Reyes, Jr.:** Okay Commissioners we'll just table this and we'll get Ms. Taleu to help fix this. \*inaudible\*

**Land Agent I L. Taleu:** Most likely Glenn will be back so he can take back this but I'll help him.

**Chairman J. Reyes, Jr.:** Thank you, Ms. Taleu you can \*inaudible\*

**Land Agent I L. Taleu:** I'm actually going to stay here because I'm presenting the next one.

**Chairman J. Reyes, Jr.:** So next up we have... Ms. Eileen, I'll pass it to you I don't want to jump the gun, sorry.

**Land Agent II E. Chargualaf:** Jaime Bass

**Land Agent I L. Taleu:** I'm going to ask to bring in the white board because if you remember his case this is kind of a complicated case so I think if I draw it out we'll be able to understand it.

**Chairman J. Reyes, Jr.:** Okay, sure.

**Land Agent I L. Taleu:** Please bare in mind I am not an art major nor am I an artist.

**Chairman J. Reyes, Jr.:** Mr. Bass, thank you for joining us again today. We appreciate it.

**Mr. Jaime Bass:** Thanks again for listening to the case.

**Land Agent I L. Taleu:** So at one point...

**Chairman J. Reyes, Jr.:** Ms. Taleu if you can just get a mic just for...

**Commissioner A. Santos:** Move back so the camera catches it.

**Land Agent I L. Taleu:** So, we had a lease that was issued to Mr. Bass; Lease A near Okkodo so because the school was being created Mr. Bass was being relocated so instead of doing an addendum relocating him they issued, Lease B. But this still exist, not dead. Then...because the area that he originally had had water and power, the Commission agreed or the Director at the time agreed to do water and power plus survey. A survey contract was drawn up but never happened, there was never a recorded map. In the meantime, the acreage of this is like over 6000 square meters when normally it should have been half, it should have only been 2448 square meters. Now, because this lease never had a recorded survey map, at one point DLM or Survey Division had to place them on the masterplan. So can you pull up the masterplan and show us that?

**Engineering Tech II M. Javier:** Which one is this?

**Land Agent I L. Taleu:** Tract 1022, Swamp Road.

**Commissioner A. Santos:** 1022 Swamp Road is lease A?

**Land Agent I L. Taleu:** No. It's where the masterplan placed him but he wasn't actually there.

**Commissioner A. Santos:** Masterplan is lease A?

**Land Agent I L. Taleu:** No. Masterplan is lease B.

**Commissioner A. Santos:** Okay.

**Land Agent I L. Taleu:** He is supposed to be at the end of Astumbo instead we put him on Swamp Road with seven buildings. So now that Mr. Bass is receiving property taxes so if you look at your staff report, you'll see I put I breakdown on the land assessment and the building tax. So now, we took it to the Board and the Board approve by the way this lease was Board approved. It was ratified because this was the notarized lease and basically the Board said everything done to get this lease; was it done accordance to the law. All signatures there so it was approved. This never was but this still exist. So he's getting taxed now on buildings that he never put on a lot that he's not occupying, that he's not supposed to be occupying. So, we approved him to actually go to the lot where he's supposed to be he brought up water and power meters. Now, if we stick to the end of Astumbo where there's no water and there's no power we have to bear the cost of bringing the water and power in, reality, we can't afford to do that. So instead I went looking for a lot where there is water and power, Allegeta St. So we found another lot where there's water and power he was shown the lot through an email he has requested to take over the lot. So now what we need to do is, we need to reverse what I requested we do and was approved. We need to undo one mistake. So this needs to be terminated, this we need to rescind the termination then we need to approve him to relocate to Allegeto and instead of doing the survey for the end of Astumbo we need to do the survey for Allegeto.

**Chairman J. Reyes, Jr.:** Okay

**Commissioner A. Santos:** Is Allegeto surveyed and registered?

**Land Agent I L. Taleu:** It is schemed out with water and power

**Commissioner A. Santos:** It's registered?

**Engineering Tech II M. Javier:** It's registered.

**Commissioner A. Santos:** Okay.

**Chairman J. Reyes, Jr.:** Not surveyed?

**Land Agent I L. Taleu:** But not surveyed. We have to bear the cost because that's part of the agreement that we made with him originally.

**Commissioner A. Santos:** But we're going to rescind that?

**Land Agent I L. Taleu:** No, we're going to rescind the request to survey the Astumbo lot and survey the cost for Allegeto.

**Chairman J. Reyes, Jr.:** So, Ms. Taleu, just be clear with Lease B, going off your white Board that was 6000 square meters this new relocated property in Allegeta...Allegeta or Allegeto? Engineering Tech II Pierce Castro: Allegeta.

**Chairman J. Reyes, Jr.:** No...no...just making sure. Allegeta, what's the size?

**Land Agent I L. Taleu:** It's about half an acre which is about 2448 square meters

Engineering Tech II P. Castro: 2023

**Land Agent I L. Taleu:** Oh, okay.

**Commissioner A. Santos:** 2203?

**Engineering Tech II P. Castro:** twenty twenty-three square meters.

**Chairman J. Reyes, Jr.:** square meters. So back to the half-acre?

**Land Agent I L. Taleu:** Yes. And the only thing is and I made Mr. Bass aware of this because we are covering the cost, he is going to be assessed property taxes to the beginning which is going to be on the 6000 square meters that he notarized. So he has to bear the cost, he has to pay those property taxes. If we do the survey.

**Chairman J. Reyes, Jr.:** So you had this discussion with Mr. Bass?

**Land Agent I L. Taleu:** I had this discussion with him.

**Chairman J. Reyes, Jr.:** And he's in agreeance?

**Land Agent I L. Taleu:** Well this is what we've talked about which is, if we do the survey he has to wait for survey to do it. We have to wait for approval from DLM and then if it's approved we have to wait for that to be done. Normally a survey will run you 9 to a year for it to be completely done?

**Engineering Tech II P. Castro:** There's no real deadline or timeline it's at the discretion of the Survey Department, when they're available to do the survey.

**Land Agent I L. Taleu:** No but I'm talking for private, if they were just going to go hire somebody... your looking at because the field work is done rather quickly is my understanding, it's when they go through the checks and balances within DLM.

**Engineering Tech II M. Javier:** Are you talking about not getting checked?

**Engineering Tech II P. Castro:** Yes, it varies but it could be three months to a year.



**Land Agent I L. Taleu:** Yes, that's what I'm saying. So that's the process that he's looking at. So I gave him the option, I let him know if you go with us you'll be assessed back taxes if you decided to do it on your own you won't be assessed back taxes but you're going to come out of pocket. So you need to decided what you want to do.

**Chairman J. Reyes, Jr.:** For the survey?

**Land Agent I L. Taleu:** Right. So what Mr. Bass asked in my conversation and he can confirm it is he asked that we go ahead and approve him to cover the cost of the survey he's willing to go ahead and pay and be reliable for the back the taxes all the way to the beginning of his lease on the 6000 square meters not the building because we have to send a letter Revenue and Taxation saying they need to remove the building taxes because that's not the lot he's occupying. The lot he has, has no buildings on it. And then he wants to know if we move forward with government survey but before DLM approves it or starts the work, if he comes up with the money can we rescind the offer and then go ahead and say, no, you're going to survey at your cost and you don't have to pay, you'll still get the seven years. He wants a government survey but at some point in the future he wins the lottery and he has the money to pay for the survey cost he wants to know if he could pull it back therefore he'll probably get his survey done before the time period and he'll keep his seven years exemption. So I'm thinking if we go ahead and move forward with the government survey and then should next month he said no, I want to do on my own we can always take it back to the Board requesting that they rescind the offer to cover survey cost.

**Chairman J. Reyes, Jr.:** Mr. Bass? Could you hear me okay?

**Mr. Jaime Bass:** Yes, sir.

**Chairman J. Reyes, Jr.:** Okay, I definitely appreciate your patience as we go through this and \*inaudible\* options out there. And so what is your take, sir? What would you prefer? Let's say, you know as the Commissioners we want to right everything here and then get you on your way, right so that you officially enjoy the property your new property. What's your take sir? What would you want to do?

**Mr. Jaime Bass:** Well the banks asking because I was going to bring it up. First of all, thanks Ms. Lydia for all your hard work again. So as far as the relocation and the situation with the survey, that is 100% correct. In regards to the back taxes, I did have a question because again as Ms. Lydia described it, she sort of simplified it but it's a little bit more complicated so with Lydia's presentation Lot B is not where I ended up at. I was shown a different lot and showed markings and maps for that particular lot so there was some issues with that one that's why nothing really happened as a matter of fact one of the issues was that I tried to go and get a mortgage through Guam Housing and because the lot numbers still didn't match Lot B and the third lot I was shown I couldn't proceed with that. So I guess my request is as far as back taxes go I'm still trying to sort of wrap my head around what taxes am I going to be assessed on and what property. So I understand procedurally the clock starts clicking on the assessment of taxes but really Lot B still wasn't sort of settled and to find out that Lot C, didn't really exist. So I guess my request is, if there can be some kind of reconsideration as far as the taxes go \*inaudible\* assessed?

**Commissioner A. Santos:** How does that work with that type of situation outside of the Land Trust, we don't deal with taxing for land so....? Is there a way that we can verify this situation with Rev and Tax or....?

**Land Agent I L. Taleu:** So my understanding is the lot description that is on his lease because there was never a recorded survey map that lot actually maybe never got officially named somewhere so at point there was a lot given over from ChamoruLand Trust over to GPA. There was a recorded survey map and the lot description on it is the one that is on Jaime Bass's lot. So somewhere along the way because the recorded map never got done Lot C ended up going to GPA even though physically Lot B existed there it just had no name and it's now known as the Tract that we were going to relocate him to which is Tract 1113, Block.... A portion of Tract 1113, Block if I remember correctly let me just double check because I don't want to say the wrong thing.... Block 16 so Okkodo was supposed to get a portion of that. That was supposed to be Lot B. But they named it whatever lot.... 10125-11-something that went over to GPA.

**Chairman J. Reyes, Jr.:** So \*inaudible\* existing lease that's I guess that....

**Land Agent I L. Taleu:** That was ratified.

**Chairman J. Reyes, Jr.:** Yeah, it was ratified with the property what property is that?

**Land Agent I L. Taleu:** That is Tract 113, Block 13... or sixteen sorry, Block 16.

**Chairman J. Reyes, Jr.:** And that's the 6000 square meters?

**Land Agent I L. Taleu:** Yeah, because he signed the lease for 6000 square meters for the lot description that's there but actually it's a lot description for a totally different lot.

**Commissioner A. Santos:** \*inaudible\* April 15, 2021 in the \*inaudible\* Lot 1012-\*inaudible\* What lot is that? Is that the B that he's supposed be on?

**Land Agent I L. Taleu:** That's the B that he was supposed to be on but was never issued that \*inaudible\* because there was no recorded survey map so that lot description belongs to a total separate lot which is now in the inventory of GPA.

**Chairman J. Reyes, Jr.:** So on the lease today, is lot... a portion of Tract 1113, Block 16?

**Land Agent I L. Taleu:** Yeah, that was the Tract that we approved him to be relocated to. But because of the lack of water and power and that we said we would put in his meters it would bankrupt us kind of if we move forward with that so the only solution I found is we need to relocate him to a lot that has water and power minimizing our cost to the agency. Therefore all we would have to do is cover what we originally agreed to was the installation of water and power meters which is still going to cost us some money but it's not going to cost us as much if we had to purchase power poles and waterlines to get it in.

**Chairman J. Reyes, Jr.:** Understood.

**Commissioner A. Santos:** So the lot number to be transferred to and solidified is 10171-63-1? Correct?

**Land Agent I L. Taleu:** Yes.

**Commissioner A. Santos:** Okay, great.

**Chairman J. Reyes, Jr.:** So, Mr. Bass to your question, which property tax does he get assessed?

**Land Agent I L. Taleu:** He's getting assessed on the property that is on Swamp Road with 7 to 8 buildings.

**Chairman J. Reyes, Jr.:** But that's not what we want him to pay right?

**Land Agent I L. Taleu:** No. The most he should pay is for the land tax because that's what he agreed to it's the building tax if you look at the breakdown that's the killer.

**Chairman J. Reyes, Jr.:** So how do we draw the line and make sure that these building taxes is no longer to be assessed to Mr. Bass and just the land tax. How do we work that?

**Land Agent I L. Taleu:** We would either... Joey would have to write a letter or we would have to send a letter over to Department of Land Management I mean to Revenue and Taxation letting them know that he is not occupying nor does he have a lease for that lot he is actually on a separate lot so we can either; A, do an addendum for a portion of have him get that one recorded and then they can begin doing the tax assessment on the lot he's supposed to be occupying and once the recorded survey map is done do another addendum correcting... updating the lot description as well as the lot size and we can't do the addendum until the recorded survey map goes into effect. Because all the other conditions that are required of a lease for agriculture purposes which is a recorded farm plan. The good news is Mr. Bass is an employee of the Department of Agriculture so he should be able to do that he's a farmer so he can probably get the certification he'll pass our training course if he has to go that way... he'll probably teach it but at this point there are conditions that need to be met before we do the addendum and when we talk about transferring a lot one of the things a lessee must do is they need to clear property taxes and land lease fees.

**Chairman J. Reyes, Jr.:** Right, we just need to determine what is Mr. Bass to pay to clear him to...

**Land Agent I L. Taleu:** Even though I understand what he's talking about I do get his point, unfortunately that way I look at it is he notarized and he accepted the conditions when he signed the lease. And I do understand how he feels but this is what he agreed to, he agreed to property taxes, he agreed to the lot size that's what he agreed to. But it is at the discretion of the Board to say otherwise.

**Chairman J. Reyes, Jr.:** I think the assessment is going to be what is fair in a sense it could just be the land or whatever is being assessed today your breakdown it should just be the land for however many years and that's what Mr. Bass would pay and just in speaking through and talking through. Secondly, is the negotiation of we pay for the survey and he pays for the land taxes versus swapping he does the survey and the land taxes don't apply.

**Land Agent I L. Taleu:** For the first seven years.

**Chairman J. Reyes, Jr.:** Right, for the first seven years. So Mr. Bass, we'll make sure that we clear this up as far as which tax assessment you would pay if that's the route you would take and then the survey is done by....we'll take of the survey. Now, this is a lot of clearing up that not only be done with the Board to approve this but also with Land Management, Rev. and Tax, Property tax so we're going to have to take this in steps. So Ms. Taleu....sorry, Mr. Bass, let me just wrap this up with Ms. Taleu. So, Ms. Taleu, if we move forward today, the Commission takes action you know A, B, C which would not necessarily take into account the property taxes, correct? Because we don't know what he's going to pay?

**Land Agent I L. Taleu:** Right.

**Chairman J. Reyes, Jr.:** Okay, just wanted to make that....

**Land Agent I L. Taleu:** Because we don't do the assessment, Revenue and Taxation does the assessment.

**Chairman J. Reyes, Jr.:** Given what has been assessed, this is not what we want Mr. Bass to \*inaudible\*

**Land Agent I L. Taleu:** No, he should not be assessed for building taxes because those aren't his buildings and that's not the lot that he's supposed to be issued. It was simply you have to look at the masterplan as a jigsaw puzzle where they have all these leases where \*inaudible\* different pieces. The Survey Division had to go in and they had to place somebody if they recorded a survey map they knew okay you're going to be over here on this corner but if you are a portion of and you never got a survey map now we have all these pieces so they had to fit them all on the table and then they had this one huge piece that was Jaime Bass and they said okay, we're going to put him here with all these buildings but he wasn't really there so that's how we have to look at it.

**Chairman J. Reyes, Jr.:** Okay, we're going to fix all this. So Commissioners, any additional questions... Mr. Bass, let me turn it over to you, so we're going to take a couple of steps here today to try and fix this definitely I think the property tax situation would have to be figured out before we determine what you should pay and then at that point when the amount comes out you can decide whether or not you want to pay these taxes and have us do the survey or you do the survey and you would not be responsible for the taxes up to seven years; does that sound fair, sir?

**Mr. Jaime Bass:** Yeah, as far as... yeah that does sound fair and I guess going back to what I request in your deliberations in considering in my case is that again, I was put on Lot B which I did sign for and I understand that sort of starts the clock on what my responsibilities are as far as land taxes go but then I was also put on Lot C and Lot C I did not have an updated lease which I was anticipating which is what I requested for and it just sort of died in the water there so again so if you can just let me know what I need to do to get this thing finally settled but just to consider that in my eyes, I didn't have anything. I did sign for a lease but I want' anywhere.

**Chairman J. Reyes, Jr.:** Yeah, understood, sir. I understand that you have not yet planted one item per say. However, there's the... what's leases, what's signed etc..... we'll have to make sure we take all of that into consideration but I think if there's no additional questions for clarification we can start figuring this out.

**Commissioner A. Santos:** Square everything away.

**Chairman J. Reyes, Jr.:** Yeah. Okay, anything else, Mr. Bass?

**Mr. Jaime Bass:** No, I'm good. And again just thank you everybody for listening to the case and thanks for trying help me get settled with all of this so I can move forward.

**Commissioner A. Santos:** Mr. Bass, just so we're clear, did you understand the Chairman's question or did you understand what he's talking about with just having us square everything away... getting them figures and then speaking with you again?

**Mr. Jaime Bass:** Yes, I guess that's my understanding before the next step happens with surveying and all of that is we first have to clarify what the back taxes are if I'm understanding correctly.

**Commissioner A. Santos:** Correct, right, that's exactly it. Just give us a moment to get our figures aligned and \*inaudible\* with you again.

**Mr. Jaime Bass:** Okay, I got that, thank you.

**Chairman J. Reyes, Jr.:** Okay so Ms. Taleu, what did we clean up here today?

**Land Agent I L. Taleu:** For me, I think we need to approve him to be relocated to the lot... just approve him to be relocated to the Allegeto lot.

**Commissioner A. Santos:** Allegeta.

**Land Agent I L. Taleu:** Allegeta my apologies and then we can do that and then we need to rescind the termination of the ratified lease and terminate the Okkodo lease. We need to pull back the termination of lease B and instead we need to terminate Lot A, the Okkodo lot.

**Chairman J. Reyes, Jr.:** We didn't do that?

**Land Agent I L. Taleu:** No we did the reverse. What I requested for was the termination of the ratification lease and not the A but because I looked at it as A was the first one that's the lot the size that way it'll clear up the property taxes or whatever but it was once again the Admin. Division coming to the rescue pointing this is the lease that is ratified it is better you terminate the unrated lease therefore we don't have to worry about him getting qualified under 75A. Which is why there's checks and balances.

**Chairman J. Reyes, Jr.:** Yes, understood. \*inaudible\* understood. Okay, so in the request, A through I, we will be working on A, B and C, correct?

**Land Agent I L. Taleu:** Yes.

**Chairman J. Reyes, Jr.:** And then we stop there, is that where we stop?

**Land Agent I L. Taleu:** But we still terminate D- we still need to terminate the lease for A.

**Chairman J. Reyes, Jr.:** Okay so up to D?

**Land Agent I L. Taleu:** D and then we need to do E, approve him to be relocated to Allegeta St. and then....

**Chairman J. Reyes, Jr.:** Then we stop there?

**Land Agent I L. Taleu:** And then we can stop there and then.... Because we need to find out from Revenue and Taxation what we need to do to get his property taxes corrected and also the Board needs to decide. Will you do as Mr. Bass is requesting to go ahead and waive the property taxes for a lot that he didn't... he never occupied or do we stick to the fact that he signed a lease agreement and that's what he agreed to.

**Chairman J. Reyes, Jr.:** So we'll get to that after we decide... I think after we figure out what these taxes are going to be I think that's where it be a good spot for Mr. Bass to make a decision.

**Land Agent I L. Taleu:** We need to table it pending whatever Revenue and Taxation says we need to do and then take it back and get it to that point where his property taxes are corrected.

**Chairman J. Reyes, Jr.:** So, A through E is where I feel comfortable for the Board to consider and then the rest we can table as it deals with tax assessments.

**Land Agent I L. Taleu:** Yes, and I'll work with Joe Cruz as to what we need to do from Revenue and Taxation based on what they say. If they say we need to do this this and this then we need to make sure that we need to do this this and this to correct the tax assessment.

**Chairman J. Reyes, Jr.:** Okay. Attorney Toft, are we good with that?

**Legal Counsel N. Toft:** We're good with that.

**Chairman J. Reyes, Jr.:** Alright, thank you sir.

**Engineering Tech II P. Castro:** Lydia, what about the cost of the survey? That could come later or...?

**Land Agent I L. Taleu:** So will approve the covering of the cost of the survey because if we do that we need to let DLM know because Pierce has to submit the request and it has to include the request from the Board.

**Chairman J. Reyes, Jr.:** Yeah, but we're not at that juncture yet. We want to give options for Mr. Bass whether or not we want to go his way for the survey and not us or picks the route of us doing the survey and then...let's keep that separate for now. Unless... Commissioners?

**Commissioner A. Santos:** I hear at his point with not being on a lot. We got to take that into consideration so none of this \*inaudible\* taxes is not pertaining to him although he had gotten a lease \*inaudible\*

**Land Agent I L. Taleu:** No, because it was supposed to be done on our part.

**Commissioner A. Santos:** Right, no survey...nothing was being done but he's being charged \*inaudible\*

**Chairman J. Reyes, Jr.:** That one we'll pick back up and we'll just kind of get more of the rescinding and the relocation done. And then we'll have an actual lease with the right lot.

**Land Agent I L. Taleu:** Or we'll have... yes an addendum for the right lot. But we can't do the addendum until the survey map is done. And if we are approved so once we do get all that in because then I will have to submit a memo to... a request for a survey authorization and I have to show proof that the Board has approved the relocation. I need to follow up...

**Chairman J. Reyes, Jr.:** And those are the immediate next steps \*inaudible\* come back to us?

**Land Agent I L. Taleu:** Yes, once you guys make your decision, I have to.

**Chairman J. Reyes, Jr.:** Okay... \*inaudible\* I think let's just square that away and then we can deal with surveying and taxes. Ms. Taleu can get that \*inaudible\* and we can deal with surveying and taxes.

**Land Agent I L. Taleu:** Ms. Taleu and Joey Cruz.

**Commissioner A. Santos:** So just to clarify, we're making an addendum for the lot.

**Chairman J. Reyes, Jr.:** A through E. A through E on our packet. So the rescinding and then the relocation.

**Commissioner A. Bordallo:** When you said Lot A, what was \*inaudible\*

**Land Agent I L. Taleu:** Yes, in the April meeting I approved that we keep that lot lease and we terminate lease B but lease B is the ratified lease. So if we terminate that one, he's got to redo everything so therefore it's best that we just terminate the one that wasn't ratified.

**Commissioner A. Santos:** A?

**Land Agent I L. Taleu:** Yes, A. And the reason why I say terminate the lease even though they were kind of together because we're under federal review so I don't want the Federal Government walking in and looking at opening this file going... he has two leases according to your public law, he can only have one. Why does he have two existing leases for the same type. So we need to correct everything moving forward so should the federal government ever walk in or anybody walk in and request to review our files, we need to make sure what we're doing moving forward is correct and we have to correct and we have to correct the problems and the mistakes that were done in the past.

**Commissioner A. Bordallo:** So lease A is where you're going to put the addendum?

**Land Agent I L. Taleu:** No, lease A the Okkodo Lot is the one I'm requesting we terminate because that was never Board approved. Lease B for the Astumbo lease that is the one that was ratified therefore it will be easier for Mr. Bass if we move forward on the ratified lease and once we do the addendum it will correct the lot size so the taxes in moving forward it will be assessed at the right acreage that he will be occupying.

**Chairman J. Reyes, Jr.:** Got Ms. Taleu, thank you. Okay, Commissioners, any additional questions?

**Commissioner A. Santos:** None for me.

**Chairman J. Reyes, Jr.:** Okay, I will \*inaudible\* to make some action.

**Commissioner A. Bordallo:** I would suggest we state action and then we can...

**Chairman J. Reyes, Jr.:** Okay, so here's what... (multiple people talking at the same time) Ms. Taleu just to clarify we are going to rescind the April 15<sup>th</sup> board approval of the transfer to a portion of Tract 1113, Block 16 in Dededo for half-acre and then we're going to rescind the April 15<sup>th</sup> 2021, \*inaudible\* to cover the cost of a recorded survey map for a portion of Tract 1113, Block 16 in Dededo and then we're going to rescind the April 15, 2021 meeting, approval for termination for agriculture lease for 10125-11-4 in Dededo containing the 6385 square meters and then we're going to terminate the November 26, 2002 lease for a portion of Lot 10120 in Dededo containing the half-acre and then that will allow us to relocate the transfer or request to relocate the transfer from Lot 10125-11-4 in Dededo to Lot 10171-63-1 in Dededo for half-acre. So changing the size from 6385 square meters to the half-acre which is roughly 2023 square meters.

**Land Agent I L. Taleu:** Yes.

**Chairman J. Reyes, Jr.:** And that will \*inaudible\* so that correct tax assessments will begin but it will not clear existing taxes nor the agreement of who's doing survey.

**Land Agent I L. Taleu:** Right.

**Chairman J. Reyes, Jr.:** Okay, Commissioners.

**Commissioner A. Santos:** Mr. Chair can you make the motions?

All: Laughing

**Commissioner A. Bordallo:** I approve what he said.

All: Laughing

**Chairman J. Reyes, Jr.:** I mean reading through that Commissioners it makes it clear of what exactly we need to do and rescind...



**Commissioner A. Santos:** rescind...rescind...

**Commissioner A. Bordallo:**Right on...right on...

**Commissioner A. Santos:** correct... correct...

All: laughing

**Commissioner A. Santos:** Mr. Bass did you hear all that?

**Mr. Jaime Bass:** Yeah, I got it. It was a little bit hard to hear but yeah for the most part I got it.

**Commissioner A. Santos:** Thank you for your patience.

**Mr. Jaime Bass:** No thank you. Thanks everybody for working on this.

**Commissioner A. Santos:** First rescind... let me square this away because I was writing while you were reading

Multiple conversations

**Commissioner A. Santos:** So we're rescinding B, the motion that we made for Bass is with B correct?

**Chairman J. Reyes, Jr.:** Yes

**Commissioner A. Santos:** Okay. And that is in the summary or findings?

**Land Agent I L. Taleu:** In the Request, part 5.

**Chairman J. Reyes, Jr.:** Alright where would the request be?

**Land Agent I L. Taleu:** Last page.

**Commissioner A. Santos:** \*inaudible\*

**Chairman J. Reyes, Jr.:** Flip...flip...

**Commissioner A. Santos:** Yes... yes... I'm there. I was like, findings?

All: laughing

**Commissioner A. Santos:** Okay, rescind... rescind... you said, A through E, is that correct?

**Chairman J. Reyes, Jr.:** Yes, ma'am.

**Commissioner A. Santos:** Alright, great, I'm there... we're there. I make a motion to rescind the April 15<sup>th</sup> 2021 approval to transfer a portion of Tract 1113, Block 16 in Dededo for half-acre for Jaime B. Bass.

**Chairman J. Reyes, Jr.:** May I get a second.

**Commissioner A. Bordallo:** I second.

**Chairman J. Reyes, Jr.:** Alright, any objections?

**Commissioner A. Santos:** None

**Chairman J. Reyes, Jr.:** Alright, hearing none the motion passes.

**Commissioner A. Santos:** So that one is taken care of, right? We have no lot lot A on this place right now after our motion? Great.

I make a motion rescind the April 15<sup>th</sup> 2021 approval to cover the cost of a recorded survey map for a portion of Tract 1113, Block 16 in Dededo for half-acre effective November 30<sup>th</sup> 2007 for Jaime D. Bass

**Chairman J. Reyes, Jr.:** May I get a second

**Commissioner A. Bordallo:** I second

Chairman J. Reyes, Jr. Okay, any objections?

Commissioners: None

**Chairman J. Reyes, Jr.:** Okay, hearing none motion passes.

**Commissioner A. Santos:** Now we are going... C... this is the lot that he's supposed to be on correct?

**Chairman J. Reyes, Jr.:** The Okkodo.

**Commissioner A. Santos:** Oh Okkodo. I make a motion to rescind the April 15<sup>th</sup> 2021 approval for termination of agricultural lease for Lot 10125-11-4 in Dededo containing an area of 6385 square meters effective November 25<sup>th</sup> 2002.

**Commissioner A. Bordallo:** I second it.

**Chairman J. Reyes, Jr.:** Thank you, Commissioner Bordallo. Any objections?

**Commissioner A. Santos:** None

**Chairman J. Reyes, Jr.:** Okay, no objections, motion passes.

**Commissioner A. Santos:** This is for the last lot right? I make a motion to terminate November 26<sup>th</sup> 2002 lease for a portion of Lot 10120 in Dededo containing an area of half-acre for Jaime D. Bass.

**Commissioner A. Bordallo:** I second it.

**Chairman J. Reyes, Jr.:** Thank you. Any objections?

Commissioners: None

**Chairman J. Reyes, Jr.:** Okay, motion passes.

**Commissioner A. Santos:** Okay, here we go. This one is for F, correct?

**Land Agent I L. Taleu:** E

**Commissioner A. Santos:** E, okay. I make a motion to relocate the transfer from Lot 10125-11-4 in Dededo containing an area of 6386 square meters to Lot 10171-63-1 in Dededo containing an area of half-acre.

**Commissioner A. Bordallo:** I second it.

**Chairman J. Reyes, Jr.:** Any objections?

Commissioners: None

**Chairman J. Reyes, Jr.:** Okay, hearing none, no objections, motion passes. Thank you. Ms. Taleu, any questions or clarifications.

**Commissioner A. Santos:** So that one is squared away, right?

**Land Agent I L. Taleu.** Yes. So now it's just up to me to work with Joey and then I also need to let the Admin side know what we need to do in moving forward with termination as well as updating the database for the pending lot that he will be relocated to.

**Commissioner A. Santos:** Thank you Ms. Taleu

**Chairman J. Reyes, Jr.:** Thank you Ms. Taleu. Okay and last one Ms. Eileen.

*Jose Pangelinan Santos*

**Land Agent II E. Chargualaf:** The next one is Jose Pangelinan Santos and Jhoana will be presenting.

**Chairman J. Reyes, Jr.:** Okay so after this one we'll take a short break. Who is presenting on this one, sorry I missed it?

**Engineering Tech II M. Javier:** Jhoana

**Chairman J. Reyes, Jr.:** Hi Jhoana. Sorry.

**Land Agent II J. Casem:** Okay, before you I will be presenting Mr. Jose Pangelinan Santos's case, he is deceased. So this case actually went before the Board twice. This went before the Board in January of 2020 as well as December 2020 meeting. In this situation there was a change of application type from A to R, Ag to Res. And so even before this moving forward for

the processing because through Admin side they advised that the change of application type is not applicable therefore we're bringing this back before the Board to retain basically the original motion from the January meeting but here we're requesting to rescind the motions that were made in the December 2020 meeting. So based on this the January 16<sup>th</sup> 2020 meeting the Board approved for a conditional agricultural lease under Mr. Jose Pangelinan Santos upon the completion of survey plus a submission of farm plan within Lot 10171-63 in the Municipality of Dededo for one acre. In the December 20, 2020 meeting the Board of Commissioners approved the following motions, the first one is motion to rescind decision made by the Board on January 16, 2020. The second is motion to change application type from Ag to Res and then third the motion to issue a residential lease for a half-acre on a portion of Lot 10171-63 in Dededo. Unfortunately, within this year Mr. Santos has passed. His daughter who was or who is the named successor did submit the documents to request to succeed her father's application. And so on the April 15<sup>th</sup> as per the advisement of management the changes of application type is not applicable by law therefore all those that did a change of application type may subsequently need to be reverted back to its original status. And then also we requested during the time frame of 2020 to scheme out that lot originally for Mr. Santos for the one acre to be schemed into the two lots which is where Ms. Lydia presented the other side, this is where Mr. Santos has actually been utilizing for his farm activity since before his passing. So in moving forward as we go over our laws there's nothing stated within our Rules and Regs as well Chapter 75 that applicant or lessee can or can't change his or her application type. Before Mr. Santos passes requested to obtain a residential lease due to his age he wouldn't be able to continue farming on the area he was using to farm and livestock the pandemic set us back and we were unable to conclude the necessary steps for Mr. Santos obtain his residential lease. Mr. Santos unfortunately passed away earlier this year and his daughter is requesting to succeed his application and move forward in obtaining an agricultural lease. So we would like the original motion based on the January 2020 Board meeting and then also based on the SOP 2020-001 Ms. Barbara Santos Blas as the named successor to Mr. Jose Pangelinan Santos.

**Chairman J. Reyes, Jr.:** Okay.

**Land Agent II J. Casem:** So even if were to move forward with the residential his successor wouldn't have qualified because she owns private property and I did speak with Ms. Blas and we went over everything has gone within the year. I'm not too sure if she is online but I did speak with her and she did advise that she may be online maybe not because she's a teacher so I don't think she is but I did advise that we will present the case to the Board.

Chairman J. Reyes, Jr. I just have a question. So in essence it's going to remain... we're going rescind the actions taken in December 2020 which means that it will keep the application as agriculture and then we need to confirm that Ms. Barbara Santos Blas is the successor for Mr. Santos.

**Land Agent II J. Casem:** She is the successor

**Chairman J. Reyes, Jr.:** So do we need to do anything?

**Land Agent II J. Casem:** Well it's because the December 2020 motions were to change the application type from Ag to Res and we want to bring it back to its original application.

**Chairman J. Reyes, Jr.:** Yeah, so that's the first one to rescind December 2020 and keep as is the original.

**Land Agent II J. Casem:** The January 2020 motion. So the question there would be because if on the January 2020 she was approved or he was approved for a agricultural lease which qualifies him under the 75 so we want to go back to that because that was original motion made in January being that it would qualify her under 75 versus 75 A so that's a clarification for Mr. Toft.

**Legal Counsel N. Toft:** I think that we would just leave a motion to rescind the actions made on December 20th 2020 and then she would be under Chapter 75 and not 75A.

**Chairman J. Reyes, Jr.:** And then you'd just proceed with the process.

**Land Agent II J. Casem:** Yeah so that's what she did advice should she not be able to qualify under 75A but I did advise her that because this was the original decision made by the Board in January of 2020 that it would just need our legal counsel to basically close that and indicate that yeah, she is going to be qualified under the 75 because she was the named successor prior to the change of the law.

**Chairman J. Reyes, Jr.:** And it is documenting \*inaudible\*

**Land Agent II J. Casem:** Yeah, I mean I think the only thing is to rescind the motion from 2020.

**Commissioner A. Santos:** For me it said that no lease just application?

**Land Agent II J. Casem:** Yes

**Commissioner A. Santos:** Did we receive a notice that he passed away... a certificate of death?

**Land Agent II J. Casem:** Yes.

**Commissioner A. Santos:** When was that submitted?

**Land Agent II J. Casem:** She submitted a month after passing. He passed in February and we received it in April.

**Commissioner A. Santos:** Okay and that's within the 180 days.

**Land Agent II J. Casem:** Yes.

**Commissioner A. Santos:** But because the application... the thing is I don't have... I'm all about our people are going to be restored that justice and if we can save this for him in memory because he did write her down as the successor, I'm all for it. It's just we're still entertaining 1995 this one is 2007 it will still be in line, correct? On here there's a land use permit already... so here's what I'm saying.... There's 187... 151 in line right now that we're trying to get a hold of is this... will this be given a lease already?

**Land Agent II J. Casem:** Well because he's a land use permit holder and those with our LUPs if they're still on the property they would be grandfathered given that they went through the

process also with our office which is the application. So you are going to see a number of possible land use permittees who may still be alive who their application dates are far off of the '95s but they still are on the property like they're still utilizing it farming so... yeah, the request is to obtain a lease so that an agricultural lessee so....

**Commissioner A. Santos:** For me this is going to bring up a lot of issues... we've had one to many of this already. It's not unfamiliar to us already. People are occupying property and they were told to occupy just wait your turn....squat on the land \*inaudible\*

**Land Agent II J. Casem:** I don't think he was squatting.

**Commissioner A. Santos:** Not necessarily squatting but then you said there's a land use permit form Land Management and there's where li

**Land Agent II J. Casem:** There's a land use permit form Land Management and there's where CLTC came through and basically took over the program. So you have a number who... some were December 2 applicants under the land use permit and were able to get a lease, some were like in this case 2007, in our law it doesn't state that could... it doesn't say that we could or couldn't give them a lease it just says we couldn't evict them. So in this case if you guys are going to go that route of stay there, remain there but no lease will be given until his date and time then I think that should apply to everybody else then that... because we have so many of those that come in requesting and they were issued leases and approved by the Board as a pre-occupier.

**Commissioner A. Santos:** That's what I'm saying is that there's how many of them out there?

**Land Agent II J. Casem:** Many

**Commissioner A. Santos:** So when we address this we come across more than likely the same thing more than once?

**Land Agent II J. Casem:** Yes

**Commissioner A. Santos:** So how do we want to make sure that we are within our land within the law and making sure that this is going to be the decision for this one that everybody else is the same way and we don't treat it any different. You get what I'm saying? Like if we make this decision or whatever, this is going to be the decision for every other \*inaudible\* so we just want to make sure that our T's are crossed and our I's are dotted.

**Chairman J. Reyes, Jr.:** Well at least for this one it's just the application there was no lease, correct?

**Land Agent II J. Casem:** There was approval of a lease issuance upon the completion of a farm plan, survey you know workshop. That was the January motion.

**Chairman J. Reyes, Jr.:** January 2020?

**Land Agent II J. Casem:** So in here I have the minutes from Commissioner Bordallo, "I move a conditional agricultural lease for Mr. Jose Pangelinan Santos upon completion of a survey plus submission of a farm plan on Lot 10171-63 in the Municipality of Dededo for one acre" so that

was the original motion however because of the laws he wouldn't be obtain that one acre because it's already surpassed the agricultural law I believe it's the... which one is that one again, sorry? I can't recall the actual public law

**Engineering Tech II P. Castro:** 31-170

**Land Agent II J. Casem:** Yeah, so in there it states I think if it hasn't been approved prior to that public law that start at a half-acre as a subsistence farmer.

**Chairman J. Reyes, Jr.:** Okay so that was in the January 2020 meeting?

**Land Agent II J. Casem:** Yes. And then in the December motions it was similar but a change of application type so that's where the \*inaudible\* it wasn't applicable.

**Chairman J. Reyes, Jr.:** Okay. So... and this is your case right since the very beginning.

**Land Agent II J. Casem:** Yes. So should this be one where the Board doesn't move forward with a lease but is able to remain there in terms of our lessee or our applicant I guess you know trying to obtain any utilities or anything it will just be an in-office indication that this person is an occupant versus a lessee.

**Chairman J. Reyes, Jr.:** What's going on, on the property right now?

**Land Agent II J. Casem:** So currently right now there are fruit trees on the property there is a small piggery kind of thing and then also they have a small little shack on the property so when I did speak to the successor she does want to be able to keep what her dad has put on the property and also for future whoever would be the future successor they would be able to keep the property and put down fruits, trees farm for the future.

**Commissioner A. Bordallo:** Has Barbara Santos Blas know that the lot is just going to be just half-acre.

**Land Agent II J. Casem:** Yes, we did explain that to her.

**Commissioner A. Santos:** So... I want to state this that in December that was our first rodeo right, that was our first meeting for the Chairman and myself. And within the law for switching application types... that's my fault, I'll take it that I did not know that we could not. So if we want to correct that I guess let's start there.

**Chairman J. Reyes, Jr.:** Right.

**Commissioner A. Santos:** Just to make sure we're squared away. You get what I'm saying?

**Chairman J. Reyes, Jr.:** Yes. I think that's the only motion, rescind what was done in December.

**Land Agent II J. Casem:** December 20, 2020.

**Chairman J. Reyes, Jr.:** And that's the action I feel that.... For this one.

**Commissioner A. Santos:** Of course what we need to know and what is the main \*inaudible\* with our team is making sure that what's coming to us is legit \*inaudible\*

**Chairman J. Reyes, Jr.:** And so this came out of Admin area?

**Land Agent II J. Casem:** yes.

**Chairman J. Reyes, Jr.:** This came out of Admin just to make sure that they're all \*inaudible\* line

**Land Agent II J. Casem:** Yes, this was a throw-back on that part in terms of the change of application type.

**Commissioner A. Santos:** Good. Thank you.

**Land Agent II J. Casem:** So in moving forward if we are going to go by our public law then... based on 6.4 it doesn't state that we have to issue a lease. It's indicated there under \*inaudible\* pre-occupiers but it doesn't state that you have to issue a lease to a pre-occupier and so going by date and time you would have to wait for an issuance of a lease until 2007 comes up. So we're not going to retain that original motion, correct of the January?

**Chairman J. Reyes, Jr.:** So we would have to edit that, right technically, Attorney Toft?

**Legal Counsel N. Toft:** I mean that's up to the Board. Apparently before the Board the request was to rescind the December 20, 2020 motions.

**Commissioner A. Santos:** \*inaudible\* change of application type?

**Legal Counsel N. Toft:** Yes.

**Commissioner A. Bordallo:** I have a question, Attorney.

**Legal Counsel N. Toft:** And to rescind... and December also had the motion within it to rescind the January 2020 action as well.

**Commissioner A. Santos:** Do we take that into consideration? Do \*inaudible\* given that?

**Legal Counsel N. Toft:** So the reason that January one was rescinding was two-fold. One was that he was seeking residential because he was getting to old and couldn't do agricultural do to his age and health and due also to the size of the lot.

**Commissioner A. Bordallo:** I have a question. Knowing that Ms. Barbara Blas is a home owner, \*inaudible\* can qualify for an agriculture lot. \*inaudible\* can we allow that?

**Legal Counsel N. Toft:** Yes, we could allow her to proceed with an agricultural lot a half-acre on \*inaudible\* family land.

**Commissioner A. Santos:** She is the successor, right?



**Legal Counsel N. Toft:** She is the successor. In order to that what I would suggest is a motion to rescind the December 20, 2020 motions and then a motion to amend the January 16<sup>th</sup> 2020 motion to make it a half-acre instead of a one acre.

**Commissioner A. Bordallo:** Okay. \*inaudible\*

**Legal Counsel N. Toft:** But by rescinding the December one it would bring back to agriculture then we just need one more motion to change the size.

**Commissioner A. Santos:** I make a motion to rescind our December 20, 2020 CLTC Meeting the change of application type from agricultural to residential for Mr. Jose Pangelinan Santos.

**Chairman J. Reyes, Jr.:** May I get a second

**Commissioner A. Bordallo:** I second

**Chairman J. Reyes, Jr.:** Thank you. Any objections?

**Commissioner A. Santos:** None

**Chairman J. Reyes, Jr.:** Okay, hearing none, motion passes to rescind the motion from December 20, 2020. And now we need to address the size to get back to a half-acre.

**Commissioner A. Santos:** And this is on the lot as described, Ms. Jhoana?

**Land Agent II J. Casem:** Yes, so it would be in a portion of 10171-63

**Commissioner A. Santos:** Okay. I make a motion to change the size of Lot 10171-63 in Dededo from an acre to half-acre for Jose Pangelinan Santos.

**Chairman J. Reyes, Jr.:** May I get a second.

**Commissioner A. Bordallo:** I second

**Chairman J. Reyes, Jr.:** Any objections?

**Commissioner A. Santos:** None

**Chairman J. Reyes, Jr.:** Okay, hearing none, motion passes on the change of acreage from one acre to half-acre for 10171-63 for Mr. Jose Pangelinan Santos.

**Commissioner A. Santos:** \*inaudible\* and she's already the successor.

Chairman J. Reyes, Jr.; Anything else Ms. Jhoana?

**Land Agent II J. Casem:** That is it, sir.

**Chairman J. Reyes, Jr.:** Okay, so the time is 3:35 we'll take a quick ten-minute break and reconvene and we'll get into the next item on the agenda. Thank you.

Reconvene: 3:52 p.m.

**Chairman J. Reyes, Jr.:** It's 3:52 and we will reconvene the meeting. The Financial Report is going to be tabled. There are some changes and updates that need to be made so we will move. We'll table that for our next meeting, moving to the next item on the agenda which is our Agency Report.

Agency Report

**Acting Administrative Director A. Camacho:** So, Public Law 36-54 authorize CLTC an appropriation of one million five hundred forty-four eight hundred sixty-nine dollars (\$1,544,869.00) for Fiscal Year 2022. One million twenty-seven thousand seven hundred forty-nine (\$1,027,749.00) will come from CLTC's Operations Fund. Ninety-two thousand eight hundred twenty-four (\$92,824.00) will come from CLTC's Survey and Infrastructure Fund. Four hundred twenty-four thousand two hundred ninety-six (\$424,296.00) will come from the General Fund.

**Chairman J. Reyes, Jr.:** And that's for Fiscal Year 2022?

**Acting Administrative Director A. Camacho:** Second item a Ceased and Desist letter was issued regarding the mineral extraction activities from the Guam Racing Federation. The staff \*inaudible\* from the Guam Racing Federation was conducting mineral extraction activity that exceeded the approved zone at the December 19, 2019 Board meeting. So we will make sure that we are in compliance before we proceed.

**Chairman J. Reyes, Jr.:** Okay, so we already sent the letter?

**Acting Administrative Director A. Camacho:** Correct.

**Chairman J. Reyes, Jr.:** Okay.

**Commissioner A. Santos:** That we're in compliance as in like the raceway?

**Acting Administrative Director A. Camacho:** There were somethings that were not in our records such as beginning point topple I believe. So there are things that the raceway need to provide. Also there are some discrepancies so we want to work all that out before any additional activity is allowed.

**Commissioner A. Bordallo:** So did you stop it?

**Acting Administrative Director A. Camacho:** We met with Mr. Henry Simpson and he agreed to stop activity until we can iron out what has agreed upon and that he complies.

**Commissioner A. Santos:** Good

**Chairman J. Reyes, Jr.:** And this is just on the mineral extraction, right?

**Acting Administrative Director A. Camacho:** That's correct

**Chairman J. Reyes, Jr.:** Not on any of the other activities on the raceway or the...

**Acting Administrative Director A. Camacho:** Just \*inaudible\* mineral extraction

**Chairman J. Reyes, Jr.:** Okay

**Commissioner A. Santos:** When was that presented?

**Acting Administrative Director A. Camacho:** We met with him two days ago so that was Tuesday; the letter was sent to him yesterday. So the agreement was actually Tuesday when he agreed to cease and desist. We actually did an inspection too. I'll just say we did an inspection yesterday and there was no activity. So he seems to be true to his word.

**Commissioner A. Santos:** Good. Thank you.

**Acting Administrative Director A. Camacho:** Third item

**Commissioner A. Bordallo:** Is that what's holding the renewal of his...

**Chairman J. Reyes, Jr.:** Lease

**Acting Administrative Director A. Camacho:** Correct

**Legal Counsel N. Toft:** No, not the lease the right of entry.

**Acting Administrative Director A. Camacho:** It's a right of entry.

**Chairman J. Reyes, Jr.:** I'm sorry the right of entry

**Acting Administrative Director A. Camacho:** So we'll get that all squared away for...

**Commissioner A. Bordallo:** \*inaudible\*

**Acting Administrative Director A. Camacho:** Well I do know that at some point I do have to report again.

**Legal Counsel N. Toft:** Right

**Commissioner A. Santos:** Right get explanations.

**Legal Counsel N. Toft:** Well right of entry has a timer on it so before that expires. \*inaudible\* the long term is with the legislature and we weren't able to come to an agreement on it based on terms of the legislature as required so he was planning to go back to the legislature to seek an \*inaudible\* but during that time we just gave him a right entry to the \*inaudible\*

**Commissioner A. Santos:** yeah, okay. Thank you.

**Acting Administrative Director A. Camacho:** Third item to report on is that Joey and I also met with GICC regarding the arrears. GICC will be submitting a payment plan addressing the arrears. So \*inaudible\* bring that to the Board in our October meeting.

**Chairman J. Reyes, Jr.:** And GICC just to confirm is golf course.

**Acting Administrative Director A. Camacho:** The next item last week the Office of the Attorney General informed me that they will be returning the last work request related to an MOU for legal service provided by AAG Toft. The OAG will be absorbing the expenditures and will not be charging CLTC. The language in the FY 2021 Budget Act related to the legal services provided by the OAG reads the same in FY2022 Budget Act. The only concern we have is the timeliness of availability and priority of the legal needs of CLTC.

**Chairman J. Reyes, Jr.:** And I'm glad you brought that up. So Attorney Toft, is that going to make and impact on us?

**Legal Counsel N. Toft:** It's something we should probably discuss with the Attorney General. That's above my ability to...

**Chairman J. Reyes, Jr.:** Right now it's status-quo?

**Legal Counsel N. Toft:** Yeah, I'd say at least till the end of the fiscal year.

**Acting Administrative Director A. Camacho:** And then what we'll do is probably request for a meeting with the OAG. And that's all I have to report today.

**Chairman J. Reyes, Jr.:** Thank you. Commissioners, any questions?

**Commissioner A. Bordallo:** Yeah, about the budget, how was it compared to last year?

**Acting Administrative Director A. Camacho:** We received an additional... over four hundred thousand dollars that will allow us to create new positions and also opening up other positions to support land agents also will provide support to the administrative side of the office and survey. I know that we need to add two additional positions to create a survey crew so that we can get more on the survey side done for CLTC.

**Commissioner A. Santos:** Is that going to be in the strategic plan, do you know?

**Chairman J. Reyes, Jr.:** Yeah, so in light of that as well we have the strategic plan that we delivered to the Commissioners. The goal is by the next meeting which would have some of the timelines associated to the budget dollars but also a way to ensure that within the year we make some \*inaudible\* and that's my thing that \*inaudible\* were made to the Commission. And so the goal is... it's gone to the first draft and edits were made and then we circulate it again and then it'll be presented to the Board.

**Commissioner A. Santos:** Did we get any money from \*inaudible\* pandemic?

**Chairman J. Reyes, Jr.:** The American Rescue Plan? So we're not sure yet and nor have we necessarily put \*inaudible\*

**Acting Administrative Director A. Camacho:** I would like to...

**Chairman J. Reyes, Jr.:** Yeah, I hope that we do. I think there's an opportunity for us to get some.

**Commissioner A. Bordallo:**\*inaudible\*

**Acting Administrative Director A. Camacho:** I'm hoping that... and unfortunately that this housing is not just something you do \*inaudible\* the things that we passed in our last meeting with affordable housing subdivisions and things like that will help our residents.

**Chairman J. Reyes, Jr.:** Yeah, I leave that up to Angie to help steward and whatever assistance she needs from the Commission we will help.

**Commissioner A. Santos:** Yes please thank you.

**Chairman J. Reyes, Jr.:** Alright. Any other questions, this is good stuff?

**Commissioner A. Bordallo:**Nope

**Chairman J. Reyes, Jr.:** Alright, just to give Joey the opportunity. Mr. Cruz, any additional comments or questions from your side? I can't hear you sir.

**Engineering Tech II P. Castro:** He's coming over

**Chairman J. Reyes, Jr.:** I think he has problems with his microphone

**Engineering Tech II P. Castro:** So he says...

**Engineering Tech II M. Javier:** Pierce said, that's what he says.

All: Laughing

**Program Coordinator III J. Cruz:** What was that?

**Chairman J. Reyes, Jr.:** Do you have any questions or comments from your side?

**Commissioner A. Bordallo:**Do we have any issues?

**Program Coordinator III J. Cruz:** We're good.

**Chairman J. Reyes, Jr.:** We're good. Alright, I just want to make sure.

**Commissioners:** Thanks, Joey.

**Chairman J. Reyes, Jr.:** Commissioners and Attorney Toft, anything to add?

**Legal Counsel N. Toft:** Nothing to add

**Chairman J. Reyes, Jr.:** Okay, thank you sir.

**Commissioner A. Santos:** Minutes?

**Chairman J. Reyes, Jr.:** Yes, let's do the approval of minutes. We need to go back to that item. Okay so, Approval of the August 19, 2021 CLTC Regular Meeting Minutes that we tabled to allow for Sain Bordallo to join us, so let's action that now.

**Commissioner A. Santos:** I'd like to make a motion to approve the August 19, 2021 CLTC Regular Meeting Minutes subject to grammatical corrections.

**Commissioner A. Bordallo:** I second it.

**Chairman J. Reyes, Jr.:** Okay, any objections?

**Commissioner A. Santos:** None, sir.

**Chairman J. Reyes, Jr.:** Okay, hearing none motion passes to approve the August 19, 2021 CLTC Regular Meeting Minutes.

*Commissioners' Comments*

**Commissioner A. Santos:** Thank you

**Chairman J. Reyes, Jr.:** Okay, Commissioners and now is our opportunity for any additional questions or comments.

**Commissioner A. Santos:** I did want to ask and just a couple of questions from last meeting and we put upon Angie as well just something with the procurement process with the affordable housing and you mentioned... will that also be stated on the strategic plan you all will be presenting.

**Acting Administrative Director A. Camacho:** Let me just... I'm quite sure that we did discuss housing. And actually you'll be very impressed with the strategic plan so you know in general yes.

**Commissioner A. Santos:** Okay, good, thank you. There's one thing that I did want to... within the past months... since our last meeting I've had constituents come in and question the process; I did tell them well go in and if you're just going to update it it's got to be within the parameters of the law that things can be amended... depends exactly on what they want to change in their application. But I did want to ask also is that I have been getting a lot of inquiries about movement within the line, and like I said last meeting too, this helps makes it clear to everybody that we are working that when we do say the next in line despite what we do have on our table right now with the Null and Void list and squaring that away and making to adjust to the requirements right, we are moving forward with the next on the line so I'm not to sure if Ms. Eileen was going to do a report or what would that because we did ask at the last meeting if they could use Facebook as an outlet into outreach right saying okay, if we can put out personal information we can be like... we're on this date and it's pretty much squared away to this date or what date we are on... just taken that transparency for trust to be

restored and recovered within the agency. So... if what's the next on the list... 187 or 151 I don't know what number it is, I really want some clarification please.

**Chairman J. Reyes, Jr.:** Ms. Eileen do you want come and join us, thank you.

**Land Agent II E. Chargualaf:** Okay can everybody hear me clear or do I need to come over to the conference room?

**Chairman J. Reyes, Jr.:** You're good.

**Land Agent II E. Chargualaf:** Okay, so what had transpired between this meeting and last meeting is we had a total of 131 residential and 20 agriculture which totaled up to 151 applicants out of that 104 were contacted either via email, telephone, or we contacted the POA and then 47 we're able to contact whether through their telephone numbers that are on file, emails or any other ways of communication. And then what had happen was Ms. Terese merged the rest of the agriculture and then started from December 2<sup>nd</sup> 1995, 8:07am to 10:30am and we came up with a total of 187 so of that 187 we had tried to make contact which I just mentioned earlier the 104 plus the 47 when they merged it we had an additional 36 agriculture applicants and with the 36 it came out to 36 agriculture applicants 7 of them was switch and transfer and the 29 remaining is assigned to Ms. Dayday to either contact them on whatever type of communication we have whether it's telephone number via email or through a POA. And what we were suggesting is that if the Board can approve for us to put it on Facebook like Ms. Commissioner Santos said, we can't put any type of information in regards to privacy act. What we can do is probably put a general statement out with the guidance of the Board and the legal counsel to put a general statement that anybody that applied in December 2<sup>nd</sup> would come in and update either contact numbers through telephone, make an appointment or via email and we have a Facebook page that is open to the public.

**Chairman J. Reyes, Jr.:** Yeah, I think if you make it general and if you work with Joey or Angie just to review what gets posted then I think that should be fine. So let's go ahead and proceed with that first and see what that would \*inaudible\* and then we can go from there if we need to do any additional \*inaudible\* marketing for these.

**Commissioner A. Santos:** So a total that was contacted was... how much?

**Land Agent II E. Chargualaf:** 47 out of the 151 but when we merged the agriculture with the time starting from December 2<sup>nd</sup> from 8:07 to 10:30 it came up to 187 total with that 36 being added to the previous number we had from last month.

**Commissioner A. Santos:** So total from 187... 47 were contacted?

**Land Agent II E. Chargualaf:** No out of the 100 well we still have to contact now 36 that's remaining that was merged in with our 131 plus the 20 agriculture which makes it 151 so we have 36 remaining to contact to complete this list that was merged from December 2<sup>nd</sup> 8:07am to 10:30am.

**Commissioner A. Santos:** That's 36 from 151... I mean 47 from 151 were contacted ?

**Land Agent II E. Chargualaf:** Were not able to contact. 104 we were able to contact.

**Commissioner A. Santos:** 104 we were able to contact?

**Land Agent II E. Chargualaf:** That's correct

**Commissioner A. Santos:** That was all avenues, mayors, mailings, however else... numbers, emails, next of kin?

**Land Agent II E. Chargualaf:** Yes sir.. yes ma'am.

**Commissioner A. Santos:** Correct?

**Land Agent II E. Chargualaf:** Yes, ma'am.

**Commissioner A. Santos:** So 104 from 151?

**Land Agent II E. Chargualaf:** That's correct.

**Commissioner A. Santos:** Okay, thank you so much.

**Chairman J. Reyes, Jr.:** Okay, anything further?

**Commissioner A. Santos:** Yes.

**Commissioner A. Bordallo:**\*inaudible\* what is our total inventory of land that belongs to ChamoruLand Trust?

**Chairman J. Reyes, Jr.:** So Joey you can answer that quicker than us... looking through this.. what is in our total inventory today?

**Commissioner A. Bordallo:**\*inaudible\*

**Program Coordinator III J. Cruz:** What's the question?

**Chairman J. Reyes, Jr.:** What's our total inventory?

**Commissioner A. Santos:** Land inventory

**Program Coordinator III J. Cruz:** Right now, we have 11,666.88 acres in our inventory.

**Commissioner A. Santos:** 866

**Program Coordinator III J. Cruz:** 11,666.88

**Commissioner A. Santos:** Acres, Joey?

**Program Coordinator III J. Cruz:** Yes.



**Chairman J. Reyes, Jr.:** And then Saina Bordallo's follow up question was on the plan housing development housing per say. I know in our oversight those are some of the questions that our speaker had and it's more in addressing which properties are ready to go for that? And then the approval that we gave for the affordable housing last meeting roughly three tracts that we could potentially let's say designate for some type of larger housing project. I'll pass it to Joey to give you some additional details there.

**Program Coordinator III J. Cruz:** Like the Chairman mentioned we've identified three parcels in the northern part of Guam. The first one that we had presented to the Board for the approval to proceed with the affordable housing was Tract 10123 in Yigo which is the parcel right across the Yigo gym. That was chosen because of the location of the utilities like sewer, power, water they run right along the easement going into Paradise Meadows and our properties. Our property is located to the \*inaudible\* at the right of that easement. The other property that we could potentially identified for affordable housing but hasn't been presented to the Board yet is Lot 190-41R1 which is located in Dededo which is right across Ironwood Estates so the sewer infrastructure the water the power is within immediate vicinity of that lot. The third lot Tract 10316 in Dededo also and that is located....

**Engineering Tech II M. Javier:** It's the opposite side of Swamp Road.

**Engineering Tech II P. Castro:** Stampa

**Program Coordinator III J. Cruz:** Stampa Road. Along Ysengsong Road in Dededo. And then we also have identified Phase II of the Ija Subdivision, the Land for the Landless Subdivision but the Phase II does not have power and water or sewer within the phase although it is at the end of Phase I so only certain lots have immediate connection to those.

**Commissioner A. Bordallo:** \*inaudible\* Ija

**Program Coordinator III J. Cruz:** Yes, ma'am.

**Engineering Tech II M. Javier:** One thing good about it it's been surveyed already it's just power water utilities is about 200 – 300 feet away from the surveyed properties.

**Program Coordinator III J. Cruz:** We also identified the extension of the FEMA Subdivision which is about another 40 – 50 lots

**Engineering Tech II M. Javier:** Tract 1113

**Program Coordinator III J. Cruz:** So we have multiple parcels of property where it would be financially feasible to install infrastructure such as sewer power water and as we move forward there's other properties that we do have but they're not registered yet so we're working with Attorney Toft on the land registrations.

**Commissioner A. Santos:** \*inaudible\*

**Program Coordinator III J. Cruz:** Dollar housing

**Engineering Tech II M. Javier:** Dollar housing

**Engineering Tech II P. Castro:** Sagan Linayan

**Engineering Tech II M. Javier:** Sagan Linayan right behind it, the extension right across Astumbo Elementary Middle School.

**Program Coordinator III J. Cruz:** Aside from our affordable housing projects we've also identified other residential lots where constituents are not able to obtain a mortgage because of financial reasons so there will be an alternative lot in the event that our constituents are next in line to be processed for a lease they may choose another lot within those other subdivisions that we designate for alternative \*inaudible\* lots.

We're also simultaneously working to identify the potential agriculture areas for our agriculture lessees so simultaneously we're working on the affordable housing residential lots for our constituents who may not qualify for mortgage and also agriculture parcels where we can issue agriculture leases.

At the same time too, we are doing our land inventory so there is multiple projects we are all working on at one time but we will get it done it's just a matter of time.

Multiple conversation.

**Commissioner A. Bordallo:** Thank you, Joey.

**Program Coordinator III J. Cruz:** You're welcome.

**Chairman J. Reyes, Jr.:** Anything else Commissioners?

**Commissioner A. Bordallo:** Are there more lands in the south?

**Program Coordinator III J. Cruz:** Yes, ma'am. We have a lot of property in the south although our challenge is the topography of the property it's not like our property in the North where it's very level. In the South there's a lot of mountains, hills...

**Engineering Tech. II M. Javier:** And they're unregistered. Most of the unregistered lands are in the south.

**Commissioner A. Bordallo:** I understand. But are those government properties or are they properties that were taken away because of land tax?

**Program Coordinator III J. Cruz:** They are CLTC properties in our inventory.

**Chairman J. Reyes, Jr.:** \*inaudible\*

**Commissioner A. Bordallo:** Maolek

**Chairman J. Reyes, Jr.:** Maulek okay.

**Commissioner A. Santos:** I wanted to bring up just about this meeting. I do want to say thank you guys for everything that you do and that you continue to do considering short staff and what needs to be done and what's on our plate right now and what we're looking forward to. Today was a good meeting I do want to add that if we can please before it does come to the

commission, can we make sure that everything is squared away. I know we have a review committee on that so we're expecting a lot from you please in that sense is to what is being brought to the commission. But other than that thank you very much for your transparency and making things better to correct the wrongs from the past. I appreciate you all.

**Chairman J. Reyes, Jr.:** Thank you, Commissioner Santos and I do want to wrap up and so we do have a retiree who will be leaving the Commission. Mr. Melvin Javier who's had thirty-one years with the Government of Guam... thirty-three years, twenty-six with DLM and five years with CLTC. So, sir we thank you so much for your service, we thank you so much for expertise in helping here at CLTC. Even if I've only been here a short period of time, you've done... I've seen a lot where you've helped with our land agents so thank you. When is your last day?

**Engineering Tech II M. Javier:** September 24<sup>th</sup>

**Chairman J. Reyes, Jr.:** I'm sure that there will be something that the department will do and we'll be here. And I just wanted to recognize that this is his last meeting and we're sorry. And we'll see you again.

Multiple conversation

**Engineering Tech II M. Javier:** Thank you very much

**Chairman J. Reyes, Jr.:** No, thank you. Just wanted to recognize you on your last meeting with us. And with that said, may I get a motion to adjourn.

**Commissioner A. Bordallo:** I make a motion to adjourn

**Chairman J. Reyes, Jr.:** May I get a second

**Commissioner A. Santos:** I second that motion

**Chairman J. Reyes, Jr.:** Alright, any objections?


**Commissioners:** None

**Chairman J. Reyes, Jr.:** Motion passes, we are adjourning 4:51 p.m.

**Adjournment:** 4:51 p.m.

Transcribed by: Tina Rose Tainatongo, Land Agent I

Approved by motion in meeting of: October 21, 2021

Chairman John F. Reyes, Jr.:  Date: 11/1/21



