



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

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Vice-Chairman

Amanda L.G. Santos
Commissioner

Austin J. Duenas
Commissioner

Shawntel L. Techaira
Commissioner

Jack E. Hattig III
Administrative Director

COMMISSION MEETING MINUTES

Department of Land Management Conference Room
3rd. Floor, ITC Building, Tamuning
Thursday, April 18, 2019, 1:02 p.m. – 6:49 p.m.

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

I. CALL TO ORDER

Chairwoman Pika Fejeran: called the CHamoru Land Trust Commission meeting to order at 1:02 p.m.

Chairwoman Pika Fejeran pointed out the reason for the Inifresi is to remind all who are present today of the purpose of why they sit on the Commission, to protect the CHamoru Homelands and to give the CHamoru Homelands leases to those whose ancestors lands were taken away.

II. ROLL CALL

Notation of Attendance

Present were: Chairwoman Pika Fejeran, Commissioner Santos, Commissioner Duenas and Administrative Director Jack Hattig, III.

Legal Counsel Toft will be joining the meeting at a later time.

Absent were: Vice Chairman Joe Cruz and Commissioner Techaira

III. OLD BUSINESS

1. Constituent Matters

- a. Request for Addendums – Correction of Lot Descriptions
McDaniel, Teresita Mendiola – Requesting for an Addendum to read a new lot description of Lot 7153-11-NEW-1, Yigo

Chairwoman Pika Fejeran: reviewed the staff report and indicated there is a lease which Teresita McDaniel currently has and was signed in 2011. A Survey Authorization was issued.

Asked for Lorraine Nededog, Land Agent I who prepared the staff report or Director Hattig to further explain the situation due to Teresita McDaniel's application date and time is dated for March 28, 2007 at 8:45AM and was issued a lease in 2011.

Also acknowledged **Legal Counsel Toft** who is now present for the CLTC Meeting.

Land Agent I, Lorraine Nededog: reported Teresita McDaniel does have a lease and the issuance of the lease was approved by the previous Deputy Director David Camacho in 2013.

Chairwoman Pika Fejeran: stated for confirmation purposes, in 2013?

Land Agent I Lorraine Nededog: in response, yes 2013. She referring to Teresita McDaniel surveyed the property and now requesting for an addendum to her lease.

Chairwoman Pika Fejeran: in response, to accurately describe the lot description.

Land Agent I, Lorraine Nededog: in response, yes to describe the new lot description.

Chairwoman Pika Fejeran: asked based on the Staff Report it states Teresita McDaniel's sister had a Lease for the property had it subdivided so that she referring to Teresita McDaniel can have a property.

Land Agent I, Lorraine Nededog: in response, yes and Teresita McDaniel was living there

Chairwoman Pika Fejeran: stated and asked for clarification, she referring to Teresita McDaniel was occupying the property and asked if the map is an In-House map approval dated in 2013? Also asked if lease was signed in 2013 or 2011?

Land Agent I, Lorraine Nededog: in response, it was approved in 2011.

Chairwoman Pika Fejeran: stated, the lease was approved subject to survey and asked for the applicant's file and the map to review.

Also stated, the Commission wants to be sure the case and the request is completely understood and Making the appropriate approval according to the law.

Addressed Director Hattig and stated there are four beneficiaries that have requests for Addendums and asked if the Addendums are not one of the items transferred to administrative approval authority?

Administrative Director Hattig III: in response, no not yet.

Land Agent I, Lorraine Nededog: stated there is an addendum in the file but it was not signed.

Chairwoman Pika Fejeran: still reviewing the map in the file and asked Teresita McDaniel if her Neighbors are her relatives?

Teresita McDaniel: in response stated, they are her sister's relatives.

Chairwoman Pika Fejeran: stated she has no other questions regarding the case and would need a Motion to approve the addendum to Ms. Teresita Mendiola McDaniel's lease; the addendum would read the new lot number, Lot 7153-11-NEW-1, Yigo.

Commissioner Duenas: SO MOVED

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: moved onto the next Constituent Matter.

Mesa, Annie I. - Applicant date and time: December 7, 1995 10:45AM

Chairwoman Pika Fejeran: reviewed the staff report and stated the staff report is very unclear. The Staff Report indicates there is no lease in file, the complaint/issue states requesting for additional a and asked for clarification.

Land Agent I, Lorraine Nededog: clarified the request is for an addendum to reflect the lot description. The first lease which was issued was based on a portion of Lot 10122-R8, Dededo subject to survey. Because Annie I. Mesa completed a survey for the property she was issued, the lot description now would be more detailed.

Chairwoman Pika Fejeran: reviewing the file stated she referring to Annie Mesa received a Residential Lease in 2002, had the property surveyed and now the lease needs to have an addendum to give the proper lot description. Verified and confirmed the final acreage; wanted to be sure it doesn't exceed .05 acres which is stated on the lease.

Asked for a motion to approve the Addendum for Annie I. Mesa to her lease to list Lot 10122-21, Dededo

Commissioner Duenas: SO MOVED

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: moved to the next Constituent Matter

Quichocho, Pedro Nauta – Application date and time: December 7, 1995 12:20PM

Chairwoman Pika Fejeran: reviewed the Staff Report and stated the issue is to correct the lot description to read the recorded master plan map. The first Addendum reads Lot 457-R1; the recorded Master Plan Map has Lot 457-6. The request is for approval to have a Second Addendum printed to reflect the correction.

Asked if the lease was recorded?

Land Agent I, Lorraine Nededog: in response, no it has not been recorded.

Chairwoman Pika Fejeran: asked if the second Addendum is approved then the lease will be recorded?

Land Agent I, Lorraine Nededog: in response, right.

Chairwoman Pika Fejeran: stated CLTC made the wrong property description and would like a motion to approve the Addendum for Pedro Nauta Quichocho to correct the lot description on his lease to read: Lot 457-6, Agat and to record the lease.

Commissioner Duenas: SO MOVED

Second by Commissioner Santos: PASSED Unanimously

Chairwoman Pika Fejeran: moved on to the next Constituent Matter

Guerrero, Emily Sablan – Application Date and Time: January 10, 1996 4:37PM

Chairwoman Pika Fejeran: reviewed the Staff Report and stated the location for Emily Sablan is on a

Portion of Lot 278-R4, Umatac, half acre residential. Asked Land Agent I, John Gumataotao to speak in regards to the case.

Land Agent I, John Gumataotao: explained and shown on the TV screen, Ms. Sablan was awarded a Portion of Lot 278-R4. When Ms. Sablan was given her Survey Authorization, the original Surveyor completed a survey on (area pointed out on TV screen) which wasn't a part of Ms. Sablan's survey of map (shown on TV screen). The special notations made on the Staff Report indicate Lot 278-13-3 supersedes the designation of Lot 278-13-1.

When she referring to Ms. Sablan first appeared before the Board, it was indicated then, she was shown the general area, but it could be she mistaken because she may have thought it was (lot pointed out on TV screen). However, it has always been (lot shown on TV screen); it is just the designation of the lot was done by two different Surveyors. When Mr. Castro (Surveyor) finalized her map he (referring to Mr. Castro) included a note to indicate that was the previous description.

Ms. Sablan now needs to get an Addendum to her lease; however, her lease was never dated as far as a Indicating a term although it was signed.

Because of that, it is unsure if the Board would issue a new lease by using the original date Ms. Sablan signed or issue an Addendum.

When the signatures were notarized for both, the Director and the Lessee, it looks like the execution date and the term of the lease was not specified.

Again, the Commission can issue another lease filling in the execution date and the term of the lease or Issue an Addendum to correct the deficiencies which would be the date, term and the parcel description.

Emily G. Sablan: asked to go back and stated she was under the impression when she appeared before the Board in January all the issues mentioned would be completed. What Land Agent I, John Gumataotao forgot to say is, the first lease she was given was the corner lot and that is what she paid Mr. Ventura (Surveyor) to survey. But when she came into the CLTC office about eight months later she was not aware Mr. Ventura passed away and stated she does not have a lease which is completely done. Asked what is the delay? And thought the lease was already prepared for her.

Chairwoman Pika Fejeran: in response, yes, there is a signed lease but for some reason, the date of execution for the lease was never indicated and it does not provide dates of when the lease starts and ends. The lease does indicate a portion of Lot 278-R4 and there could be some misunderstanding of what actual portion the Trust placed Ms. Sablan.

Viewed the Survey Authorizations and stated the first Survey Authorization is for Lot 278-R4, that is the the lot that Mr. Ventura worked with you (referring to Ms. Sablan) on.

Emily G. Sablan: in response, no.

Chairwoman Pika Fejeran: stated, Mr. Ventura the first Surveyor?

Emily G. Sablan: in response, the first person, yes, but Mr. Castro went to the second lot that was supposed to be. Also stated, it was on her that she never asked for copies of documentations when she was told she got a specific lot and basically took their (referring to CLTC) word for it and took the Surveyor there (referring to the property).

Land Agent I, John Gumataotao: informed the Commission, when the Trust issues a Survey Authorization and there is no specified parcel description; a portion of a greater lot which becomes Subdivided and that was in the past. More recently, CLTC started to take a different action where CLTC creates a Masterplan for the area and CLTC would design properties fully disclose it (referring to lot description).

In regards to Ms. Sablan's Survey Authorization, yes, she was issued a Survey Authorization for a Portion Of, however; the Survey Authorization indicates a Portion of basic lot 278-13 for a half acre lot, the general area would include the half acre being somewhere within the greater lot (lot shown on TV Screen).

Reading Ms. Sablan's notes, (property shown on TV Screen), is the original map that was created which indicated 278-13-R1, and looking at the original Survey Authorization, the Commission can see she was supposed to be issued a half acre within Lot 278-13-R1; the second map which was the actual map completed for Ms. Sablan showed 278-13-1 as her parcel which was superseded by the new map, LM094FY2015.

Chairwoman Pika Fejeran: in response, superseded as far as this map LM005FY2015 happened before map LM094FY2015 which now LM094FY2015 takes it's place.

Land Agent I, John Gumataotao: in response, correct. Shown on TV Screen, is the lot number Ms. Sablan was issued, Lot 278-13-1 according to map shown on TV screen is the corner lot. However, the other map showed Lot 278-13-1 being at a different area (lot shown on TV screen) which this map (shown on TV screen) supersedes as far as the lot number is concern it re-designates as Lot 278-13-1 to Lot 278-13-3 which is Ms. Sablan's actual lot.

Emily G. Sablan: asked if the map was made after the person built on the lot she feels she was originally given. Also stated she was promised her documentation will be finished in March 2019 and is following up on the status.

Chairwoman Pika Fejeran: in response, the Commission is looking at correcting the lease so there is full documentation. The Commission just needs to understand how the case became about and is looking at making all the necessary corrections as far as the execution date of the lease, the lease terms and the correct lot description; so the Commission and you referring to Ms. Sablan is clear in regards to the property that is assigned to you is the one that is now called Lot 278-13-3.

Emily G. Sablan: stated and asked if it is not the corner lot?

Chairwoman Pika Fejeran: in response, no it is not the corner lot

Emily G. Sablan: in response, stated that is what she wanted to find out for clarification and asked what is the turnaround time for her to clear the property.

Chairwoman Pika Fejeran: stated, the Commission now needs a motion to approve the addendum to the Lease and then work with the staff finalize the lease.

Commissioner Duenas: stated the motion

Motion made by Commissioner Duenas to approve the Addendum to lease instrument no. 832005, Ms. Emily Guerrero Sablan for her lot to read as Lot 278-13-3.

Second by Commissioner Santos

Chairwoman Pika Fejeran: asked if the motion can include in the addendum to assign the dates to the lease to match the signing dates the of previous lease.

PASSED Unanimously

Chairwoman Pika Fejeran: informed Ms. Sablan the addendum has been approved and it's the paper

work side of things that need to be completed and the Director and the staff will be in contact with her.

Also asked Ms. Sablan to inform her son which she had mentioned earlier in the discussion of her case who applied for CHamoru Land Trust Property; to have her son's contact information updated so in the event CLTC is ready to start issuing new leases, the staff can have direct contact for him.

Emily Sablan: in response, stated her son will be giving her a Power of Attorney.

Chairwoman Pika Fejeran: acknowledged and thanked Ms. Sablan for her patience.

Emily Sablan: asked what is the time frame she is looking at to complete the necessary changes to her lease?

Administrative Director Jack Hattig III: in response stated CLTC would have to get the next process of what Emily Sablan has in mind to do with her land and to inform CLTC about it and John Gumataotao who has been working on the case will be reaching out.

(Multiple Discussion)

Chairwoman Pika Fejeran: asked to add clearing and grading to the motion

Commissioner Duenas: stated another motion

Motion made by Commissioner Duenas to approve clearing and grading for the property upon the Issuance of the addendum.

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: informed Director Hattig, III and Ms. Sablan that upon the issuance of the Addendum, the Commission also approved the issuance of clearing and grading permits.

Also stated before moving onto the next agenda item, asked the Commission in regards to the request of Addendum items; they are straight forward, basically the addendums are adding lot descriptions onto leases that previously didn't have a lot descriptions and if the Commission would like to make a motion to allow approval authority to be given to the Administrative Director. However, would like to specify the approval authority the survey acreage is equaled to the lease acreage stated on the lease.

Administrative Director Jack Hattig III: asked that the Commission only grant the approval on leases that are Ratified only and not new leases because the new leases still require Board approval.

Chairwoman Pika Fejeran: asked for a motion to allow the Administrative Director to make approvals on the Commissions' behalf for lease addendums for Ratified Leases and that the survey acreage for the newly defined lot matches the lease acreage and not withstanding anything else going on with the lease or the property.

Commissioner Duenas: asked if all approvals be given to the Commission in the Director's report for information purposes.

Administrative Director Jack Hattig III: asked if subsequent clearing and grading is going to occur in cases like Ms. Guerrero; will the Commission consider allowing the Administrative Director to authorize clearing for only the Ratified Leases.

Chairwoman Pika Fejeran: asked if the authorization can be on a separate motion.

Chairwoman Pika Fejeran: stated the motion that was made is for the Administrative Director to make approvals for addendums, again for Ratified Leases and the survey acreage is equal to the acreage stated on the lease. Which was second by Commissioner Santos.

Second by Commissioner Santos - PASSED Unanimously

Chairwoman Pika Fejeran: stated that is one more approval given to the Administrative Director for approval authority and reiterated the request from Commissioner Duenas to add all approvals to the Director's report.

Administrative Director Jack Hattig III: acknowledged

Member from the audience: asked the Commission to explain what is meant by Ratified Leases.

Chairwoman Pika Fejeran: in response stated, the Ratified Leases the Commission is referring to are Leases; there are 2,777 leases that were not signed by the Commission. All of those leases for the last 23 Years have done at the Administrative level with the Administrative Director's approval; last year what the Commission did was take all those leases and Ratified them, meaning they approved by the Commission and are in good standing. It is only those leases, the Commission looked at and are in good standing.

Another member from the audience: asked if any of those leases include Federal property, he states he is present attending the meeting because the property he was issued by CLTC is Federal property.

Chairwoman Pika Fejeran: asked the member if he signed up for Public Comments and would like to address his concern or is issue when the part of the agenda comes up.

Member from the audience: in response stated, he has been to CLTC a couple of times talking to Land Agent I, John Gumataotao

Commissioner Santos: asked if he signed up for Public Comments

Chairwoman Pika Fejeran: informed the member from the audience to sign in under Public Comments and would like him to come forward when the time comes for Public Comments.

Chairwoman Pika Fejeran: stated, there was also a discussion by the Commission to allow the Administrative Director to make clearing and grading approvals for the Ratified Leases.

SO MOVED by Commissioner Duenas

Second by Commissioner Santos – PASSED Unanimously

Land Agent II, Jhoana Bragg: in regards to the motions informed Chairwoman Pika Fejeran and the Commission Members there are the ones for changes in lot descriptions to reflect the survey maps and those under the Master Plan. CLTC does have some that were surveyed and some with lot descriptions changed through the Master Plan, but possibly not surveyed yet.

Chairwoman Pika Fejeran: in response, asked why would they be changed without the survey

Land Agent II, Jhoana Bragg: in response, stated for reasons such as the individuals were given a lease

and the power was disconnected and on the lease the Master Plan property descriptions versus a Portion of Lot description.

Chairwoman Pika Fejeran: asked to read back the motion that was made

Land Agent II, Jhoana Bragg: in response, stated, a motion was made for addendum on lot description changes for only Ratified Leases, not new leases due to Board Approval. It would be lot description change based on survey that has been done and addendum to reflect the Master Plan lot description.

Chairwoman Pika Fejeran: in response stated they fall into the same category

Administrative Director Jack Hattig III: they fall into the same category. Changing lot descriptions for various reasons falls under the same category. Is that satisfactory

Chairwoman Pika Fejeran: stated, she just wanted to be sure the motion made would apply to both instances.

Legal Counsel Toft: in response, yes and if you want you can make it clear.

Chairwoman Pika Fejeran: in response, for clarification, the motion that was made regarding addendums of Ratified Leases applies to those who have been surveyed with surveyed lot descriptions and those that have lot descriptions based on Master Plans.

Chairwoman Pika Fejeran: moved onto the next item on the agenda

b. Request for Relocation

Faria, Frances

Chairwoman Pika Fejeran: reviewed the Staff Report. Frances Camacho Faria, December 2nd. 1995 applicant, has a residential lease for Lot 10123-3-29, Dededo. The lot that was issued in 2017, she explained to the Commission she is not able to develop on the lot and would like to be relocated. Asked if Frances Faria is present?

Multiple response: no she is not.

Chairwoman Pike Fejeran: stated she remembers Frances Faria being present at one of the other meetings and she came forward under Public Comments. Also stated, she was placed at that particular lot because she requested to be adjacent to family members but when she went out to the site and saw the lot was inundated, undevelopable. Based on the Staff Report, there are two lots that are nearby but dependent upon compliance.

Land Agent I, John Gumataotao: in response, in regards to Ms. Faria, CLTC is trying to secure a lot within the area that her father has an LUP for. CLTC is just waiting on clarification from Guam Waterworks Authority regarding (lot shown on TV screen) which currently has on the lot line a water pump. If Guam Waterworks is able to provide a Memorandum regarding none interest in that property, however, the only problem with that, there are restrictions with what can be done within 500 ft. radius of the pump station.

Administrative Director Jack Hattig III: in response, it is Residential Lease, if any building would occur, it would have to occur outside of the 500 ft. radius.

Chairwoman Pika Fejeran: stated, she doesn't know if there is a motion made to approve the relocation pending a suitable site and asked if that is the reason why the case is being brought to the Commission's attention to make a motion.

Land Agent I John Gumataotao: in response, correct.

Chairwoman Pika Fejeran: asked Land Agent I John Gumataotao if he is working with her and Guam Waterworks?

Land Agent I John Gumataotao: in response, yes.

Chairwoman Pika Fejeran: stated she needs a motion

Motion made by Commissioner Duenas to approve Ms. Frances Faria's request for relocation for a suitable site.

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: stated the motion passed but would like to ask and just to be sure that once a suitable site has been identified that it be brought back to the Commission for approval because it would be outside of the motion for addendum. And also to identify on our maps and in our records that the property she is assigned is not be assigned to anyone.

Moved on to the next item on the agenda, Ms. Annie Cruz Siguenza

Siguenza, Annie Cruz

Chairwoman Pika Fejeran: reviewed the Staff Report and stated there is a very long history with the Land Use Permit Program, shows the lot was for one hectare than to one acre in Sinajana. Asked who is the applicant Jesse Cruz Siguenza and Ana Cruz Siguenza?

Annie Cruz Siguenza: in response, Jesse is her brother and Ana is her mother

Chairwoman Pika Fejeran: in response, asked who is the original applicant?

Annie Cruz Siguenza: in response, it is her mom

Chairwoman Pika Fejeran: reviewed the file and stated there is a lease dated in 2002 for Chalan Pago but the Land Use Permit is for Sinajana.

Annie Cruz Siguenza: in response, Sinajana was part of Chalan Pago which was called Haligi.

Chairwoman Pika Fejeran: in response, asked if her family never moved from that lot from the time the Land Use Permit was issued to present?

Annie Cruz Siguenza: in response, no. CLTC has been coming out many times to see the place but was told the land (describing the property) from the stairs down belongs to Ramirez, on a different day another CLTC agent will tell her the property whole property is owned by Ramirez.

Chairwoman Pika Fejeran: stated, the issue before the Commission is Annie Siguenza's family was issued a Land Use Permit but at some point, there was a land swap between the Government and a private land owner.

Annie Cruz Siguenza: informed the Commission, several CLTC Staff has been going to her property but nothing has been resolved.

Chairwoman Pika Fejeran: asked if the Ramirez family been contacted and asked when did the land swap happen?

Land Administrator Margarita Borja: in response, believed it happened in the early 1950s. The property was owned by a private individual and then the property was needed for a school; that is when the land exchange happened.

Chairwoman Pika Fejeran: in response, meanwhile the Siguenza's have been living there.

Land Administrator Margarita Borja: in response, yes, originally it was Government of Guam, while the Siguenza's were there, it was Government of Guam then the exchanged went through. The Ramirez's are the second land owners to that property, the original land owner that received the property had deeded the property to the Ramirez family. Adjacent to that lot, behind Annie Siguenza's house is the Government of Guam property which is Lot 3470.

Chairwoman Pika Fejeran: stated, it seems like when the land swap was done they cut Lot 3470 which is the portion Annie Siguenza occupies and doesn't think they were doing their homework because Annie Siguenza is living there with valid Land Use Permits.

Even after Deed of Conveyance was issued, they were still issued Land Use Permits. Asked Annie Siguenza if she is presently living on the property and what brought the whole situation up?

Annie Cruz Siguenza: in response, when her sister needed her in Texas, she did a Power of Attorney for her daughter to take over in case anyone has any questions and that is when she found out about the problem. As soon as she returned from Texas, she started to try to take care of everything regarding the property. She was trying even before her mom passed away, Mr. Borja tried to help her out but still nothing has been resolved.

Chairwoman Pika Fejeran: asked **Legal Counsel Toft** what should the Commission do in regards to the situation?

Legal Counsel Toft: in response, the Board would be limited to moving her to a CLTC property, on her own she may want to look into a possibility of an Adverse Possession Claim, she's been on there for a couple of decades. However, cannot advise her on that.

Administrative Director Jack Hattig III: asked if CLTC moved her and she's not occupying the land, would that damage her Adverse Possession Claim.

Legal Counsel Toft: in response, yes

Chairwoman Pika Fejeran: referred to Annie Siguenza and stated, her family has been living on the property since the 50's and it was a severe error by the Government of Guam with the Land Swap and for the 50 plus years after the Land Swap, your family was still issued Land Use Permits for the same property.

The Commission is present to keep the beneficiaries' best interest in mind and your case, your family has been living there and continues to grow there. Also stated, she doesn't want to see her family move and start all over.

Administrative Director Jack Hattig III: asked Annie Siguenza if anyone from the private property owners given her any issues?

Annie Cruz Siguenza: in response, no and she doesn't know who the Ramirez family is that owns the land.

Administrative Director Jack Hattig III: in response, asked if maybe the Ramirez family can write an agreement or something allowing Annie Siguenza to remain on the property until the situation can get resolved.

Legal Counsel Toft: in response, that may also damage the intentions of the Adverse Possession. With an Adverse Possession; there are a lot of elements that have to be valid, has to be open and notorious, has to be continuous and uninterrupted, describe the amount of years they have been living in it and breaking any of those for any amount of time can ruin the Adverse Possession. If she wishes to not go that route and proceed other avenues with us, that is fine. But doesn't want CLTC to potentially damaging a private legal claim that she may have. It may be something CLTC can ask her to talk to an Attorney about it and see if that is something she wants to do and CLTC can come back and do its part but if CLTC moves forward now, CLTC might damage that.

Administrative Director Jack Hattig III: referred to Annie Siguenza and asked if she understood the concern.

Annie Cruz Siguenza: in response, yes she does understand, but the cost of an Attorney.

Legal Counsel Toft: referred to Annie Siguenza and stated, if she definitely does not want to go that route; that's fine.

Annie Cruz Siguenza: asked, if she doesn't go that route and she already establish a house, water and power and if she were to relocate; what is going to happen?

Chairwoman Pika Fejeran: stated, when cases like this arise, what is the responsibility of the Trust? The Trust placed her there.

Annie Cruz Siguenza: stated, the CHamoru Land Trust knew about the situation and why didn't they do anything.

Chairwoman Pika Fejeran: in response, stated she doesn't think they knew.

Annie Cruz Siguenza: in response, stated Mr. Borja has come to her property the Ramirez family never came to inform her family in regards to who owns the property. Mr. Borja only informed her (describing the lot) that from the stairs down is the Ramirez property.

Chairwoman Pika Fejeran: stated, the Commission does not want to displace you, referring to Annie Siguenza.

Annie Cruz Siguenza: in response, stated she was able to get the water under her name; the only thing she is not able to do is change the water bill to her name, it is under her dad's name and her dad is deceased.

Chairwoman Pika Fejeran: in response, stated a Utility Authorization can be given to you.

Annie Cruz Siguenza: in response, stated she was given a letter from CLTC to change the power.

Chairwoman Pika Fejeran: stated and suggested to do the same for the water

Annie Cruz Siguenza: in response, yes please because she is not able to inquire on the billing statements for Guam Waterworks.

Chairwoman Pika Fejeran: in response and referred to Director Jack Hattig III to issue a Utility Authorization to Annie Siguenza for water.

Administrative Director Jack Hattig III: agreed and informed Annie Siguenza CLTC will prepare the Utility Authorization for her.

Legal Counsel Toft: stated, that may do for now and then see what happens.

Chairwoman Pika Fejeran: informed Annie Siguenza, a Utility Authorization for water will be issued to her for now.

Annie Cruz Siguenza: asked what is the Commission's advice for her to do?

Legal Counsel Toft: in response, because she referring to Annie Siguenza is not his client cannot advise her on what to do.

Chairwoman Pika Fejeran: in response, right but the Commission can be advised.

Legal Counsel Toft: it may be best, if right now she is not getting told to move from the original land owners, CLTC can give her the authorization for water for now until there is a real issue from the original land owners.

Chairwoman Pika Fejeran: in response, stated she agrees and doesn't feel the Commission needs to make any moves until such time the private owner starts to make it an issue.

Legal Counsel Toft: stated there is still the Adverse Possession claim and even if she doesn't pursue it now, it can be done in the future.

Chairwoman Pika Fejera: stated, that is the best the Commission can do within the means of the Commission without damaging any future opportunities that may arise.

Administrative Director Jack Hattig III: asked if the property is private property owned, does CLTC have legal standing to issue the Utility Authorization

Chairwoman Pika Fejeran: in response stated, it is not clear at this point if the property is private.

Legal Counsel Toft: in response, agreed and stated at this point there are issues with boundaries and no one is really claiming it.

Administrative Director Jack Hattig III: in response okay and is comfortable with that. Referred to Annie Siguenza and informed her, CLTC will prepare the authorization and she'll be called when it is ready for pick up.

Chairwoman Pika Fejeran: moved to the next item on the agenda

C. Other Matters

i. **Dumanal, Elicia Mendiola** request for Survey Retracement

Chairwoman Pika Fejeran: reviewed the Staff Report and asked why is there a Survey Retracement vs. a Survey Authorization?

Land Agent II, Jhoana Bragg: in response, stated the whole area has been surveyed already and the request is for a retracement so that Elicia Dumanal can know where her meets and boundaries are.

Chairwoman Pika Fejeran: stated the request is basically to allow the Administrative Director to issue a Survey Authorization or Retracement for Ms. Dumanal to know where her property is located. Asked for a motion

Motion made by Commissioner Duenas to approve authorization for a Survey Retracement for Ms. Elicia Mendiola Dumanal for Tract 9210 Phase I Block 21, Lot 14 Yigo under L.M. No. 126FY93.

Second by Commissioner Santos – **PASSED Unanimously**

Chairwoman Pika Fejeran: asked if the motion just made would fall under the motion made giving the Administrative Director approval for Survey Authorization

Legal Counsel Toft: in response, suggested to make a separate motion for renewals to be on the safe side

Chairwoman Pika Fejeran: asked if the Commission is comfortable with giving approval authority to the Administrative Director to approve retracement survey authorizations.

So Moved by Commissioner Duenas

Second by Commissioner Santos – **PASSED Unanimously**

Chairwoman Pika Fejeran: moved to the next item on the agenda

ii. Rosita E. and Juan N. Quichocho – request to waive the taxes assessed

Chairwoman Pika Fejeran: reviewed the Staff Report

Land Agent II, Jhoana Bragg: in response, Tract 1022 is one of the areas that is still being reconfigured due to lot size errors

Chairwoman Pika Fejeran: stated originally they were placed on Tract 1022 but that is not where their lease is?

Land Agent II, Jhoana Bragg: stated they were originally given Tract 1022 but moved to a different area which is why they are requesting for the taxes to be waived due to the errors on the parcel area.

Chairwoman Pika Fejeran: asked if they were on the tax rolls for a lot that was described in error?

Land Agent Supervisor Matt Leon Guerrero: explained how Tract 1022 (shown on TV screen) there is a Tract 1022 and a Tract 1022 NEW, depending on where they placed the individuals are placed one of those tract lots are half acre each and the other tract is a quarter acre. When the lots were issued back in the past, some lots were doubled and tripled issued; this is an area where the Trust has been trying to reconfigure and figure out where CLTC can move other people.

As shown on TV screen, if there is an individual living on the lot already, CLTC would have them maintain on that lot and figure out where all the other layers, the other people can be reassigned to. For instance, if this individual (shown on TV screen) is holding a lease to the area where there is multiple lessees, is where the request for the tax to be waived because they can't really benefit from the property yet until the issue is rectified.

Chairwoman Pika Fejeran: in response, based on the file and Staff Report, stated they referring to the Quichocho's have been moved.

Land Agent Supervisor Matt Leon Guerrero and Land Agent I Jessica Dayday: in response, yes they have been relocated.

Land Agent I Jessica Dayday: stated, the year 2006 through 2011 are the tax years the Quichocho's are requesting to have waived. CLTC relocated or placed the Quichocho's on a different lot in 2011.

Chairwoman Pika Fejeran: in response, asked if the Quichocho took possession of the property anytime within those years:

Land Agent I Jessica Dayday: in response, no

Land Agent Supervisor Matt Leon Guerrero: also stated we referring to CLTC has reached out to them and to other lessees around that time frame. CLTC was trying to see who would voluntarily give up their lease to be relocated to a different property. It is not 100% completed but it is still being worked on in regards to Tract 1022 and still reaching out the lessees that are there.

Chairwoman Pika Fejeran: stated, due to administrative errors; the lease holders Rosita and Juan N. Quichocho were placed on property and have been assessed tax between 2006 and 2011, but there was a mess on the tract that they could not take possession of it. They are asking that Board to approve the waiving of the taxes for property they were never really issued.

Commissioner Duenas: asked if it is approving the tax waiver or the request for a tax waiver

Chairwoman Pika Fejeran: in response, it is the request for the tax waiver

Commissioner Duenas: stated the motion to approve a tax waiver request to DRT for Lot 3, Block 11, Tract 1022 for Rosita E. and Juan N. Quichocho

Second by Commissioner Santos

Land Agent I, TinaRose Jocson: asked to include the tax years in the motion made by Commissioner Duenas

Chairwoman Pika Fejeran and Commissioner Duenas: in response, yes.

Chairwoman Pika Fejeran: stated for clarification included 2006 through 2011 tax years in the motion. Also referenced, the request would be to waive the taxes for the property, Lot 3, Block 11, Tract 1022

PASSED – Unanimously

Chairwoman Pika Fejeran: moved onto the next item on the agenda, Edward Lee Sandlin
iii. **Edward Lee Sandlin** – request to transfer beneficiary rights

Chairwoman Pika Fejeran: reviewed the Staff Report and asked if Mr. Sandlin is present at the meeting

Administrative Director Jack Hattig III: in response, Mr. Sandlin is not present and he is deceased. He is the original lessee.

Land Agent II Glenn Eay: in response, stated the beneficiary is James Sandlin, the son of Edward Lee Sandlin

Chairwoman Pika Fejeran: stated based on the file, the beneficiary listed is James Sandlin

Land Agent II Glenn Eay: in response, stated, James Sandlin is the beneficiary listed for his father Edward Lee Sandlin but because James Sandlin has a lease the request is to relinquish his beneficiary rights to his daughter.

Chairwoman Pika Fejeran: asked if that is what the letter of relinquishment in file is referring to. Also stated there is no lease in Edward Lee Sandlin's file and asked if he is an applicant?

Land Agent II Glenn Eay: in response, stated he was never issued a lease and is still an applicant

Chairwoman Pika Fejeran: referred to **Legal Counsel Toft** to ensure the Commission can approve those types of requests.

Legal Counsel Toft: in response, yes, under the current Rules and Regs.

Commissioner Duenas: stated the motion to approve the transfer of beneficiary rights for Edward Lee Sandlin's application from James A. Sandlin to Victoria Jamie Lujan Sandlin who is the daughter.

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: Moved on to the next item, Administrative Matters

2. Administrative Matters

i. Pre-Moratorium Lease List

Chairwoman Pika Fejeran: asked how many total included in the Pre-Moratorium Lease List? The list reviewed showed 28 total and asked if there are 28 Staff Reports?

Chairwoman Pika Fejeran: also stated as a reminder and a brief history of what the Pre-Moratorium Lease list is. There are 28 applicants that were issued leases, the leases were signed by the applicant and Director at that time, which was all last year; the Commission issued a Moratorium on new leases and for unknown reasons to the Commission, the Commission didn't find out about it until about a month to a month and half ago of this year. All 28 leases have been signed and executed, the Director at the time placed a red mark on them and because they have a red mark; the Commission feels it is important for those leases to be brought to them for approval.

Asked Administrative Director Jack Hattig if the list of applicants were routed to the staff for Relationship Disclosure Forms.

Administrative Director Jack Hattig III – in response, yes, and currently there are 4 Relationship Disclosure forms filled out by the staff including himself. The list was gone through with the staff, however, there may be some on the 102 Switched lease list.

Referred to the Land Administrator Margarita Borja for confirmation and asked if there are any members of the staff who may have conflicts with the Pre-Moratorium Lease lists?

Land Administrator Margarita Borja: in response, yes, one.

Chairwoman Pika Fejeran: asked just one and if there is a Disclosure Form?

Administrative Director Jack Hattig III: in response, yes just one asked CLTC Land Agent II, Glenn Eay for his Disclosure Form.

Administrative Director Jack Hattig III: informed Chairwoman Fejeran and the Commissioners the reports are not prepared.

Chairwoman Pika Fejeran: stated to the Administrative Director Jack Hattig III and the CLTC Staff that in the future regarding leases the Commission will consider approving to have a section on the list for Staff Disclosures to be notated yes or no.

Administrative Director Jack Hattig III: acknowledged.

Chairwoman Pika Fejeran: moved onto the list in the order it's received starting with John Patrick Aguon

- i. **John Patrick Aguon** – was assigned a location Lot 15, Block 3 REM Tract 100C, Dededo the lease is for less than half an acre. 1995 Applicant, priority 1, the lease is for Agriculture. The Director signed the the lease in March 2018, the applicant signed his lease in April 2018; for whatever the reason may be, the Director placed an X on across the lease.
Asked if for the applicant's file and if the applicant, John Patrick Aguon is present at the meeting.

Member from the Public Audience: recommended to Chairwoman Fejeran and the Commission if the applicant is not present to table the discussion until the applicant is present; the applicant will not be able to answer or explain themselves for the actions the Commission will take.

Chairwoman Pika Fejeran: thanked the member from the public audience for his comment and explained she understood his concern, but the Commission is there with the beneficiaries best interest in mind and trust that if the Commission decides to not approve the applicant's request, the Commission would afford whomever is not present the opportunity to speak to the Commission. The Commission will move forward with the current topic on the agenda.

Member from the Public Audience now identified as Mr. Kosaka: in response asked moving forward on the case itself?

Chairwoman Pika Fejeran: in response stated, the Staff has made every effort to contact the individuals on the list and for whatever the reason the individuals are not present, still feels the Commission can review the case and decide either way.

Mr. Kosaka: in response, asked if there is any objection from the Attorney representing CLTC. Stated, if the person is not present and cannot answer for what is going on, feels the discussion should be tabled until he or she is present.

Chairwoman Pika Fejeran: in response, stated she feels the documents speak for themselves. The individual signed the documents.

Mr. Kosaka: in response, stated for transparency the individual should be here and answer.

Chairwoman Pika Fejeran: in response, stated she is unsure what the individual would have to answer for and thanked Mr. Kosaka for his comments and restated; if the Commission is going to decide something that would harm the beneficiaries, the Commission would afford the individual a chance to appear before the Board. However, if the Commission is going to choose to follow thru and issue the individual a lease, doesn't see how that would need the individual to be present.

Mr. Kosaka: stated the last meeting held on March 21st., he listened to the audio and there were some individuals that were not present which were tabled for the present meeting happening and feels the current topic for discussion should be afforded the same way.

Chairwoman Pika Fejeran: in response, stated, in that meeting, it was in the interest of time; the Commission needed to get to the individuals that were present and again thanked Mr. Kosaka for his comments.

Chairwoman Pika Fejeran: moved on and stated, there are 28 individuals who have been sitting in a gray zone that the Commission should act on and correct. The individuals believe they have a valid lease only to find out this year, the Director at the time placed a big red mark on the lease and wanted to make a decision on the 28 leases and make it right for the Beneficiaries.

The first individual on the list is John Patrick Aguon, not present, his lease is for less than half an acre, signed by the Director, signed by the beneficiary and referred to **Legal Counsel Toft** for the best way to move forward with the lease.

Legal Counsel Toft: in response, stated the Commission can make a motion to either approve or disapprove. It is a lease review and the issue that held up everything, at the time these leases were going through the Director's office that is when the attention was the Director was signing leases without the Board reviewing the lease applications; that is the reason why the previous Director X'd them out so the Board can review it.

The Board can review it and approve it or decided on it.

Mr. Kosaka: asked if the Commission is going through all 28 leases and decide on them at the present meeting. And again stated, if most of the individuals are not present the meeting will last until almost midnight. Based on his understanding, at the Public Hearing held on December 18, 2018, the Chairwoman said all the leases were checked but earlier in the present meeting the 28 leases are lease that were not cleared. Stated if the leases are still in question to discuss it with the lease holders.

Chairwoman Pika Fejeran: in response, stated that is what the Commission is doing. The Commission and the staff have been working towards getting to the present day for the last two months to discuss the issue with the 28 leases. Moved on to John Patrick Aguon, asked if the Commission has any questions regarding the lease or the process that got him to his lease. John Patrick Aguon is a December 5, 1995, applicant.

Asked if the Commission does approve the process and a lease, will the lease be back dated to when the signatures were obtained?

Legal Counsel Toft: in response, the Commission would have to make a decision on it.

Chairwoman Pika Fejeran: asked if the Commission would have to have separate motions per lease.

Legal Counsel Toft: in response, the Commission can make a joint motion to cover all 28 leases. If the Commission has reviewed all the Staff Reports, then the Commission can decide.

A mass approval was made on the Ratification previously, so with the 28 names on the Pre-Moratorium lease list, it's in the same situation. If there are any cases the Commission has concerns, those can be separate cases.

Member from the Public Audience: addressed the Chairwoman and Commission members; she understands what Mr. Kosaka means to say and is unsure of what the 28 names on the Pre-Moratorium list is; asked if the names can be read out loud to see if there is anyone on the list that is present. Suggested to go through the list of names and address the individuals who are present first, then go back and address the individuals that are not present. Also asked for understanding and consideration, that some of the members of the Public Audience had to find rides to attend the meeting.

Chairwoman Pika Fejeran: in response, thanked the Member from the Public Audience and stated, after discussing with the Legal Counsel, the Commission has already reviewed the Staff Reports and there are a few she has flagged that are questionable; also wanted to take a few more minutes to go over the list again to identify the ones to be set aside to discuss later.

Chairwoman Pika Fejeran: stated the CLTC staff had just informed her and the Commission that there are 30 leases on the Pre-Moratorium lease list; 24 of the leases have no transfers, if there was a transfer it was within the law, there are 6 leases where they fall under the 102 Null and Void Lease list. Ask for the Commission to look at the first page where there were no transfers outside of the law.

Mr. Kosaka: asked to make another statement and stated if the Commission has reviewed the documents as a whole and already conformed, it sounds like it is still in question in regards to what the issues are on the leases. If the Commission had review the documents and prepare for the present day because the Commission was not just given the documents on that same day. It sounds like not everything has been reviewed, otherwise the Commission would have a cover paper or statement with notes in regards to the concerns or the leases that are questionable. Also stated, for the interest of transparency he supports the Administration and is a lessee as well. For three years he felt punished for making him wait and again is now seeing that the Commission is has not reviewed the whole list in front of them because there are questions still being asked amongst the Commission.

Chairwoman Pika Fejeran: in response, apologized and stated, it is the first time the Commission has been able to sit down with members of the Commission, Legal Counsel, the Director and the Staff and if they referring to the Commission can get a chance to do their work.

[Multiple Discussion]

Chairwoman Pika Fejeran: stated, the Commission is not moving forward with anything that is not within the rules of the law as it is currently written. Within the three years of sitting in the Commission 90% is fixing what was done before sitting in the seat of the Commission and they are doing their best. The main mission is to act in the best interest of the beneficiaries and asked the members of the Public Audience to trust the process.

Mr. Kosaka: in response, stated for the interest of those who are present and not present, the ones who were present at the last meeting was afforded the opportunity to speak, so for the ones that are not present should be tabled and again the ones present be afforded the same opportunity.

Chairwoman Pika Fejeran: asked the Commission to table the discussion until the topic of the 102 “Null and Void” leases come up on the agenda. The six individuals that would be on the list for discussion would be the following:

1. Bertha Benavente Aldan
2. Cherylynn Tudela Eay
3. Clint Shawn Toves Materne
4. Dan August Quichocho
5. Colleen Grace Quinata
6. Chasity Leon Guerrero Tainatongo

For the ones that are questionable are based on the following:

- lot size being greater than a half an acre for a Residential Lease
- lot size greater than half an acre for Agricultural
- priority II
- unknown priority
- applicant from 2006
- applicant from 2000

Asked to table the following until the staff can call the individuals:

1. Joseph Toves Sablan – not present; above half acre
2. James G. Sablan – not present; above half acre
3. James Santos Mafnas – not present; Priority II
4. Andrew Vincent Toves - not present; no priority listed
5. Gregory Q. Aguon – present; tabled until the Commission reaches the particular case further on the agenda, the property description is listed on the agenda.
6. Albert Acfalle San Agustine; above half acre
7. Emmanuel Pineda San Nicolas – was present but left the meeting; no priority associated

With the exception of the case regarding Gregory Aguon which will be discussed later during the present meeting, asked the Commission to place the other individuals named on the next agenda for the next meeting. Again stated the concerns regarding the individuals deal with lot sizes being greater than the half acre, priority listings are not on listed, others are priority II or some have no priority associated.

That leaves seventeen:

1. John Patrick Aguon – not present
2. Joileen R. S. Benavente – not present
3. Rosario E. Cahill – present
4. Fred M. Chargualaf – present; file requested to view
5. Doreen Bennette Cruz – not present
6. Marilyn A. Duenas – not present
7. Gloria Borja Flores – not present
8. Francisco Rojas Fernandez – not present; file requested to view
9. Gerard P. Materne Johnson – present and informed the Commission he requested to transfer to a different lot
10. Cynthia C. Lujan – not present
11. Therese M. Muna – not present
12. Carl K.C. Quinata – present

13. Dolores Taitano Quinata – not present
14. Alberta Rose Santiago – not present
15. Lugene Karol Unchangco Santos – present
16. Mark Anthony Blas Torre – not present
17. Paul G. Yamanaka – not present

Chairwoman Pika Fejeran: requested for Rosario Cahill who was present to come forward to the Commission.

Asked Rosario Cahill if the Commission's understanding is correct in regards to Ms. Cahill she has a valid lease and asked when was she contacted to be informed her lease is not valid.

Rosario Cahill: in response, informed the Commission she was contacted two days prior to the meeting; but, at the time she signed the lease she was informed the lease is on hold pending signatures but does not remember what or who's signatures were pending.

Chairwoman Pika Fejeran: in response, stated okay and confirmed she is a December 6, 1995, applicant

Rosario Cahill: in response, right and has another application under her son's name which she has Power of Attorney for.

Chairwoman Pika Fejeran: in response, the lease is for Lot 5382-13-5, Block 0, Tract 0, Barrigada

Rosario Cahill: in response also asked about her son's application update and property site.

Chairwoman Pika Fejeran: asked if her son was issued a lease and the name of her son

Rosario Cahill: in response, yes and the name is Frank Lee Leon Guerrero

Chairwoman Pika Fejeran: asked if the lease was signed at the same time

Rosario Cahill: in response, it was probably within a week or so.

Chairwoman Pika Fejeran: asked the CLTC staff to look into the Ms. Cahill son's lease and continued with Rosario Cahill's lease. Asked if she understood the requirements of the lease, the Agricultural Lease terms and agreement as far as planting a certain amount of trees and water and power are not immediately available within 100 feet of the property, and the property is subject to survey?

Administrative Director Jack Hattig III: informed the Commission Rosario Cahill's son names is on the Ratified Lease List.

Chairwoman Pika Fejeran: informed Rosario Cahill her son's lease is good to go.

Administrative Director Jack Hattig III: informed Rosario Cahill that the CLTC is currently working on contacting everybody on the Ratified Lease List.

Rosario Cahill: asked if there is a difference between her application and her son's application?

Chairwoman Pika Fejeran: in response, because her referring to Rosario Cahill's name did not make it to the list of names that were Ratified last year, she is asking the Commission to ratify the lease at the present meeting. Agriculture lease for Rosario Cahill on Lot 5382-13-5, Barrigada.

Commissioner Duenas: stated the motion to approve the lease for Lot 5382-13-5, Block 0, Tract 0, Municipality of Barrigada containing an area of 1,910 square meters in accordance of Public Law 23-38

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: informed Ms. Cahill her lease has been ratified and now has a valid lease.

Chairwoman Pika Fejeran: called Mr. Carl K.C. Quinata to come forward, requested for his file. Based on the file, stated, Carl Quinata is a 1995 applicant, for agricultural property, Lot 10171-14, Block 0, Tract 0, Municipality of Dededo. Question in regards to Carl Quinata's lease is the lot size and asked if he has been farming and occupying the property?

Carl Quinata: In response, no

Chairwoman Pika Fejeran: asked if the Trust can give out leases for lots greater than half an acre for agriculture

Land Agent II Jhaona Bragg: in response, it's either plus or minus ± 2023 sq. meters.

Chairwoman Pika Fejeran: in response, stated for Carl Quinata the square meters is for an area containing 4,047.

Commissioner Santos: stated, yes and a Farm Plan is needed

Chairwoman Pika Fejeran: stated, the Commission will verify with Legal Counsel.

Land Agent II Jhaona Bragg: asked if Carl Quinata is a pre-occupier

Multiple Response: No

Land Agent II Jhaona Bragg: stated there has to be a reason why he was issued an acre

Chairwoman Pika Fejeran: in response, it says in the file Carl Quinata was occupying Government Land on a Lot 10125-11-R6 and asked if he had a previous lease

Carl Quinata: in response, yes. He had the lot surveyed but then it was given to someone else

Chairwoman Pika Fejeran: asked if he was occupying

Carl Quinata: in response, stated no he was not occupying, just had the property surveyed and some how it got mixed up.

Chairwoman Pika Fejeran: in response, stated there is a letter in the file from CLTC dated November 26, 2012, for Utility Authorization, Building and Clearing Permit and states that you (Carl Quinata) is occupying Government Land on a portion of Lot 10125-11-R6.

Carl Quinata: in response, stated that is for the Clearing Permit which he cleared a little bit and for some reason there was a mix up and someone else was given the property

Chairwoman Pika Fejeran: asked if that was before he was assigned a lease

Carl Quinata: in response, stated, no the lease was signed but then held back because it was mixed up

Chairwoman Pika Fejeran: asked if that happened in 2012

Carl Quinata: in response, right

Chairwoman Pika Fejeran: asked when that happened was that also the time he was moved to a different lot?

Carl Quinata: in response, yes

Chairwoman Pika Fejeran: in response stated, the original lot which was assigned to you was for one acre and it does say, the lot that was initially given to you was assigned to another applicant and because it was a mistake done by CLTC, they were able to relocate you to another lot and maintain the one acre and that is why the Commission is now reviewing a lease for a one acre lot in the present meeting.

Land Agent II Jhoana Bragg: asked Carl Quinata if he had the original one acre surveyed?

Carl Quinata: in response, yes the original one acre lot he was given was surveyed.

Land Agent II Jhoana Bragg: explained to the Commission, in exchange he was issued an acre because he initially already paid for the first lot to be surveyed which was one acre. Also informed the Commission CLTC would have to go back to the survey situation but because he originally surveyed the one acre at his expense, that is why CLTC gave him the other one acre lot.

Chairwoman Pika Fejeran: asked **Legal Counsel Toft** if that can be done

Legal Counsel Toft: in response, yes, the half an acre limitations is for residential. Under PL 23-38; 6.1(c) has the limitation on lot size but it applies to the Residential Tract leases; the requirements under PL 23-38; 6.5 under Agricultural tract leases which does not have a size limitation

Chairwoman Pika Fejeran: stated so we referring to the Trust can allow an acre for Agriculture

Legal Counsel Toft: in response, yes you can.

Chairwoman Pika Fejeran: asked Carl Quinata if he understands that new assigned property would have to be surveyed.

Carl Quinata: asked if he would have to pay for another survey to be done.

Land Agent I Lorraine Nededog: stated, Meliton Santos, the Surveyor will survey the property for Carl Quinata since he is already surveying the property on the other side of the property Carl Quinata has been relocated to.

Chairwoman Pika Fejeran: in response, stated for clarification the Surveyor is going to survey for him on behalf of the trust.

Land Agent I Lorraine Nededog: in response, yes

Chairwoman Pika Fejeran: informed Carl Quinata, he would not have to pay for a second survey.

Chairwoman Pika Fejeran: asked Land Agent I, Lorraine Nededog if there is anything in writing regarding Meliton Santos, the Surveyor who said he'll survey the property for Carl Quinata

Land Agent I Lorraine Nededog: in response, stated she will get it from the Surveyor.

Commissioner Duenas: stated the motion to approve the lease for Lot 10171-14, Block 0, Tract 0, Municipality of Dededo containing an area of 4,047± square meters in accordance of PL23-38

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: informed Carl Quinata his lease has been approved and the CLTC will work with the Surveyor to make sure the property is surveyed for him at no cost.

Chairwoman Pika Fejeran: stated the execution date on the lease was not discussed and proposed the execution date be dated today (referring to the same day the motion was made for approval on the lease issuance) April 18, 2019, date of CLTC Meeting and approval of lease.

Legal Counsel Toft: in response, that would be the easiest way.

Administrative Director Jack Hattig III: Asked to ensure anything that was discussed in regards to lease approval and issuance will be dated today, referring to present date of CLTC Meeting, April 18, 2019.

Chairwoman Pika Fejeran: in response, agreed and stated so far there are two the Commission approved.

1. Rosario Cahill and 2. Carl Quinata

Chairwoman Pika Fejeran: Moved onto the Gerard Materne Johnson

Member from the Public Audience who identified herself as Cynthia Borja Fejeran: informed the Commission, based on the last meeting she was asked to attend the present meeting because her case was tabled. Explained she has been waiting and has not heard her name being called.

Administrative Director Jack Hattig III: in response, stated he has the Staff Report for Ms. Cynthia, it was prepared but never ratified.

Chairwoman Pika Fejeran: in response, stated she would like to have it ratified at the present meeting since she is present and moved onto Gerard Materne Johnson.

Chairwoman Pika Fejeran: requested for Mr. Johnson's file. Stated the lease is for Lot 8-33-13, Block 0, Tract 0, Municipality of Inarajan, a Residential Lease, Priority I applicant and December 2, 1995 applicant. For confirmation asked if he is requesting to remain on the lot that he was issued and to cancel his request to move to a different lot?

Gerald Materne Johnson: in response, stated yes he would like to build now and asked how long will he have to wait for the Government to clear the easement to the property?

Chairwoman Pika Fejeran: asked to show the lot on the TV screen. Also asked if there is currently not a road going to the property (property lot shown on TV screen)

Legal Counsel Toft: in response stated, (shown on TV screen) there is a road but from the far left it is like a river valley (rest of the statement inaudible)

Chairwoman Pika Fejeran: asked Mr. Johnson if he is ready to build and asked if he has gone to Guam Housing Corporation?

Gerald Materne Johnson: in response, yes he has gone to Guam Housing Corporation and was given documents as well as the VA (Veterans Affairs office) and has the breakdown.

Chairwoman Pika Fejeran: for confirmation asked Mr. Johnson if he is okay with the property that was originally given.

Gerald Materne Johnson: in response, yes he will be

Administrative Director Jack Hattig III: stated, in regards to the easement, he would be able to engage with Dept. of Public Works the same way he has with a similar case in Mangilao.

Chairwoman Pika Fejeran: asked if there are other lease holders in the area and if so, to advise the other lease holders as well. Has no further questions for Mr. Johnson.

[brief pause for Gerald Materne Johnson's case while waiting for Commissioner Santos]

Chairwoman Pika Fejeran: requested for the Staff Report for Cynthia Borja Fejeran

Chairwoman Pika Fejeran: viewed the names of the Ratified Lease listing and confirmed, Cynthia Borja Fejeran's name is on the list. Asked Legal Counsel Nicolas Toft if the Commission can ratify her lease at the meeting and have her lease effective the same day.

Legal Counsel Toft: stated, because Cynthia Borja Fejeran's lease was already a part of the list that was ratified, it does not need to be ratified again. She will just need to sign her lease.

Chairwoman Pika Fejeran: addressed Cynthia Borja Fejeran and informed her that her lease is one of the leases that were ratified which is now pending her (referring to Ms. Cynthia's) signature.

Land Agent I Tina Jocson: asked in regards to Ms. Cynthia's lease that she needs to sign, is okay to leave the previous Director's name on the lease?

Chairwoman Pika Fejeran: in response, yes because it was ratified at the time the previous Director was the Director.

Chairwoman Pika Fejeran: going back to the case of Gerald Materne Johnson's, now that Commissioner Santos is back, briefed Commissioner Santos on Gerald Materne Johnson's case and stated he has residential lease and he is ready to start building, the Commission wants to move forward with issuing his lease.

Asked for a motion.

Commissioner Santos: stated she second the motion before the motion was made.

Commissioner Duenas: stated a motion to approve the lease for Lot 8-33-13, Block 0, Tract 0, Municipality of Inarajan, containing an area of 1,858 ± square meters in accordance with PL 23-38 for Mr. Gerald Heath Materne Johnson

Cynthia Borja Fejeran: asked to be excused and informed Chairwoman Fejeran and the Commissioners her lease has the previous Governor's name and signature block.

Chairwoman Pika Fejeran and Legal Counsel Toft: both in response, stated it is okay.

Chairwoman Pika Fejeran: referred back to the motion made for Gerald Materne Johnson asked all those in favor.

**Note: no second motion was officially made.*

Chairwoman Pika Fejeran: informed Mr. Johnson his lease is approved.

Cynthia Borja Fejeran: apologized and stated Land Agent I Lorraine Nededog is assisting her and if Chairwoman Fejeran can repeat what she said in regards to the previous Governor's name and signature block

Chairwoman Pika Fejeran: restated, it is okay, Ms. Cynthia can sign the lease and the Governor's name will be changed.

Chairwoman Pika Fejeran: moved to onto Fred M. Chargualaf's case. Reviewed the Staff Report and file, stated, Mr. Chargualaf is a 1995 applicant, the lease in question is Lot 13-1, Block 10, Tract 10121, Municipality of Yigo for 2,028± square meters. Asked Mr. Chargualaf if he knows where his property is located and also asked to show the lot on the TV screen? Also stated, his property is subject to survey.

Fred M. Chargualaf: in response, stated, yes he did pay for the first one and has a receipt.

Chairwoman Pika Fejeran: for clarification, asked if he was transferred to another lot and asked why were all these transfers happening. Asked Mr. Chargualaf if he knows why he was moved to another property.

Fred M. Chargualaf: in response, no he doesn't know why.

Chairwoman Pika Fejeran: reviewing the Staff Report and the file, stated, it does not indicated why Mr. Chargualaf was removed; in fact, the previous director questioned, why you were moved.

Fred M. Chargualaf: in response stated, well he's ready to move on. He was called and informed the Director signed his lease, he needs to sign it and then it will be forwarded to the Governor for his signature. Then sometime last year he was called again and was told his lease is on hold because of some moratorium and was informed, the lease shouldn't have been signed by the director and it should have been the Chairperson.

Chairwoman Pika Fejeran: in response, stated the Commission can move forward. Again asked for confirmation if Mr. Chargualaf paid for the survey for the first property he was issued.

Fred M. Chargualaf: in response, yes and can provide the receipts if he needs to.

Land Agent I John Gumataotao: stated and as shown on TV screen, it's an old layer but the property has been cut into a flag lot, it's shaped like a flag.

Chairwoman Pika Fejeran: asked which is the front and the back of the lot shown on TV screen

Land Agent II Jhoana Bragg: in response, it is in the front.

Chairwoman Pika Fejeran: asked Administrative Director Jack Hattig III, if Mr. Chargualaf already paid for the survey on the first property and then he was transferred to a different property, is he going to be charged again

Administrative Director Jack Hattig III: in response, he will work toward the same way with what is normally done when the survey is paid already. He would need to ask the staff in regards to that situation because it unsure if it is a common practice or if it something that is done based on conversations with each individual.

Chairwoman Pika Fejeran: asked what about the capabilities of in house survey

Administrative Director Jack Hattig III: stated, it is possible, he would need to send a survey request to the Director of Dept. of Land Management.

Chairwoman Pika Fejeran: stated she needs a motion

Commissioner Duenas: stated the motion to approve the lease for Lot 13-1, Block 10, Tract 10121, Municipality of Yigo containing and area of 2,028± square meters in accordance with PL 23-38 for Mr. Fred M. Chargualaf.

Second by Commissioner Santos

Chairwoman Pika Fejeran: stated she would like to add that it is the intent of the Commission to take the cost of surveying the property and not passing it on to Mr. Chargualaf.

PASSED Unanimously

Chairwoman Pika Fejeran: explained he will be called to resign a new lease and the staff will explain to him what is required of him as a lessee.

Fred M. Chargualaf: in response, thanked Chairwoman Fejeran and the Commissioners.

Chairwoman Pika Fejeran: stated those on the list that the Commission did not get a chance to discuss.

Administrative Director Jack Hattig III: stated there is another individual that is present, Lugene Santos

Chairwoman Pika Fejeran: asked Ms. Lugene to come forward.

Member from the Public Audience: asked if the first six names that were called, are they supposed to be present and still waiting?

Chairwoman Pika Fejeran: in response, Bertha Benavente Aldon?

Member of the Public Audience: Yes

Chairwoman Pika Fejeran: in response, stated the Commission tabled the discussion because the case falls under the transfer, "Null & Void" list. The case will be discussed when the Commission reaches that item on the agenda.

Bertha Benavente Aldon: asked why is her case a part of the transfer?

Chairwoman Pika Fejeran: in response, not sure but it was flagged and asked for Bertha Aldon's file. Reviewed the file and asked if Norman Castro Aldon is her husband?

Bertha Benavente Aldon: Yes

Chairwoman Pika Fejeran: stated it looks like he transferred

Bertha Benavente Aldon: stated, yes it was transferred in 2007 because he's not eligible, so it was transferred to her

Chairwoman Pika Fejeran: asked for confirmation that Bertha is on the 102 list. Also stated Bertha is on another list the Commission is looking at.

Chairwoman Pika Fejeran: going back to Lugene Santos, a 1995 applicant, Priority I for residential property. The lot is at 10122-22-12, Block 0, Tract 0 in the Municipality of Dededo, lot size of 2,023± square meters. Asked for Lugene's file, stated another lease the Director placed a red mark and doesn't have any questions.
Stated the survey has been completed.

Commissioner Duenas: asked if she did do a survey

Chairwoman Pika Fejeran: stated yes, she has a survey. Asked for a motion

Commissioner Duenas: stated the motion to approve the lease for Lot 10122-22-12, Block 0, Tract 0, Municipality of Dededo, containing an area of 2,023 ± square meters in accordance with PL23-38 to Lugene Karol Unchangco Santos.

Second by Commissioner Santos – PASSED Unanimously

Chairwoman Pika Fejeran: asked if anyone from the Public Audience is on the agenda or on the list, is present?

Lugene Santos: asked what other documents will she be needing

Chairwoman Pika Fejeran: informed Ms. Lugene she would have to come before the Board with her building plans

Administrative Director Jack Hattig III: informed Ms. Lugene, CLTC Staff will go through the process of Utility Authorizations and the Clearing and Grading Authorizations with her first, then talk about the building process.

Chairwoman Pika Fejeran: asked if Teresita Castro Janz if present

Teresita Castro Janz: present and stated she is requesting for Clearing and Grading Authorizations but also has a question regarding the easement issue. There is a history with the easement which she was trying to resolve and then everything was placed on hold.

Administrative Director Jack Hattig III: in response, informed Teresita Janz to schedule a meeting with him and he can engage with DPW in regards to the easement.

Chairwoman Pika Fejeran: asked if Clint Materne is present

Clint Materne: is present

Chairwoman Pika Fejeran: stated he is further down on the case and will be called

Chairwoman Pika Fejeran: stated for the Pre-Moratorium lease list the Commission did not reach a decision for John Patrick Aguon, Joileen R.S. Benavente, Doreen Benette Cruz, Marilyn A. Duenas, Gloria Borja Flores, Joseph Toves Sablan, Francisco Rojas Hernandez, Cynthia C. Lujan, Therese M. Muna, Delores Taitano Quinata, James G. Sablan, Albert Acfalle San Agustine, Manuel Pineda San Nicolas, Alberta Rose Santiago, Mark Anthony Blas Torre, Paul G. Yamanaka, James Santos Mafnas, Andrew Vincent Toves.

Chairwoman Pika Fejeran: For the ones the Commission will be revisiting later in the meeting will be the following:
Bertha Benavente Aldon, Cherylynn Tudela Eay, Clint Shawn Toves Materne, Colleen Grace Quinata and Chastity Leon Guerrero Tainatongo

Chairwoman Pika Fejeran: The Commission also did not get to Dan August Quichocho, there was no staff report prepared for him.
Aside, from the ones the Commission will be revisiting, would like to have their cases put on the agenda for the next meeting. Also stated she will get together with the Administrative Director to get additional information she was questioning, for the ones that were tabled.

Chairwoman Pika Fejeran: stated, the Commission is way passed the 3:30PM Public Comment period but would like to table Administrative Matters under Old Business and move to Public at 3:30PM.

Chairwoman Pika Fejeran: asked if there is anyone in the public audience present for public comments who is not a part of the agenda?

Chairwoman Pika Fejeran: called the first name on the Public Comment list, Mr. Jeffery Kosaka.

Jeffery Kosaka: here

Chairwoman Pika Fejeran: please step forward and state your name.
Asked for the Public Comments to be kept to 2 minutes, considering there is a lot of people to get through and a lot of business to get through. A lot of people waiting.

Chairwoman Pika Fejeran: Mr. Kosaka please state your name for the record

Jeffery Kosaka: k my name is Jeffery Kosaka and what is your name, I know you have to go by the name of Pika Fejeran

Chairwoman Pika Fejeran: Yeah, my first name is Gyongyi, my mother's name, my grandmothers' name so I go by Pika.

Jeffery Kosaka: I just wanted to know what the G stands for. Thank you.

Jeffery Kosaka: okay so um, I am a lessee from Santa Rita, I have an Agriculture Lease and I am here today to just give a few information on the water project adjacent to my section. Their gonna ARFP offer the bid and August September they'll be doing the new water the tank and it's gonna help benefit me because it's gonna be the left side of my boundary that they'll be putting fencing so you know it's kinda saving me some money and then I can have my animals or the goats to eat the grass.
In addition to that...I was listening to the March 21st audio on the OPA Website on the Land Trust Commission Meeting.

I've addressed some concerns already to Mr. Hattig but I feel I that I need to address some concerns as a Commission, the Board Commission itself. Okay?

Here's a couple items, I have a lot...I'll stick to the most important one that I came across. So, Francisco Cruz Feja, you were on that case, so the first one um early one was a residential case...if I can recollect, he died he gave it to the wife and the wife died and now the kids are going to give authorization to give the sister. Okay? So that's the first one. The second one, Francisco Cruz Feja has another lease, an agriculture lease, I understand the family is under this Land Use Permit and I'm sure the Commission is gonna do diligence in making sure that whoever was on that list would be there. But the problem I have is two leases, same person has two leases a residential and agriculture. Are we not allowed that?

Chairwoman Pika Fejeran: wait wait, the rules are unclear.

Jeffery Kosaka: okay so, I'll make it clear here that in my application I have residential lot in 1995 by the way I was number 71 on the list. So...I was told I had to give up the residential lot right?

Chairwoman Pika Fejeran: yeah, that is the practice. Umm but I believe cuz Mr....

Jeffery Kosaka: can I finish, so...

Chairwoman Pika Fejeran: your time is up Sir. Can you submit your comments in writing to us so we can respond appropriately?

Jeffery Kosaka: So...so...I will submit the document but for the record here, if transparency is the Commission, the Board Commission, I already addressed my concerns to Mr. Hattig, if the transparency of the Board is there then Agriculture and two leases...so you're saying that we can have two leases because when I went through this process, I was told I would have to give up my residential and apply for new one. And you know I paid a lot of money to do that. So are you sure? Are you sure that you don't where it's not a part of the policy?

Chairwoman Pika Fejeran: I'd have to (multiple voices talking over each other) Mr. Feja's ahh...

Jeffery Kosaka: one last thing, what's the definition of elephant in a house? What's your definition? Please answer.

Commissioner Santos: Elephant in a house?

Chairwoman Pika Fejeran: umm... I'm not sure Mr. Kosaka.

Jeffery Kosaka: Here I'll answer, the definition of what I got online today.

Chairwoman Pika Fejeran: okay.

Jeffery Kosaka: you know why I'm shaking today? Cuz look.

Chairwoman Pika Fejeran: I can see you're passionate about this

Chairwoman Pika Fejeran: I appreciate your passion

Jeffery Kosaka: you're (inaudible) and you don't know how to answer what the public is asking for the answer. And here's what I mean about the elephant. Okay...an elephant in the room, informal okay, if you say there's an elephant in the room, you mean that there's an honest problem or difficult situation that people do not want to hear about or talk about. So...this is my observation of this ratification of

leases. December 18 Public Hearing you guys did, you ratified all these leases where you guys checked all of it already. Then today, you said where did these 18 or 22 come from or whatever? So... is it that you checked all the leases? Or didn't? Because, I believe that trying to ratify this thing and I've notice that when your Board members are not answering you push the issue of can I get a motion to approve without having for them to speak for themselves.

So that's all I have today and in the interest of transparency and for the public and for those that have been waiting for so long, like I waited as well... I feel their pain and I'm glad I have my lease and I promise that I will help those that need. And I ask this Board today and Mr. Hattig all the members of this department to please, potfabot...do the right things.

Commissioner Santos: We're trying our best.

Chairwoman Pika Fejeran: thank you, yes.

Jeffery Kosaka: I know you are and I'm not gonna take away what you guys are doing but again if you're gonna cite something please proof for it because I was denied to have two leases and yet the Francisco Feja families were allowed to not only have two leases but they kept passing and kept cutting that property to the children. If that's the case then, you know, for those who have Land Use Permits, hopefully that that is the case cuz some of those guys there...I don't believe that they were pre-occupiers. Pre-occupiers are like if your name is out on that Land Use list and you weren't there when this Land Trust was passed in 95...then you were not a pre-occupier and I ask that you guys vet the qualifications of these individuals because it's very important because when you talk about the elephant in the room, that's what happens...is we do these things and the elephant just keeps getting bigger and bigger and bigger....that's all I have today thank you.

Chairwoman Pika Fejeran: Sir, if you could maybe continue your conversation with the Director or submit it in writing so that we can respond appropriately. I don't feel...I don't feel the Commission has been afforded a chance to maybe defend ourselves. But I would like to get you up to understand why decisions were made... when they were made...what we were following... so if we could work together to move forward cuz I...I um know that myself and my Commission members and everybody sitting around this table, we want to do the right thing and we are keeping the beneficiaries best interest in mind and we are doing our best with the information available at the time. Okay?

Jeffery Kosaka: and one last thing, if you're unclear of the decision that was discussed at this table today is that...you know...just table it and push it forward. Don't just push it floor and let's go on and approve this stuff but not all the answers are answered and I that's what I observed from the last two times that I was here and throughout that audio is that when decisions not made...you push the issue of pushing it to get approved and I just think that um...if it takes more time...needs more time...then just do that and that's what I consider transparency...making sure that we cover...cross all the T's dot the I's and everybody is not or everybody is doing the right thing in all the levels in this body here. So...that's it.

Chairwoman Pika Fejeran: thank you

Commissioner Santos: Mr. Kosaka

Jeffery Kosaka: yes ma'am.

Commissioner Santos: We are different from the other Board members in the past who approve those peoples lease but we're trying to right the wrong doings in the past cuz there's a lot of discrepancies in the past.

Jeffery Kosaka: understood

Commissioner Santos: some people are given three leases which is not right.

Jeffery Kosaka: and that's why I brought up the Francisco Feja case because I think if you guys listen to the audio you have the residential lease and then in the end he has another agriculture lease and it was given to the sister and then it was given down to the kids or the brother and that's why...it's like okay so they open the doors for them...then that means open the doors for everybody else.

Chairwoman Pika Fejeran: it was a pre-occupier so we could not... kick them off it

(Multiple Voices)

Jeffery Kosaka: the take away from that is just that there's two leases the residential lease and agriculture...there's two leases for one person.

Chairwoman Pika Fejeran: okay, I have Anjolisha Aguon or do you want to wait 'till your case....

Anjolisha Aguon: I mean, do you we have to wait longer? You're still gonna be here or you guys gonna leave?

Chairwoman Pika Fejeran: Well I plan to get through this agenda.

Anjolisha Aguon: if you plan to get through it then I don't mind waiting here that long but if you're gonna leave a 5 and I don't get to speak on... you know our behalf then I'd like to speak now but if you're gonna wait to all the way down to that...you know...name...then we'll wait.

Chairwoman Pika Fejeran: well we tabled some the items. My goal is to get down to you guys.

Anjolisha Aguon: okay and you have ahh, he's on that list too right? For the moratorium?

Chairwoman Pika Fejeran: yes

Chairwoman Pika Fejeran: Tomasa Aguon? Ma'am are you on our agenda?

Administrative Director Jack Hattig III: She is on our agenda

Chairwoman Pika Fejeran: Felix Muna?

Administrative Director Jack Hattig III: that's...she's together...

Chairwoman Pika Fejeran: oh...John Cepeda?

Chairwoman Pika Fejeran: Please state your name for the record

John Cepeda: Ah John Cepeda. Ahh...one of my concerns is I was leasing property over at (inaudible) then they started stealing. I had it transferred to a Hahasu Drive okay...I wanted to get the lease, everybody where I'm at got lease. I'm the only one that don't have a lease because one, I don't wanna get a lease that is still under the Federal Government.

Chairwoman Pika Fejeran: oh so yeah...do you know what he's referring to? Who have you been working with over here?

John Cepeda: John

Chairwoman Pika Fejeran: John. okay.

Chairwoman Pika Fejeran: so what does he mean Federal Government?

Land Agent I John Gumataotao: He's ah... he's within the area 48, what we call Military reservations which is this area

Chairwoman Pika Fejeran: Military reservations, so it's not CLTC property?

Land Agent I John Gumataotao: right. So if you...see there's these houses that are in there...these are CHamoru Land Trust occupants but they're occupying military land that wasn't returned to the government.

Chairwoman Pika Fejeran: Oh...do they have...

Land Agent I John Gumataotao: We try our hardest to ah try an relocate those that are in here first even though they're not ah...even though they're still on government land, we try to relocate them. In Mr. Cepeda's case, he was on the...Batulu side and ah...he's actually here but ah...we can't really issue a lease to this. It's not government land or ah it doesn't belong to CHamoru Land Trust.

John Cepeda: But they do, my neighbors do have lease. That I can say, ah I'm the only one that didn't want to get a lease cuz I knew it was still under the federal land. Why am I gonna spend money if it's still under the federal land? Now I'm trying to get a property and ah you know to build.

Chairwoman Pika Fejeran: okay. Can we please work with Mr. Cepeda to transfer him to appropriate Land Trust property?

Land Agent I John Gumataotao: um...I'm just having his file pulled because the people that he's talking about that have a lease, they do have a lease but it's a portion of type of lease, which is in not a specific defined area, it's just within that...

Chairwoman Pika Fejeran: the bigger area?

Land Agent I John Gumataotao: yeah. So...

Chairwoman Pika Fejeran: okay...

Land Agent I John Gumataotao: so is the Board um...requiring us to initiate his application and lease?

Chairwoman Pika Fejeran: yeah

Land Agent I John Gumataotao: what about the rule of first come first serve? Are we going to consider that or...

John Cepeda: Well considering because my application saying 2002 right John but actually I was under the when Borja was the Director here, I was getting processed since '95 but I got transferred from Batulu I'm trying to figure out how did I get processed at 2002. How come it's saying 2002 when I was occupying since '95.

Chairwoman Pika Fejeran: okay it looks like there needs to be more work and research done for your case. Um, so can we...

John Cepeda: because I have, I believe I have records of the water and power stating '95.

Chairwoman Pika Fejeran: okay. Bring us what you have so we can add it to your file and they can put all the research together um so work with John.

Land Agent I John Gumataotao: yeah. I think um the question that should be posed by Mr. Cepeda is to the Board is if we're going to process him based on the pre-occupancy status right, ah because he does have evidence of CHamoru Land Trust issuing him authorization for power and water but his application date is not 1995, are we going to follow the rule of first come first serve?

Chairwoman Pika Fejeran: well let's get all the documentation and then we'll visit it as a Commission with a Staff Report with his file and what we can decide from there.

John Cepeda: alright

Chairwoman Pika Fejeran: Okay. Alright thank you, thanks for coming Mr. Cepeda

Chairwoman Pika Fejeran: Bonnie Herradura? No?

Chairwoman Pika Fejeran: Gladys Concepcion?

Glynis Manley: Oh yes that's me. My name is Glynis Manley I'm one of the candidate since December 1995

Note: Glynis introduced herself as Glynis Manley, signed in as Glynis Concepcion

Chairwoman Pika Fejeran: okay

Glynis Manley: yeah and I was bypassed like a thousand million times. I feel so frustrated, I'm (inaudible) sorry...

Commissioner Santos: I know

Glynis Manley: My mom had died she's one of the applicants, my sister passed away she's another applicant. So I just want to know if you'd be able to transfer this to my daughter. Please.

Commissioner Santos: yeah. That's right

Glynis Manley: I'm tired (inaudible) with this place. I've had it.

Commissioner Santos: you were waiting to long.

Chairwoman Pika Fejeran: I'm sorry Ms. Concepcion

Glynis Manley: Can't take this anymore...it's just to much...

Commissioner Santos: So why don't the daughter sign the application or...

Glynis Manley: They keep telling me to speak to this damn (inaudible). I even went to the Director si Borja and he told me; I don't know what I'm talking about. Excuse me...I don't know what I'm talking about.

Commissioner Santos: That's not the way to approach...

Glynis Manley: and about the prime land... (inaudible) I don't have a son. People from 1995, you're talking about 2000, the lady that was here she got Barrigada. What happened to the rest of the people from 1995? We were passed thousands of people. John keeps saying you're 400 (inaudible) John, I'm 400 December 400 and you're working on the thousands...what happen to the four five six...you're already on thousand...hello?! I talk to Margarita, John Lorraine who else am I going to talk to?

Commissioner Santos: We don't need this favoritism

Glynis Manley: Si John...Jack...ai I'm sorry...now Hita any of chance coming because I'm babysitting my grand. They keep saying come and go to that..., oh, believe me as much as I want to my child is more important you know? People have to make a living, I don't want my kids to lose their job because they have to attend this so called meeting. This is unnecessary really. If people were doing their job, they should be calling us just document it down. You got my number it hasn't changed, a lot of people even the newspaper. That one guy from Agat and oh my god we have the same situation, their numbers didn't change. Ugh... I don't see why nobody called. If you're too busy because you're doing whatever send it to the next line...ugh...oh my goodness I don't understand this government. It's really ridiculous, just like they're saying, sorry to get off track, the Governor is saying we're short, there's no money but they keep getting pay raises. Are you kidding me? How embarrassing is that? The Dededo Mayor, there's trash all over the place and she's worried about the carnival whether they gonna gambling...ugh... are you kidding me? Look at the trash, worry about the area, you're the Mayor there in Dededo, concentrate on that, don't worry about the gambling... Jesus Christ this is really ridiculous. I am really done with this Government, this is really ridiculous.

Commissioner Santos: We need to work on her application

Chairwoman Pika Fejeran: Ma'am Ms. Concepcion, your...

Commissioner Santos: she's priority.

Chairwoman Pika Fejeran: you're our priority and I wish, I wish we could just say, here's property now.

Glynis Manley: and that's another situation, I'm sorry to cut you off Ms. Pika. I come in and ask, what land is available? Okay, they give me this that okay, what else do you have? That's it only this and that then I'm hearing down the line somebody else getting....okay Barrigada...wow what happen to...how come I wasn't offered that area? I was there before that person 2002 that got that...excuse me... how the hell....Ugh...Jesus Christ.

Chairwoman Pika Fejeran: I understand your frustration, it's um...you know some of

Glynis Manley: ask John. I talked to John. John hafa John what what...oh yeah this and then...(inaudible) then oh sorry you cannot have that because that one was given to someone else. Then why you offering me if you gave it to someone else? Are you...hafa dai, kao ba'baba ilu-mu? (is there something wrong with your head)? Letche' boy there's something wrong.

Chairwoman Pika Fejeran: you know it's obvious that our internal procedures need a lot of work and...

Glynis Manley: very much so

Chairwoman Pika Fejeran: and...and...

Glynis Manley: I think I'll go get my granddaughter maybe she can run this....really... it's ridiculous... I don't care what degree you have in the college degree...it's called common sense... just a little common sense come on now....really.

I know I don't have the money probably it's not what you know it's who you know crap...I don't believe in that crap. Okay? I have lots of relatives here if you go down the line surely we're all related somehow probably related to you...know that for sure, even you maybe Hita...I don't know but that's not the point, I don't care, I'm not coming here to know who's my ancestor from your (inaudible) I'm here to find what's you know...what you guys offer. I would rather go and (inaudible) but I can't afford it, either I'm too high or too low not enough, so what the heck? I could imagine what all these people (inaudible) just as bad as mine, maybe worse, I don't know.

Commissioner Santos: twenty years to long

Glynis Manley: twenty four to be exact auntie, its ridiculous. My mom died, my sister died I'm like what the hell you waiting for me to die again? What? Hafa dai? What is going on?

Commissioner Santos: I know

Chairwoman Pika Fejeran: I wish... I wish I had a solution

Glynis Manley: didn't you just say you gave that guy a land and then now you still gonna have to say you still have to come back after you give them a land you still have to come back. Hafa dai? What is going on? Give me the property...what yeah but you cannot do anything yet wait you have to come back again...okay...(inaudible) you have to come back and do this what again...I have to come back again. Hafa dai...what...what is going on? Either give it to me so I can build something on it and get it over and done with, and pay the lease 99 years right...\$99.00 that's what they said, \$1.00 a year...wow sounds so terrific and wonderful but all this frustration it comes along with....oh my goodness (inaudible) was it written in fine lines so you people forgot to read it? Oh my goodness...

Chairwoman Pika Fejeran: Ms. Concepcion I wish I could... I wish I could, I wish I could move

Commissioner Santos: That's more than frustration

Chairwoman Pika Fejeran: I wish... I understand. I wish that I could waive a magic won

Glynis Manley: yeah I know. I wish I could too. That's why people talk to me and I sound rude and you know CHamoru right? Lañya that lady, something wrong with her... excuse me, no I think there's something wrong with you. Because you tell me to do this and that...I'm doing it, and yet, you still...hafa dai?

Commissioner Santos: I know...by passed

Chairwoman Pika Fejeran: you know, like it was mentioned many times, much of the work the Commission does here...point out we're all basically volunteers, the three of us sitting here. We don't get to work in the office 40 hours a week right? So, but the work that we're doing is to make sure that moving forward, the same issues don't happen.

[Multiple voices]

Chairwoman Pika Fejeran: yeah, moving forward and we hope we're optimistic that we can move forward but we need to get our rules fixed so we can move forward and have it (inaudible) So that's what we've been working on.

Glynis Manley: So you guys gonna put it in the hands of the senator?

Chairwoman Pika Fejeran: To fix the rules? We have to or else we're gonna keep spinning our wheels and...

Glynis Manley: that's ridiculous, I'm sorry. They need to fix themselves right now cuz I think they're having a lot of issues. I'm telling you, they need to fix themselves before then can fix us. Their pockets keep getting bigger, ours keep getting smaller... pay raises keep...oh my god, are you kidding me? Then you're saying the government is broke...umm...excuse me, you just had a pay raise.

Commissioner Santos: So what...what are we gonna do.

Chairwoman Pika Fejeran: I wish I could tell you more than...than just.

Glynis Manley: yeah and also my mom, she's no longer here, she transferred to my sister which passed unfortunately again. So she's trying to transfer to her daughter but her daughter is not here, was but she went off island... you know.

Chairwoman Pika Fejeran: Okay...so in that case, you can do an affidavit saying that

[Multiple discussion]

Chairwoman Pika Fejeran: she can request that a new beneficiary be assigned.

Commissioner Santos: What is the time that the people didn't agree on your application

Glynis Manley: a lot of them... a lot of them giving me attitude, I'm sorry to say, but 24 years come on now. Don't even try to ask you up front, you know...what...what's going on? What's the hold up? I met Lorraine because I know Lorraine personally way back before she was even in this company. I said, Lorraine, what's happening with my application, I think it was a dead or something...oh yeah... let me get back to you, blah blah blah...nothing was said. You know the...

Chairwoman Pika Fejeran: Well on our website, you can see where you are in line. Um... and

Glynis Manley: So that's where it's gonna be at now? I have to look at the website to see where I'm at. I know where I'm at, I'm at December 1995... okay... so what now? (inaudible) they already issued land from 2002. What do you mean where am I at? No, where are we at here?

Commissioner Santos: that's right

Glynis Manley: I want my lease...please.

Commissioner Santos: at least for your daughter.

Glynis Manley: Yes exactly. I want it to be transferred to her. And I hope you don't have to go through the same frustration I went through, really.

Land Agent I John Gumataotao: Ahh Madame Chair.

Chairwoman Pika Fejeran: Yes

Land Agent I John Gumataotao: May I?

Chairwoman Pika Fejeran: Yes sir.

Land Agent I John Gumataotato: ahh regarding

Glynis Manley: Yes John...please John because I called you a simple as that. And I wish to god you would have called and I wouldn't have to be so frustrated with you and you know that.

Land Agent I John Gumataotao: Yes..ah...regarding Ms. Manley or Ms. Concepcion's, or my statement regarding her place in line, all I said to that was ah... regarding the CHamoru Land Trust's desire to amend the law to allow for certain things to happen, that way, the Trust can go back and put people start putting people into their prospective spots so they could get issued their lease.

Glynis Manley: okay but that's kinda to late, when you already got 2000 that were issued a land

Land Agent I John Gumataotao: I understand and I explained that if you look at numbers, if the Commission issued three thousand leases and your number four hundred and you didn't get a lease, obviously something happened...either we by passed you or we just didn't issue a lease to you. So, in order for the Trust to get back to property issuing leases numerically, we have to first fix this thing that's preventing us from doing it; which is the switch list because we already had issued leases to those people that switched.

Glynis Manley: Yes nai John you mention that... the newspaper mentioned it (inaudible)

Land Agent I John Gumataotao: Well no, I am just trying to explain to the Board the reason why, because it kind of sounds rude ah...that I said, yes, you're number four hundred but you're going to be considered number one thousand... when

Glynis Manley: Why? Why is that?

Land Agent I John Gumataotao: Because the statement you made earlier, it kind of like ahh....it's ahh For me, it doesn't put me in a good.

Glynis Manley: I don't understand where you're coming from John, I'm sorry.

Chairwoman Pika Fejeran: You know, I can't correct what's been done. All I can tell you is we're working forward

Glynis Manley: Yes please.

Chairwoman Pika Fejeran: Okay?

Glynis Manley: So what am I gonna hear today?

Commissioner Santos: So when are we going to entertain her?

Glynis Manley: Yes, exactly, cuz this has been like how many times I've been here John?

Chairwoman Pika Fejeran: When we're ready to start issuing out leases again.

Glynis Manley: When is that? You...every time I talk to him, that's exactly what he told me. When are you gonna issued out land? Tita? Pika? Sorry?

Chairwoman Pika Fejeran: Pika

Commissioner Santos: If her daughter don't need the land, she won't come here.

Chairwoman Pika Fejeran: I don't have an answer for you.

Glynis Manley: What do you mean?

Chairwoman Pika Fejeran: I'll be honest...

Glynis Manley: So who can help me then?

Chairwoman Pika Fejeran: I don't have... I don't have an answer for you.

Glynis Manley: So who can help me then Pika? I am tired of coming into this place. I can't take it anymore.

Commissioner Santos: She applied since 1995

Land Agent I John Gumataotao: Um...even if you want to transfer your application from yourself to your daughter,

Glynis Manley: Yes John

Land Agent I John Gumataotao: Legally you cannot do that because it's not allowed under law. The only time that you can transfer an application, is you are deceased, then the application right gets transferred. But you cannot to transfer to somebody else. What the Board wants to do is, submit a resolution to the legislature to allow for that to happen. So that way, you can transfer it to your daughter and we could start working forward. But right now...

Glynis Manley: But when is this gonna happen nai John? Another 24 years? Excuse me John I can't wait that long.

Land Agent I John Gumataotao: I understand and... and...

Commissioner Santos: no..no..

Glynis Manley: I don't even think I have another five years, to be honest with you if I have to deal with this... hello?!

Chairwoman Pika Fejeran: Ms. Concepcion, I'm sorry. We don't. I can tell you though that the Commission and the staff under the new leadership is working feverishly to be able to get to you and the thousands after you that are still waiting. I don't know when that will be.

Glynis Manley: So why do you got people that issued two thousand that applied in 2000 they already have land. You still got applicants like myself that haven't been issued. I don't understand you Pika. Sorry, I know it's not your term, you weren't in that office...and blah blah blah whatever happen in previous.

Chairwoman Pika Fejeran: What do I do? Do I take it away from (inaudible)

Glynis Manley: Yes please do. I won't be hurt. I'm sorry, I won't be hurt. It's only right, right?

Chairwoman Pika Fejeran: Thank you for your comments.

Commissioner Santos: We understand your sentiments but we tried to help you... if you allow us too.

Glynis Manley: So Pika, I just want to know... I need an answer please. I'm tired, I went up to speak with the Director when was that?

Administrative Director Jack Hattig III: A couple of days ago.

Glynis Manley: Yeah see, I spoken to I think it was Borja... I spoken to Camacho...which he was assistant whatever... yeah...John, Margarita, Lorraine...and I think the other two...I know everybody already here in this office. Honestly...that's ridiculous.

I'm just trying to find someone that will help me. And just stop telling me you're sorry because I don't want to hear sorry...sorry is not going to get me anywhere

Chairwoman Pika Fejeran: Okay...thank you for your comments

Glynis Manley: K so Pika what do I do know? Keep waiting again.

Chairwoman Pika Fejeran: I'm sorry that's...

Commissioner Santos: Should the daughter come in and apply?

Glynis Manley: No... I want her to...I want her to get my application take over

Chairwoman Pika Fejeran: Well in order for that to happen, we have to have the legislature change our rules...we're working on that.

Glynis Manley: So then give me agriculture, I don't care... I'll take the agriculture.

Chairwoman Pika Fejeran: okay

Glynis Manley: Yeah...I'll take the agriculture but she can build on it?

Commissioner Santos: Yeah...yeah

Glynis Manley: yeah, that's fine. What's the difference between agriculture? Just plant anything on it?

Chairwoman Pika Fejeran: You have to meet certain farming requirements.

Commissioner Santos: If she don't have a primary home, she could build her home there in agriculture land.

Glynis Manley: So I'll take that...cus I don't want to wait anymore. Like I said, I'm done, I'm done waiting.

Chairwoman Pika Fejeran: Okay...thank you for your comments

Glynis Manley: So with that, where do we go with that John? What now? What's your plans please? I want to do it right here in front of everybody, TV, everybody so that everybody would know. Nothing closed doors, everything's wide open.

Land Agent I John Gumataotao: If...if the legislature acts upon the resolution that the Commission plans to or if they decide to submit a resolution to the legislature to allow for certain changes in the Rules and Regulations of the CLTC, we'll be able to start off and start issuing leases but that can't happen unless rules are changed, the regulations is changed in the CLTC.

Glynis Manley: Yes nai John but what I'm saying is how come I haven't got a lease period.

Land Agent II Jhoana Bragg: Um...can I just say something? Um, my name is Jhoana

Glynis Manley: Mmhm...Hi Jhoana

Land Agent II Jhoana Bragg: Hi. I've been, I have reviewed your file

Glynis Manley: Yes ma'am.

Land Agent II Jhoana Bragg: It does indicate in there that there were lots that were offered to you.

Glynis Manley: No they showed it to me nen...you know when I ask them...you know...

Chairwoman Pika Fejeran: So you've been entertained, we've offered you properties that you declined?

Glynis Manley: They didn't offer me Ma'am, they asked me, they said did you want that? Cuz I asked them, cuz they kept trying to tell me visualize, like John...Pika, I'm not good with direction to be honest with you.

Chairwoman Pika Fejeran: So we've entertained her application?

Land Agent II Jhoana Bragg: We've entertained her and I believe there were lot showings with you, however, in file it indicates that she does not want it. So moving forward, you know due to the moratorium

Commissioner Santos: Did you get to choose?

Glynis Manley: No...I kept asking but...

Land Agent II Jhoana Bragg: Due to the moratorium there was a hold, so those properties that were offered she advised us that she did not want the properties.

Chairwoman Pika Fejeran: So you're allowed to decline three times.

Glynis Manley: What?

Commissioner Santos: Do you remember? Did they give you a chance to choose among three land?

Chairwoman Pika Fejeran: I'm sorry Ms. Concepcion, we have many other individuals waiting to be heard here as well. We hear your comments, we feel your frustration and we hope to get to you and everybody else that's waiting, within the next year. But we have to do it right and we have to be methodical about it and follow our rules so that what has happened in the past, doesn't happen again. But I'm very glad to hear that our staff has worked with you and offered you properties but you declined it, if you haven't declined it, you would have a lease. So that make me feel that okay, we didn't just skip over you. It wasn't that we never contacted you, so...

Glynis Manley: No they didn't contacted me Ma'am, I was the one that always had to go contact them, that's the problem. They give me a number to contact them but when I call them they never answer the phone. That's the problem, that's why I had to keep going you know...one person to another and that's what's so frustrating.

Chairwoman Pika Fejeran: Okay, thank you Ms. Concepcion. Can I please move on?

Glynis Manley: This is ridiculous...so you said within a year

Chairwoman Pika Fejeran: Yes, that is my hope and my goals and my dreams...to start issuing out leases to everybody on the waiting list

Commissioner Santos: So she can apply under agriculture?

Chairwoman Pika Fejeran: Yes if that...(inaudible)

Glynis Manley: Unless the Senators...what is that John you're saying about the...sorry I...

Land Agent I John Gumataotao: Unless they ah, the legislature acts to allow for certain changes in the law then...

Glynis Manley: And when is this gonna happen John?

Land Agent I John Gumataotao: ahh I don't know

Chairwoman Pika Fejeran: It's a long process. You know, it's like we're trying to move a bus with our hands, it is a very long process. But I'm hopeful that we can fix our internal processes and actually start making progress.

Glynis Manley: I hope so Pika. I hope so.

Chairwoman Pika Fejeran: Vicente Concepcion

Vicente Concepcion: Yeah...first of all... I talk with John Gumataotao and (inaudible) and when he showed me a property there was nobody assigned to it. If she can't have the property then at least help me on this one.

Chairwoman Pika Fejeran: Okay

Vicente Concepcion: I did in inquire a property (inaudible) but somehow you know, we're not the politics and somehow they move my name and gave it to someone else that is off island, staying off island for a year. (inaudible) they do the contract maybe but it's not signed the lease. The lease not signed and I've been waiting for it. I found this thing out like maybe eight months...(Inaudible)
So I spoke to Mr. Jack Hattig and he said the only thing that can terminate the contract is you nai Pika. So that's why I'm here.

Chairwoman Pika Fejeran: Okay, I'm not familiar with your case but what I would like to do, is place you on an upcoming agenda so that we can look at your file and look at everything that has transpired.

Administrative Director Jack Hattig III: Mr. Concepcion is applicant

Vicente Concepcion: Yes... a 1995 applicant

Administrative Director Jack Hattig III: He's married to Ms. Concepcion who's also an applicant. So just to give you a little back ground. They did speak with me and we are trying to put a staff report together for them and make a suggestion to the Board.

Commissioner Santos: You're doing the right thing.

Chairwoman Pika Fejeran: Thank you for coming, we'll get you on the agenda so that the Commission can look at all the facts and decide. Thank you

Chairwoman Pika Fejeran: Next, Julia SA Quinene

Chairwoman Pika Fejeran: Hi Ma'am, thank you so much for waiting.

Julia Quinene: Hi everyone. Mine is (inaudible) and I hope it's not as stressful as everybody else. My name is Julia San Augustine Quinene, I was actually called last week to come and attend a meeting because I'm here for a guaranty loan, everything is set but there is always a hold somewhere along the line. I think I almost became a staff of Land Trust because I was here every week. Lorraine was my coach, she was the one training me. At any point, I really want to move forward, my mom she has cancer, she's recovering and everything and she just wants...I just want my mom to have something before the lord takes her and I'm tired of her moving from house to house whenever there's a storm. So we are this far, ready to go and I have been communicating with SBA off island, because it's not here in Guam or even Saipan, the closed down already so it's back and forth....I mean taking off from work, it's a lot of stress... but you know...hey, it's in the hands of the lord so I give it god and just wait on him to guide me through. Um... the problem is, they said I don't have my land surveyed, back in 2000...I mean 1999 somewhere there, there was an issue with family members that they were always constantly coming down to Land Trust, arguing with Land Trust. So they had to do a survey. My brother's house was built under SBA, there was no survey. My brother behind my house, I'm in the corner on (inaudible) street, the house to the right has a house...everybody...I'm in the corner, so why would have... I even spoke with the surveyor and it's on the map but they said it's not recorded. I have all this instrument recorded with Land Management, I was back and forth but they said there's no survey so now it's on hold again with SBA. They have to extend my loan because of Land Trust saying there is no survey. But how is it? I have mohon's (markers) in all my areas..., my brother has, he had his house built, like I said. They're under SBA, I'm the only one, so I don't understand now. I have to get it surveyed over the same area that has marking? Even the Surveyor mentioned to me, Ma'am if that area over there is clean a little, I will mark it but there's a...a...flag there, I will mark it, just call me back and I will mark it. So what do you call that? It's not surveyed then? There was an issue back then that Land Trust had to do it because it was a conflict. I mean...domestic was building up...and Land Trust stepped in to take care of that survey. And like I said, I was there for three days cuz the Surveyor was working on my two brothers that were always constantly having this conflict, So mine's in the front, my brothers in the back and they all have their houses already. Now that I'm moving forward, I'm on hold again.

Land Agent I Jessica Dayday: It's not approved.

Chairwoman Pika Fejeran: It's not an approved map?

Land Agent I Jessica Dayday: No...it's... it's...it doesn't have...the Director didn't sign it... no one else signed it, the Surveyor, not even an surveyor and it's not recorded.

Chairwoman Pika Fejeran: So is SBA the one that says we need a survey?

[Multiple discussions]

Chairwoman Pika Fejeran: Does she have a lease?

Land Agent I Jessica Dayday: She does. I checked... with the in-house map and all, but her document her number and that was the issue why she kept coming in January from January she kept coming in every week.

Julia Quinene: Because my addendum was wrong also, they had to do a second addendum because they gave me a different lot number. It's good thing I did show up. Otherwise, they'll just think it's a...

Land Agent I Jessica Dayday: So they change...ah... the instrument number was incorrect, it was somebody else's instrument, so when we looked it up, it was her sibling that one that's next to her and I um... I researched more, that's why I couldn't put her (inaudible) for this meeting because I needed to research more and find that survey map. I even asked her,

Chairwoman Pika Fejeran: She has a lease, so why are we holding up the home loan guaranty approval from the Commission?

Land Agent I Jessica Dayday: Because I don't have the map, the recorded survey map. It doesn't show that it is surveyed.

Julia Quinene: Everybody, like I was saying, all my brothers. The same surveyor did all three when there was a conflict within the family.

Administrative Director Jack Hattig III: It's taking a little bit more time Ma'am to...to...get with Survey Division and Records so we can get the survey map. That's the only thing that's holding up.

Julia Quinene: And both brothers have the same map I have

Land Agent I Jessica Dayday: Yes

Engineering Tech. II Melvin Javier: This map has been surveyed by (inaudible) Villaflores but by him only, not by the Director so it's not an approved surveyed map.

Chairwoman Pika Fejeran: Okay..okay... so what does that have to do with the home loan guaranty approval? That's my question.

Julia Quinene: Yeah...we're ready to go.

[Multiple discussion]

Administrative Director Jack Hattig III: You mean they can proceed without the survey?

Chairwoman Pika Fejeran: Yeah, just waiting for Commission approval.

Julia Quinene: My case worker from Texas called up and say, are you still interest? I go, wait a minute what's going on? Ahh, then she goes, well we just need to find out, we need to get a guaranty from your Land Trust and I'm just going step by step.

Chairwoman Pika Fejeran: Do you have the um... home loan guaranty document or the loan document.

Julia Quinene: Yes, they have a copy also, I gave them a copy of it.

Administrative Director Jack Hattig III: Okay so, according to the case file, SBA needs the instrument number of the recorded map. It's possibly, a new requirement that SBA is now cracking down on some of the ah...you know, persons that are applying. So we are just trying to comply, our efforts are just to comply with SBA at this point so that's that I can glean from your case right now, is that SBA is requiring this so we're trying to get it... so if you don't have it...

Julia Quinene: Because they didn't mention it to me that... that they need it. They just said, they approve everything their just waiting for you to... for Land Trust to just approve, the guaranty.

Land Agent I Jessica Dayday: That...that was the issue, that's why they had to correct your instrument number, remember the one, first they said, they couldn't read it

Julia Quinene: They couldn't read, yes

Land Agent I Jessica Dayday: Yeah, and then they looked it up, Records, looked it up and said it's the incorrect

Julia Quinene: Yes, it was incorrect

Land Agent I Jessica Dayday: That is the instrument number SBA needs

Julia Quinene: But then they... they didn't approve it until I send... I faxed it to them, so then that's when they wrote back and said okay you're good to go.

Chairwoman Pika Fejeran: So now, they're just waiting for the Commission's guaranty?

Julia Quinene: Just approve... yeah, and so the loan is waiting, just... my check.

Administrative Director Jack Hattig III: We could put that before you Ma'am but just to let you know, if there's not a recorded map or not a recorded instrument number, you know...

Chairwoman Pika Fejeran: Well if there...ah...if SBA I'll approve it

Julia Quinene: I have an instrument number, I have a map a map for the addendum

Land Agent I Jessica Dayday: I researched it.

Julia Quinene: They have my (inaudible) the damn thing to go... it's just waiting...

Chairwoman Pika Fejeran: Can we get her on the next agenda?

Administrative Director Jack Hattig: Yes Ma'am

Chairwoman Pika Fejeran: And you already have the documents?

Julia Quinene: Yes, I have umm... I just need that ah...

Administrative Director Jack Hattig III: Okay so, let's work hard to get that map and...and... get it into there so we can put on the next meeting agenda

Julia Quinene: And they did extend it, because I told them

Chairwoman Pika Fejeran: For how...how much longer? Can you check that cuz, we'll...we'll have to... when's our next meeting?

Administrative Director Jack Hattig III: May 2nd.

Chairwoman Pika Fejeran: May 16...

Administrative Director Jack Hattig III: Well our next meeting is May 2nd.; did you want to take it up on the 2nd?

Julia Quinene: I did tell her... I did tell her that in May... cuz I was supposed to be squeezed, scheduled for May, the next, when was that Jessica? For the Board you said it was May? You were trying to put me in there.

Land Agent I Tina Jocson: May 16.

Julia Quinene: May 16... so I did.

Chairwoman Pika Fejeran: Okay good.

Julia Quinene: I did, I did inform my caseworker and she goes she will extend and she'll be more than happy to extend it.

Chairwoman Pika Fejeran: Okay good. So May 16, we'll look at your documents um... you don't have to be here.

Julia Quinene: Okay good cuz I took leave.

Chairwoman Pika Fejeran: Yeah...no, you were here all day. We've talked to you and it seems like it's just an administrative matter that...(inaudible) so you don't have here.

Julia Quinene: Okay...thank you so much, I really appreciate it god bless you guys for a job well done.

Chairwoman Pika Fejeran: Awe, thank you Ms. Quinene

Chairwoman Pika Fejeran: Carl Quinata? Oh no, he left right.
Sandra Quinata? And I have Danny Cruz and Marie Cruz? No... oh...

Administrative Director Jack Hattig III: (inaudible)

Chairwoman Pika Fejeran: Oh...hi

Marie Cruz: I think we're here for the Null and Void list

Chairwoman Pika Fejeran: Null and Void? Okay so you're on our agenda

Marie Cruz: Yes

Chairwoman Pika Fejeran: Thank you. And then I have, ah...Lugene Santos, Rosario Cahill, Cynthia Fejeran, Fred Chargualaf, Emily Sablan, Annie Siguenza and Shirley Gagan who we've already addressed so... okay. Um... going back to New Business, Constituent Matters, is ah... Christianna Jean Sarmiento

Nededog here? No? Okay, I'm gonna table her. Antonio Toves? Buenas, can you just give us a second, we're gonna pull up your um... full disclosure, you're married to my first cousin so I can't rule on any of this. Thank you for your patience Sir. Okay. Antonio Toves...staff report. Okay you have a lease, a residential lease, Track 10316, Block 1, Lot 12R5 and you're requesting issuance of lease... oh, based on pre-occupant status and issuance of the authorization for utilities.

Antonio Toves: If I have the lease, I don't need the authorization for utilities though.

Chairwoman Pika Fejeran: You do actually.

Antonio Toves: Oh

Chairwoman Pika Fejeran: Yeah you do. So you're living on the property?

Antonio Toves: Yes, well currently as of right now, there's no power.

Chairwoman Pika Fejeran: Oh okay... so you were a pre-occupier when power was... can I get his file please? Antonio James Toves. Okay, I do see that you're a 2001 applicant, but you were claiming pre-occupying and what is that based on?

Antonio Toves: Um...well an acre (inaudible) from 95 basically when I was young, that's where I live...'76.

Chairwoman Pika Fejeran: Oh, your parents...

Antonio Toves: Yeah

Chairwoman Pika Fejeran: Your parents occupied the property

Antonio Toves: Yes, my parents and my grandparents. The (inaudible) can see there, it's half tin it's half cement but the typhoon structure my dad built that in '74.

Chairwoman Pika Fejeran: Oh okay

Antonio Toves: And my grandfather had that land since I think the 1950's when it was under the Arruendo.

Chairwoman Pika Fejeran: Okay, so it was under the Arruendo program? And what prompted you to come in to apply since you've already been occupying?

Antonio Toves: Cuz um... right now we need a lease to get power and water to be hooked back up

Chairwoman Pika Fejeran: Okay

Antonio Toves: Plus, I also wanted to start um...like developing it

Chairwoman Pika Fejeran: Okay...okay and I do see a Mayor's Certification that you've been a pre-occupier. Even back in 2001, we issued you an authorization for utilities but you were never issued a lease. Is that right?

Antonio Toves: Cuz um...Joe (s/b John) Gumataotao and Mr. Mafnas, I was trying to get it so I could build they gave me a permit or a paper to get a building permit and they told me not to worry about the

lease right now just get the land surveyed and then they'll give me a lease. But then I found out that you guys were giving leases based on pre...

Administrative Director Jack Hattig III: Subject to survey

Chairwoman Pika Fejeran: What is umm...I see that there's a Cease and Desist order

Antonio Toves: That was... that's irrelevant cuz I have a 2012 permit to get a building permit and to apply for water and power from Mr. Mafnas

Chairwoman Pika Fejeran: Oh

Antonio Toves: 2000...what does it say?

Administrative Director Jack Hattig III: 2003

Antonio Toves: 2003, that's after Pongsona, I think I was building and then... because I had a storage outside, separate and they said I had to have only one structure. So I talked to Joe (s/b John) Gumataotao and he told me to put a 2x4 to connect it and therefore, it'll be one structure.

Chairwoman Pika Fejeran: Okay, so in your file, I do see you're a pre-occupier from your parents before you...right. And utilities were authorize since 2001 for you, but now we know that GPA and GWA are very strict and now they have to require a lease. Now that they require a lease, you need a lease from us, okay...

I have no questions

Commissioner Duenas: Motion to approve issuance of a lease for Antonio James Toves for T10316, B1, L12-R5 Dededo subject to survey for half acre on property and issuance of Utility Authorization for power and water.

Antonio Toves: I have a question about that

Commissioner Santos: I second it

Chairwoman Pika Fejeran: Motion made, second it

Antonio Toves: The red part shows more than half an acre right?

Chairwoman Pika Fejeran: Uhha

Antonio Toves: And I was reading in here in that thing, (inaudible) about the lot size, why would I make it half of that now?

Chairwoman Pika Fejeran: Well we handle pre-occupiers differently. But the law says, if you're a pre-occupier, the CLTC has to give you a lease for your property.

Antonio Toves: Okay. Is there any way I could make that agricultural so I could use the whole lot? Well that's what I wanted to do, that's a reason why I wanted a lease so I could start farming.

Land Agent II Jhoana Brag: This is just a masterplan and um... it was based on not necessarily indicating that Mr. Toves has an acre, but if we created a one acre, it was supposed to be for a given lessee. But in this situation, if you go through the masterplan and there is no name to it then it's basically saying that

we need to find out who that lessee is and overtime we've changes happen because actually they're not supposed to be on a one acre. So that's why, it's proposed that we're going to cut this lot up for a half acre to my understanding, based on his file.

Chairwoman Pika Fejeran: Ah...what does the file say? Does it say anything in terms of what was (inaudible) property was?

Antonio Toves: It was actually bigger than that, but you see the house down? Down to the red spot? Her house is actually on the road where you could see now and then she moved up, they moved her up. But originally, that property was occupied by my family all the way up to the red spot. The next lot on the right use to be my family which is Castro but now it's my family Aldon

Land Agent I John Gumataotao: I think Mr. Toves is using the father or grandfather's LUP?

Antonio Toves: My grandfather

Land Agent I John Gumataotao: Right so his father was the one that was living there and Mr. Toves' application...or he's claiming the father's LUP that's fine, but

Antonio Toves: Actually where the neighbor built down...that's where my dad's house was. Where my ranch currently is, was my grandfather's land.

Land Agent I John Gumataotao: Well at the end of the day, your grandfather was farming on the land in 1994 or even earlier than that, then he would have been noted as pre-occupier for this LUP and if he was to apply, he wouldn't qualify because he's from the Northern Mariana's. So he qualifies because his mother is from Guam. So when I start to look at his file, he has a residential application and we don't

Antonio Toves: See that's another thing though, Mr. Jose, I mean Joe Gumataotao,

Land Agent I John Gumataotao: John

Antonio Toves: The old man the one I dealt with before, he told me that I would be given agricultural and I was asking him why would I do that, right? Because it's going to be hard to maintain a farm and I was young when he was telling me this. He said, don't worry about it boy, all you gotta do is plant donne' (hot pepper) and there's benefits to getting agricultural water and stuff....so I was under the impression that it wasn't agricultural lot anyways.

Land Agent I John Gumataotao: So he has a residential application and under the rules we can only give a half acre if there's no sewer, if there's sewer then it can go down to a quarter acre. Because he has a residential application, and he's situated on this lot, we have to scheme the lot to allow the half acre for him, the remaining acreage can be issued to another applicant. With him changing his application type from residential to agriculture, it's not allowed under law. So he's kind of like stuck in a, like a pickle because...

Antonio Toves: Okay...so how is that possible then? (inaudible)

Commissioner Duenas: Can we know how that would work if we cut it down to a...

Antonio Toves: Yeah, can we have an idea of how that might look?

[Multiple conversation]

Land Agent II Jhoana Bragg: Well we have to first GPS your area sir, to identify where you are actually occupying and from there, we take what our findings are to survey division and they will be the one to

Antonio Toves: So it's actually something similar to that

Land Agent II Jhoana Bragg: Yeah

Antonio Toves: Okay that's fine, which is where most of the fruit trees are anyway cuz I have a lot of fruit trees there planted.

Chairwoman Pika Fejeran: Okay, thank you for your question and clarification so a motion was made and second it for the approval of a lease to Antonio James Toves. The lot to be re-schemed to a half acre for the portion that he's occupying right...and this will be a residential lease. But with the understanding that it's being awarded because of your pre-occupying status because your application. Okay...any further discussion?

Chairwoman Pika Fejeran: All those in favor?

Commissioners: Aye

Chairwoman Pika Fejeran: Okay, Ayes have it. Thank you for your patience

[Multiple conversation]

Land Agent I Johna Gumataotao: Could I just um...just to confirm, Mr. Toves although the Board did approve issuance of the lease, the Board still needs to approve the authorization to scheme the lot... so if we look at time table wise, maybe by June perhaps... June or July.

Chairwoman Pika Fejeran: Wait did our motion include scheming and the utility authorization. Oh no no the utility authorization

Administrative Director Jack Hattig: I believe the motion was for scheming also

Administrative Director Jack Hattig: No? Okay...

Chairwoman Pika Fejeran: I think we need another motion, a follow on motion.

[Multiple discussion]

Land Agent I John Gumataotao: May be if you reword it to allow first, the scheming of the property and then the issuance of the lease because by the time the lease is prepared the survey scheme should have been done already and that would be the first step.

Commissioner Duenas: So just a motion to scheme

Land Agent I John Gumataotao: Scheme and then issuance of the lease

Chairwoman Pika Fejeran: Did the motion not include the motion not include the half acre description.

Legal Counsel Nick Toft: It did include the half acre description, but you want them to scheme it first so that (inaudible)

Commissioner Duenas: Motion to approve um to scheme half acre. Is that sufficient?

Administrative Director Jack Hattig III: Once acre lot to a half acre

Commissioner Duenas: Oh, I'm sorry. The one acre lot to a half acre? Okay. Motion to approve for scheme from one acre to half acre lot.

Chairwoman Pika Fejeran: Motion made

Commissioner Santos: I second it

Chairwoman Pika Fejeran: Ah further discussion,

Chairwoman Pika Fejeran: All those in favor?

Commissioners: Aye

Chairwoman Pika Fejeran: Okay, Ayes have it. Okay, sorry so once again has to be schemed

Land Agent I John Gumataotao: Once the scheme is signed by the Director then we'll prepare the lease for you and then call you without having to go through the Board

Administrative Director Jack Hattig III: I'm going to initiate the request for Land Management to do the scheme

Land Agent I John Gumataotao: I would say towards the end of May first weeks of June would be safe

Antonio Toves: Okay. Thank you.

Chairwoman Pika Fejeran: Okay moving on there's...under New Business 1,B, I believe we've tabled because we granted approval authority to the Administrative Director right.

Administrative Director Jack Hattig III: Yes.

Chairwoman Pika Fejeran: C. Other Request, Felix Muna and Tomasa Aguon Hafa adai, if you could join us up here please.

Tomasa Aguon: Good afternoon Madame Chair, Commission Members um I'm not sure...

Chairwoman Pika Fejeran: I reviewed your staff report, let's see...you're asking to be recognized as the original pre-occupier for Lot 15 Block 8 Tract 18113, Mangilao this is for approximately half acre portion.

Tomasa Aguon: Yeah, I guess that's the last Commission hearing that I presented my case that we did occupy that property finally we finished building a house and we were farming on the land since '89 or 1996 then we finally applied for utilities and ah under the Land Use Permit which under the Arruendo program but now that my nephew claims that he owns that property, he was the pre-occupier which is so incorrect.

Chairwoman Pika Fejeran: Can I get the lease files please?

Tomasa Aguon: I am requesting the Commission that that land be returned to us based on the Pre-moratorium that we were the prior occupiers under the land use, Land Use Permit program number 615.

Chairwoman Pika Fejeran: Sir, you're Mr. Felix Muna?

Felix Muna: Yes

Chairwoman Pika Fejeran: So you had a Land Use Permit 615A, that's what it looks like in your file. Do we have the Land Use Permit listing? Oh, here. So...L5402, Lot 5402. So I know that the lot numbers have changed right with our...and I see in the file a history of utility bills on Kenny's Lane.

Tomasa Aguon: Yes

Chairwoman Pika Fejeran: Okay this is the same property that didn't have access, easement access that had to go through the courts with Gregory Aguon

Administrative Director Jack Hattig: The easement is open, or is going to be open from what I understand, in the process of being open.

Tomasa Aguon: But that should have been done since day one when the Land Trust took over all the Arruendo program. They should have identified that before allowing people to start living there or trying to claim the property. But...my request from the Commission is to have that land returned to us which is rightfully ours.

Chairwoman Pika Fejeran: Let me... let me... so you're not residing there?

Tomasa Aguon: No Ma'am not right now because like I said.

Anjolisha Aguon: We're residing there

Unknown family member: We're staying there.

Tomasa Aguon: You don't have the floor, you weren't even born when we got that lease from the Government

Unknown family member: We stayed there since '93 are you serious?

[Families argue]

Chairwoman Pika Fejeran: Okay hold on...time out...No no no no no no no....no no no no no no I'm sorry...no...no..no...

Tomasa Aguon: I didn't come here to argue with you people cuz you know what?

Unknown family member: Then give us back the money dude that you owe us

[Families argue]

Chairwoman Pika Fejeran: Hold on...hold on. Hold on a second

Tomasa Aguon: Excuse me. Excuse me Madam Chair can you remove these people? That's why I am here to request

[Families continue to argue]

Chairwoman Pika Fejeran: Hold on a second! No no no! I cannot have this arguing in this room right now. No no no.

Tomasa Aguon: You people have some respect for the family, my blood runs through Greg's children's veins. Have some respect for the older people. You people weren't even born there when the Governor gave us the Land Use Permit.

We were gone off island temporary Ma'am, when we returned my brother was so sick and since Ms. Florence is here, she approached me that day I visited okay? And she said, oh Auntie Tomi, I hope you don't mind we just pulled our bus and parked it, I hope you don't mind we park our bus.

Ms. Florence: Bus? That's not our bus.

Tomasa Aguon: Florence wait...excuse me I have the floor here, this is my

Ms. Florence: No that's not our bus

Tomasa Aguon: No no no Florence don't lie.

[Families argue]

Chairwoman Pika Fejeran: Hold on a second. I cannot, I cannot deal with family squabbles okay.

Tomasa Aguon: I understand Ma'am.

Chairwoman Pika Fejeran: Can everybody just hold on your comments, we're going to look at the files that we have before us

Tomasa Aguon: You see now they're so ungrateful. I allow them to park their yellow bus because they got evicted from somewhere, I don't know where. Out of the kindness of my heart I did not evict a single person that was living there. When I left the island, they all came and started sprouting houses there, including a yellow bus that had a canopy for cooking and whatever. Then little by little, they're like beavers, they start taking peoples materials extending building something and then they have the audacity to say that they own that property and they have the audacity to even number the house 312A which I went to Public Works there's no such number of a structure. It was never registered, you know why? Because they didn't get a building permit like I did. I allow them to live there for so long, I did not chase them because when I came back, my brother was already sick, he wasn't even talking. Thanks to the children they never pursued his medical checkups and stuff like that to get something out of the Government. I took him and he started receiving retirement check, here the kids racing into Pagat to see who's gonna take dad to pick up his check and cash it.

Chairwoman Pika Fejeran: Okay that is beside the point. I really don't want to. I just want to point out that I'm sorry that you were attacked like that, that it happened okay.

Tomasa Aguon: That's why Madam Chair I did not, I never approached them, back there. The last time I visited Greg, was when they burned the shack in the front that had my personal belongings in it. That was the first and last time. I did not mention property back then okay.

Chairwoman Pika Fejeran: Let's just wheel it back in a little bit, let me make the Commission clear on what has transpired and what is the documents that we're looking at.

So you were a pre-occupier, I see and actually Mr. Muna in his file, he has a Land Use Permit since 1988 on the property, in '91 you built a home which was completed in '92 you had power and water installed in '94 before the Land Trust was actually implemented, um Mr. Muna you were forced to relocate off

island for health issues and you authorize your brother in law, Ignacio Aguon to occupy the property, property temporarily. I'm guessing there was no documentation of the temporary nature of this.

Tomasa Aguon: We did a...I did a Special Power of Attorney because I was working at Public Defender at the time, before we moved. But I did not record it with Land Management.

Chairwoman Pika Fejeran: Do you have a copy of this?

Tomasa Aguon: No Ma'am, it got lost in the waste and I don't know, the weather we've been having it probably got damaged. I gave my brother Special Power of Attorney because at the time, my brother in law, Vicente Pangelinan in the front was mentioning something like, they were going to sale those lots to the people that were living there, so I did not want to lose out on the sale, so I gave my brother Special Power of Attorney to handle that...right.

Chairwoman Pika Fejeran: Okay.

Tomasa Aguon: So I guess whatever was gonna happen didn't materialized, so when we left the island, all of his children started moving in there and now they're claiming that it's theirs.

Chairwoman Pika Fejeran: Well it shows that Mayor's Verification resident since '97. Okay after Mr. Muna's Land Use Permit and all the evidence that shows that you guys were the pre-occupying individuals. Um, I...where are you residing now and what are you?

Tomasa Aguon: Right now ma'am, I've been renting all this time because ever since we've returned, I did not have the nerve to evict my brother who was very sick. I tried to talk to the children when I visited there, but they were all running and locking themselves in their little shack. I couldn't get across anybody to find out what's going on with my brother. I took it upon myself to him, okay. And when I did help him, I allowed them to stay until my brother passed away and that there's a yellow bus that is still there, somewhere there in the back that's been hauled over there because my nephew got evicted somewhere so he moved his family over there, which I allowed them, I never knew that they were going to do this number to me. Out of the kindness of my heart, I allowed them to live in that area but now they're turning around and trying to say that I never owned that property. I mean come on, get real.

Chairwoman Pika Fejeran: Well I'm looking at Gregory Aguon's file and it doesn't look like there was any claim prior to us working with Gregory Aguon.

Tomasa Aguon: I think because he took it upon himself Ma'am and you know what? He's been chasing out the siblings that were living in that main house.

Chairwoman Pika Fejeran: So Gregory Aguon is your nephew?

Tomasa Aguon: Yes, his dad is my brother that one that passed away there in that house.

Chairwoman Pika Fejeran: What's your brother's name?

Tomasa Aguon: Ignacio

Chairwoman Pika Fejeran: Ignacio... and Gregory is his son?

Tomasa Aguon: He has a lot of children but most of them moved out because of Gregory, he wanted to claim the whole thing to himself and not even think about his brothers and sisters. So I'm here before

the Commission to request that I be recognized on Mr. Muna or me and Mr. Muna be recognized as pre-occupiers of that property and hopefully the lease will be given...awarded to us.

Chairwoman Pika Fejeran: Legal Counsel, what do we do in this case?

Chairwoman Pika Fejeran: The evidence shows that Mr. Muna before us is the pre-occupier

Legal Counsel Toft: I see the evidence, the issue I have with it is that, the one piece of law that we have that applies is 6.4 (a), under the Public Law 23-38, and that says that we're not allowed to serve eviction notices to individuals who presently reside and have continuously resided on CHamoru homelands prior to July 12, 1995, and who qualify under the Act.

The problem is, the reading of that would imply that we are not allowed to evict Gregory Aguon because at the time of July 12, 1995, he's the occupier of that land.

Chairwoman Pika Fejeran: Ohhh

Tomasa Aguon: Actually, can I correct you sir? July 12, 1995, the Land Trust didn't start 'til December of 1995, correct?

Legal Counsel Toft: Could be (inaudible)

Tomasa Aguon: So all the Arruendo...all the Arruendo lots under the Land Use Permit program were converted to Land Trust property, no longer Arruendo program. I have a copy of that public law because it allowed Mr. Benavente to own a 133,000 square meters of property to do a...some kind of farming. As a matter of fact.

Chairwoman Pika Fejeran: That was no on Land Trust

Legal Counsel Toft: (inaudible) that was on Department of Agriculture not CHamoru Land Trust

Tomasa Aguon: Well yeah, he was awarded under public law. Okay? And in that there's a provision in that public law that the pre-occupiers under the Land Use Permit program would not be evicted. We were there in 1988. He even built his fence close, his fence is about this much towards the wall of my house because I don't know who allowed that to be built like that but it didn't bother me...you know, I'll let it go. But now that there's a public law issued, not to because of the presence of Ms. Benavente not to evict the people that had held Land Use Permits prior to him getting, prior to the issuance of this public law. I got my permit in 1988, the public law was 1990 so why would you consider Gregory Aguon be the occupier of that property?

Legal Counsel Toft: You were not on island in 1995, July 12?

Tomasa Aguon: No sir, we returned in March 1996

Legal Counsel Toft: That's the difficulty that we're having

Tomasa Aguon: So what is my recourse now? With all these paper works and law and this and that and....

Legal Counsel Toft: The recourse is that the Commission does not have the ability to serve and eviction notice to Gregory Aguon.

Tomasa Aguon: I'm not saying evict him, I request the Commission to either relocate them to somewhere else

[Multiple discussion]

Anjolisha Aguon: Ms...Madame Chair

Chairwoman Pika Fejeran: That would be an eviction, to move them.

Tomasa Aguon: Well can I return to my land then? Because I know for a fact, drama is gonna continue. I have evidence of the drama that's been going on. They even burn to the ground, that small shack that use to belong with my nephew Junior with my stuff inside. And then they have the nerve to come back and salvage whatever they can sell without asking my permission.

Chairwoman Pika Fejean: Ms. Tomasa Aguon, um, the legal counsel has pointed out the 6.4 (a) and it says that the Commission shall not serve eviction notices to individuals who presently reside and have continuously resided on CHamoru homelands prior to July 12, 1995, and who qualify under the Act.

Commissioner Santos: That's the Arruendo

Chairwoman Pika Fejeran: Mhmm. Well if we did

Tomasa Aguon: When I was occupying way before July

Chairwoman Pika Fejeran: Right but you weren't occupying at that point in time. I understand you... But in recognition that you did, that Mr. Muna has a Land Use Permit and had been a pre-occupier on that property prior to this cut off. I think we can work with you to find another property that's suitable.

Tomasa Aguon: So I can't return to my own property based on a Land Use Permit?

Chairwoman Pika Fejeran: From our reading of the land, it's...the law states, it gives the date. It gives the date of July 12, 1995. If you had been there and left in August 1995 then we would be in a different situation but because you were off island and I know it's just...

Legal Counsel Toft: Arbitrary

Chairwoman Pika Fejeran: Arbitrary right because it was your land, you built the house, you moved off, you have the kindness in your heart, you let your family move in...unfortunately, it's...

Tomasa Aguon: It's so unfortunate Madame Chairman and um... I don't think I'm gonna stop until

Commissioner Santos: You're renting right now?

Tomasa Aguon: I have been renting. I've been allowing my nephew, all my nephews, the last one that moved out was my nephew Edward cuz there was always conflict back there, in that area. Only Gregory is left and Bernice. My sister right now, okay? I don't know if you've seen the news, they arrested the Pagat Terrorist the other day, the one that has been damaging my sister and the kid's property, human life and part of my nephew's family in the back, they're a part of it, cuz they're constantly calling out my niece to fight and they even threaten they're gonna burn the house with the people inside. I have photos of comments on Facebook from Greg's daughter in law. I have those things. Those are threats already Madam Chairman, you people should not allow people that are constantly breaking the law causing havoc, causing chaos, threatening people especially my 79 year old sister that's living in the front. She's not afraid to die, she said. She has gulf club, I go oh yeah? That gulf club is not gonna save you, if they like something and throw it in your shack and burn you down. I fear for her life, my niece on the side she can fend for herself. My sister there, and these people are and these people are constantly

going there asking, Auntie (name in audible) can you this? Auntie (name in audible) can you that? Stop bothering my sister cuz she's got her own problems. She's been grieving for all her kids and her lost husband, I mean this is too much Madame Chair. And it's gonna continue, the problems are going to continue over there until somebody gets very hurt. I mean if they conduct themselves like civilized people, that house right now; I don't know how they're using the bathroom, there's no running water. It's been 11 years since no water, no power. The pedal stole, it was standing real straight, no typhoon no earthquake made it crooked, it's crooked now because one of the macho men there when there was no power started kicking until it got crooked. They're bashing broken cars there, come on now Madame Chair. I mean you know...

Chairwoman Pika Fejeran: Ms. Aguon and Mr. Muna we feel that we can't entertain your request to evict, based on...

Tomasa Aguon: No, I am not asking you for eviction.

Commissioner Santos: You never complain this to the public safety?

Tomasa Aguon: Already they got arrested. My sister calls them the Pagat Terrorist, they come to her property and threaten them. My niece's husband's arm is broken, thanks to that terrorist. They broke all the windows in the...I mean for what reason?

Chairwoman Pika Fejeran: Well I'll be honest, to see the outburst by that young gentleman in here, I almost don't doubt that.

Tomasa Aguon: That's not my nephew Greg's son.

Anjolisha Aguon: Yeah, that's not.

Tomasa Aguon: Florence has kids from a prior relationship.

Chairwoman Pika Fejeran: I don't know who he was. I am just saying, there's a lot of anger and it feels like violence.

Tomasa Aguon: You know why they were angry, because my sister decided to close the road. (inaudible) I'll find a way to go in and out without making a scene and even the Facebook threat that something is gonna go down and a F words...especially family. Family is supposed to stick together, protect each other, love each other but this family, I don't think they're family because they treat everybody else like a bunch of...

My sister, she also has been diagnosed with cancer, she's sick that's why we hang out at her place every Saturday to be with her. She doesn't want to undergo treatment, she doesn't need all that drama from the back to come up to her property.

Chairwoman Pika Fejeran: Well I hope she will use the proper authorities to...

Tomasa Aguon: It's been done already. But I don't see her, she's not happy there with all that drama going on.

So what is my recourse Madam Chairman?

Chairwoman Pika Fejeran: Um...to work with the Commission to find another property that's suitable for you. Recognizing your status as a pre-occupier, um

Tomasa Aguon: Well what is the time frame, if I may ask?

Chairwoman Pika Fejeran: We could start...start working right away. I'm sorry Ms. Aguon.

Tomasa Aguon: No...it's just too much already. I'm ashamed to even call him my nephew... the way he treats people. You know what, I'm afraid somebody's life is gonna be lost, either their life or... my niece has to go to the Governor, she met with the Maga Haga the day before her State of The Island address because nobody was doing anything, nobody was getting arrested. I don't know how many bodily injuries those people caused already and they're still letting him run loose. I mean come on now. Pretty soon somebody's life is gonna be taken and very unfortunate, especially it's Karisma, it's Holy Week and then we have all this cussing and profanity and all that disrespectfulness.
Hi Mr. Hattig, (inaudible). How soon can we put together...

Administrative Director Jack Hattig III: inaudible

Chairwoman Pika Fejeran: Okay, can I...sorry. There's been a development, if you can step forward Ms. Aguon, Anjolisha.

Anjolisha Aguon: I'm um. Oh that's alright I don't need to sit.

Administrative Director Jack Hattig III: Oh no no, for the record, we would like to have your comments recorded.

Anjolisha Aguon: Oh okay okay. I'm Gregory daughter in law, that's why no one knows me but I speak on behalf for him anyways so my father in law doesn't mind relocating so if she wants it, it's not a problem for us. We aint the problem there, my husband is not a drunkee, we have kids, we don't harbor any terrorist or whatever they call them in Pagat. Yes, we do reside there, but we do not harbor anyone in our house for any reason to damage anyone's property and we don't mind walking through the jungle, you know that. I've been here constantly, fighting for that road.

Chairwoman Pika Fejeran: yeah, so your...it looks like you're not the only family living there?

Anjolisha Aguon: No. We are the only one that is trying to get lease though, everyone else there are just...they're really just there. But we're the only ones fighting for you know not fighting but waiting for the lease. We were on hold for... you have it there.

Chairwoman Pika Fejeran: Well that definitely simplifies things. Ms. Tomasa Aguon did you hear

Tomasa Aguon: Yes I did.

Anjolisha Aguon: And we were honestly...

Chairwoman Pika Fejeran: So they are willing to move out and..

[Multiple discussion]

Tomasa Aguon: I don't know her but....

Anjolisha Aguon: (inaudible) see my husband is Eric, Eric Aguon he's one of Greg's sons and yeah,

Tomasa Aguon: I only know Garrett

Anjolisha Aguon: Yeah and he's not a drunkee, he does not drink. I understand everyone else drinks back there and that's their habit but for my husband, he tries to better himself every day for our family.

As you can see, I am here every Board meeting to try every way for DPW, for CHamoru Land Trust to come out and help us in any way. Because my family is walking through the jungle, my mother in law recently had an open heart and you know that, but there's so much she can say too she can't really even. But my father in law told me to speak up on behalf for him and if it is...if it does go down to him having to be relocated, he doesn't mind, just as long as we go to an area that is able for us to get power and water you know, something that we don't have to go through and you know if you guys can just give us sometime where you know review our (inaudible) something.

Chairwoman Pika Fejeran: Okay, I think.

Administrative Director Jack Hattig III: I got the message by the way. I'm sorry I didn't respond but I

Anjolisha Aguon: Yeah yeah... you did okay.

Administrative Director Jack Hattig III: Come in tomorrow and we can start the process.

Anjolisha Aguon: But you know to make it more convenient for everyone, I just wanted it to be out there you know, that we're not as bad as everyone thinks you know with people thinking we're harboring anyone, you know like hiding people in the houses or whatever. Which really what I wouldn't intend to do and when the SWAT team came to our house, they looked in our house, when we're sleeping still. Knock the door down and look inside, when we're sleeping so where could you be hiding in our house? You know what I mean? There gonna find a way to get in there and get out but he was just always on his feet that's why they couldn't catch him, he was always running. But we could come in tomorrow and I'll bring my father in law too, but he doesn't really need to come because he did a Special Power of Attorney for me to speak on his behalf.

Administrative Director Jack Hattig III: (inaudible)

Anjolisha Aguon: Oh you guys have one.

Administrative Director Jack Hattig III: Oh okay great.

Anjolisha Aguon: I gave one to Lorraine.

Chairwoman Pika Fejeran: Okay, I think that simplifies things.

Anjolisha Aguon: And what about the lease? Are we gonna have it subjected to a different area or because it has a big X on it?

Chairwoman Pika Fejeran: We're just gonna let it stay on the X and once a property has been identified for you then it will be brought to the Commission for approval again.

Administrative Director Jack Hattig III: the property that you can look at then move forward.

Anjolisha Aguon: Okay so we have to come back again and get another approval for...

Chairwoman Pika Fejeran: you will...I mean if you go through the process they'll just present the lease to us

Anjolisha Aguon: And they will be able to authorize us...like I mean for the power and water and stuff or

Chairwoman Pika Fejeran: Once the lease is approved. You don't have to come before us for a lease approval unless...

Anjolisha Aguon: It goes to the Governor right?

Chairwoman Pika Fejeran: It does come to us but you don't have to present. As long as you satisfied all the requirements asked of you by the staff then there should be no issues.

Anjolisha Aguon: Oh so the lease the paper you have there from my father in law, what, what is that? That's just gonna go? What or?

Administrative Director Jack Hattig III: Because the property description on that lease is not going to be the same as the one... so we have to let that lease go and then we'll create a new lease based on your pre-occupier status.

Anjolisha Aguon: Okay so we'll be here first thing in the morning as soon as I'm done you know with my (inaudible).

Chairwoman Pika Fejeran: Okay thank you.

Anjolisha Aguon: Thank you

Chairwoman Pika Fejeran: Thank you Ms. Aguon both Ms. Aguons. So you'll also be a..working with Director Hattig to

Tomasa Aguon: So am I gonna come in tomorrow or (inaudible)

Administrative Director Jack Hattig III: You can still... well I'm gonna meet with her and then I can also meet with you so if you (inaudible)

Tomasa Aguon: (inaudible)

Chairwoman Pika Fejeran: I think as soon as we can move... as soon as we find another property for Gregory Aguon.

Anjolisha Aguon: And so do you know how long the ample time is? Like what? Maybe a year six months? What?

Chairwoman Pika Fejeran: No no no....I think it's a matter of finding the property

Anjolisha Aguon: No like have to put something up

Chairwoman Pika Fejeran: Oh...

Anjolisha Aguon: That's what I'm asking

Chairwoman Pika Fejeran: Oh if there's power and water, you have a year. One year...one year right? Three years.

Anjolisha Aguon: No what I'm asking is how long to get out of where we're at to that area?

Chairwoman Pika Fejeran: Oh

Administrative Director Jack Hattig III: Oh

Commissioner Santos: As soon they find that property.

Administrative Director Jack Hattig III: We can we can we can work with you, I mean ah to satisfy that. See, they don't want to move into another lot

[Multiple Discussion]

Administrative Director Jack Hattig III: Let's identify, would it be amicable for us to work with them in the mean time ma'am?

Tomasa Aguon: I'm willing to work.

Administrative Director Jack Hattig III: Okay, let's identify a property first and then we'll move to the next step after that. That way you can accomplish the relocation.

Anjolisha Aguon: And if we could get some help because you know it's not easy to re...you know...do it all.

Administrative Director Jack Hattig III: What the agency can provide or what the agency can help you with, we will try. We'll contact the mayor and we'll you know reach out to other agencies and we'll be able to assist.
So let's talk tomorrow.

Anjolisha Aguon: I will see you tomorrow for confirmation.

Administrative Director Hattig III: Yes. Yes. Sure.

Chairwoman Pika Fejeran: Thank you.

[Multiple discussions]

Chairwoman Pika Fejeran: Austin's taking over

[Multiple discussion]

Chairwoman Pika Fejeran: Clint could you come forward, we're gonna look at your lease now. Your lease, the lease that was drafted but then X'd out was for Lot 8, Block 3REM Tract 100C in the Municipality of Dededo. The original applicant is Jesus Delgado Materne, he's a December 2nd. applicant; that's your father?

Clint Materne: Yes

Chairwoman Pika Fejeran: Um okay, he passed away um at that time you were a minor so you couldn't take over his application rights but your mother was granted the rights until you became of age.

Clint Materne: Yes, correct.

Chairwoman Pika Fejeran: Okay so that transferring is allowed by law is that right?

Legal Counsel Toft: Yes, under 5.8 the Board has the discretion to designate a successor in this case.

Chairwoman Pika Fejeran: Okay. So it doesn't show that it was ever approved by any officials. I guess we'll see your files but um, does the Commission want to approve that designation or I guess it's moved because he's of age now and he was the beneficiary.

Legal Counsel Toft: I would have the Board approve it, just to be on the safe side.

Commissioner Duenas: Motion to designate Clint Shawn Toves Materne as the beneficiary to Jesus Delgado Materne

Chairwoman Pika Fejeran: Motion made

Commissioner Duenas: I'm sorry for Lot 8, Block 3REM Tract 100C Municipality of Dededo

Commissioner Santos: I second it.

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

Administrative Director Jack Hattig III: If I could Ma'am, I'm sorry. Excuse me, is there any new information to this case that needs to be provided before.

Clint Materne: Don't I get a lease?

Chairwoman Pika Fejeran: We're working towards that

Clint Materne: I just want to put out to you that I was being entertained since 2013, I've had two different case workers, I've already selected or I got to view a lot in which I turned down then I kind of ran out of money cuz I have the money to start building and stuff then um.. it surfaced again about let's say a year ago and started saving up again then I was assigned to another case worker in which where we came to an agreement to the Dededo lot. So I already got as far as obtaining signatures, letter from the Governor signed the documents waiving my choice for the first property to the second property. And all I needed from my understanding was obtaining the surveyor contract to be sent to you guys. Everything happened like days before Barrigada Heights so... then when I come in, I call and their like, oh we can't release any information which I understand. So I finally came in and that's when I was told to be at this meeting.

Commissioner Duenas: Uh ha...

Clint Materne: So I requested for more information and the information I got from Mr. ahhh....Gumataotao? Was a oh a it's a transfer issue. I was like, how could be a transfer issue if you were entertaining me since 2013? You know what I mean?

Legal Counsel Toft: But at the time, the transfer issue wasn't seen as issues, it should have been.

Clint Materne: So you know, he was quite surprised too and I was surprised. So it was like, who's Jesus Delgado? Where is he? I said oh man, he died since '99. Moving forward, what's gonna happen now? What do I have to do? You know, I'm ready man... I'm at that age where, I'm gonna have kids, I'm ready to do something. What's entitled to me, I want it now.

Commissioner Duenas: Do you remember signing this lease though? Back in...

Chairwoman Pika Fejeran: April last year, yeah?

Clint Materne: Yeah yeah cuz we got the Governor's ahh.

Commissioner Duenas: Okay

Clint Materne: I have another question, can we request to have the applicants to review those documents? Only because um... I've had copies but unfortunately, I'll be quite honest, I can't find em. You know, I like documentation. I like proof. I was denied reviewing those documents because there was a so called X or a check mark, I understand. I just want to move forward with this. Thank you guys for everything.

Chairwoman Pika Fejeran: Okay, the first motion that was made was to approve the transfer of beneficiary rights to Clint Materne.

Commissioner Duenas: (inaudible) the only reason why I'm asking is because he already signed a lease for the property so the question is are we doing it for the property or for the application

Chairwoman Pika Fejeran: Both... we're gonna do both.

Legal Counsel Toft: We're gonna do both

Chairwoman Pika Fejeran: Cuz back when the transfer happened, there was no approval at that time.

Commissioner Duenas: So I should have made my motion to...

Legal Counsel Toft: Not yet, do the transfer one first then we'll get to the...

Commissioner Duenas: For the lot or the application

Legal Counsel Toft: The application

Commissioner Duenas: Okay so I have (inaudible) because I did it for the lot

Clint Materne: Before we do all that, can you just give me like a status before we start acting on the motion because I'm not, like majority of us... I'm not seasoned with the verbiage being used so I just want to know what the status would be after this. Where do I go? What's gonna happen?

Chairwoman Pika Fejeran: No problem

Commissioner Duenas: Sure

Chairwoman Pika Fejeran: Well go ahead...

Legal Counsel Toft: So right now, um after you (inaudible) the rights to the lot or to the application went to your mother because you were not of age yet and it takes a Board decision to transfer it to you after you become of age so that's we're...

Clint Materne: Which never happened

Legal Counsel Toft: Which never happened so that's why we're going back doing that and then after that, we'll do the lot itself.

Clinte Materne: Okay

Chairwoman Pika Fejeran: So that was the first motion?

Commissioner Duenas: Yes

Chairwoman Pika Fejeran: Okay. Go ahead. You have to restate it.

Commissioner Duenas: Yeah, let's restate it. Um... motion to designate Clint Shawn Toves Materne as the benefactor to Jesus Delgado Materne's application.

Chairwoman Pika Fejeran: Okay motion made

Commissioner Santos: I second it

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

Commissioners: Aye

Chairwoman Pika Fejeran: Okay, so the transfer is good so now that the transfer is approved, now we're looking at this red mark lease. So now that we're looking at the lease, the Commission can decide to approve the lease or not.

Commissioner Duenas: Motion to approve Lot 8, Block 3REM, Tract 100C, Municipality of Dededo to Clint Shawn Toves Materne.

Chairwoman Pika Fejeran: Motion made

Commissioner Santos: I second it

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

Commissioners: None

Chairwoman Pika Fejeran: Okay, all those in favor?

Commissioners: Aye

Chairwoman Pika Fejeran: Okay, ayes have it.

Clint Materne: Alright!

Chairwoman Pika Fejeran: So your lease is approved oh and it is subject to survey

Commissioner Santos: Is that agriculture or residential

Clint Materne: It's residential

Commissioner Duenas: Oh sorry, should I amend my motion?

Clint Materne: (inaudible) can I start going there and clearing by hand?

[Multiple Conversation]

Chairwoman Pika Fejeran: Yeah, let's sign the lease...yeah sign the lease, get it surveyed. Let's just make sure everything is all on the up and up.

Commissioner Santos: Are you on (inaudible) road?

Land Agent II Jhoana Bragg: Right behind Payless

Clint Materne: I'm not, Ma'am I'm from Toto I don't know anything else outside...I saw it though. I saw it, I even walked through the jungle so I like it.

Chairwoman Pika Fejeran: And you know Guam Housing Corporation can also provide you with home loan. So if you go and apply with them and they'll give you a loan because the other banks won't want to approve loans for our properties.

Clint Materne: Sir, I'll be working with you or...or...

John Gumataotao: You want to work with me

Clint Materne: You just kind of seemed overwhelmed.

John Gumataotao: I can do it.

Clint Materne: Thank you

Chairwoman Pika Fejeran: Thank you Clint for your patience. Okay one more done. Thank you everybody for waiting. So now we're looking at...we're moving into our Switch and Transfer Leases. Can I just know who's in the room? Do we have a list of who's here? I know Mr. Celestial...

[Multiple conversation]

Commissioner Duenas: Brian Ross Evangelista Mendiola

Legal Counsel Toft: Start from the top of the list

Commissioner Duenas: Oh shit. Sorry.

Chairwoman Pika Fejeran: It's okay.

Commissioner Duenas: Tina Respecio DeSablán

Tina Respecio DeSablán: Present

Chairwoman Pika Fejeran: Present, okay Ms. DeSablán

Legal Counsel Toft: Chelsea Nicole Tudela Eay.

Unknown voice: Nope

Legal Counsel Toft: I know Glenn's issue but maybe... I (inaudible) okay um... Bernadette R. P. Aldon

Land Agent I Lorraine Nededog: Bertha

Legal Counsel Toft: Okay we have Bertha Benavente Aldon. Okay I'm not sure if that's same or different application (inaudible) but anyway...Robert Manaulog Celestial

Robert Celestial: Here

Legal Counsel Toft: And Yvonne Borja Flores and then Brian Ross Evangelista Mendiola

Brian Mendiola: Here

Legal Counsel Toft: I think that's it

Administrative Director Jack Hattig III: Oh Tina...I checked marked ah Tina DeSablan

Legal Counsel Toft: Oh yeah, Tina Respecio DeSablan

Chairwoman Pika Fejeran: Where is that?

Legal Counsel Toft: That's...the first page.

Chairwoman Pika Fejeran: First page. Okay, we'll start with Ms. Aldon...with an A. Hafa Adai, Ma'am. Ms. Bernadette R.P. Aldon, that's you?

Bertha Aldon: It's Bertha

Legal Counsel Toft: There is a Bernadette R.P. Aldon

Chairwoman Pika Fejeran: So who's Bernadette R.P. Aldon

Legal Counsel Toft: That's someone who is entirely different

Bertha Aldon: That's my sister in law.

Legal Counsel Toft: Oh okay.

Administrative Director Jack Hattig III: Oh okay

Chairwoman Pika Fejeran: Okay so I don't have Bertha?

Legal Counsel Toft: So Bertha was on the back page of the 28 red X

Administrative Director Jack Hattig III: Sorry, I got you mistaken for the other person.

Bertha Aldon: (inaudible) I think they're having my lot, my place

Chairwoman Pika Fejeran: Yeah, I think it was mistaken identity

Bertha Adlon: Yeah

Chairwoman Pika Fejeran: Dispensa (excuse).

Administrative Director Jack Hattig III: Sorry about that.

Chairwoman Pika Fejan: Okay Ms. Bertha Benavente Aldon so we'll look at this. Bertha... that's you, Bertha Benavente Aldon.

Bertha Aldon: Yes

Chairwoman Pika Fejeran: Okay can we get her file please? So this is on Lot 4, Block 19, Tract 10316 in Dededo it was surveyed, the original applicant was a Norman Castro Aldon a December 2nd. applicant, residential, priority I and then in 2014 there was request to transfer the application to you?

Bertha Aldon: Yes

Chairwoman Pika Fejeran: Okay. So the rules say you can only transfer an application if um...if the applicant has died. So he wasn't, he didn't die at that point.

Bertha Aldon: He's my spouse, my husband at the time.

Chairwoman Pika Fejeran: Yeah, okay. I see, so this is one of the... she's not on our 102s because she didn't have a lease. She's not (inaudible) a lease.

Legal Counsel Toft: Right okay. So just a reversion back to

Chairwoman Pika Fejeran: Right. Yeah.

Legal Counsel Toft: Not until the legislature passes the proposed....

Chairwoman Pika Fejeran: Okay. So is Norman still your husband?

Bertha Aldon: Yes. He didn't come because he works.

Chairwoman Pika Fejeran: Awe... that's okay. So the way Legal Counsel just described it, the transfer that he did to you while he's still living is um not allowed by the law so in that case um we would revert I mean, the transfer wasn't... isn't approved.

Bertha Aldon: (inaudible) I have a Special Power of Attorney. I guess this is for like his behalf to me right, at the time but then you guys don't

Chairwoman Pika Fejeran: Yes... we can't honor that so the lease that we're looking at issuing would have to be under your husband's name.

Land Agent II Jhoana Bragg: We would have to verify why it was transferred because

Bertha Aldon: Yeah because he's actually born here but his own parents were not born here that's why.

Chairwoman Pika Fejeran: Oh that's the reason for the transfer.

Administrative Director Jack Hattig III: That's the reason why

Chairwoman Pika Fejeran: I see.

Bertha Aldon: It was in 2007 when they did call us, that's when they found out. Because we applied in '95 and they called us in 2007 and then from there, that's when they told us we had you know... do a power of attorney and to put the application under my name because he wasn't eligible, so since there...

Chairwoman Pika Fejeran: How do we do that?

Administrative Director Hattig III: Is there an emergency a...

Chairwoman Pika Fejeran: He's unqualified

Administrative Director Hattig III: inaudible

Chairwoman Pika Fejeran: He's unqualified standing in line. What are our....

[Multiple discussion]

Legal Counsel Toft: (inaudible) I think they just have to kind of sit and wait until the legislature acts

Bertha Aldon: Because they told me to apply so they can transfer it. That's what I did and they transfer the application.

Chairwoman Pika Fejeran: So it's an issue of qualification for the act. I don't think... the Commission can't approve an unqualified individual giving up their place in line for a qualified individual.

Bertha Aldon: Even if he's my husband, he's still... because when we first apply, it said, who's the head of household and it was my husband. Since there... in the end, we found out that he... you know, he's not eligible.

Legal Counsel Toft: inaudible

Chairwoman Pika Fejeran: But if he's unqualified, he never should have made it on our list.

Legal Counsel Toft: inaudible

Bertha Aldon: They did gave us a lot, we paid survey and everything.

Chairwoman Pika Fejeran: When were you married?

Bertha Aldon: Since '86

Chairwoman Pika Fejeran: Okay so you were married at that time.

Bertha Aldon: So they called us to pick up our lease, but with everything they put us on hold before everything started um...

Chairwoman Pika Fejeran: So it looks like there's a MARC a... your husband did go to the Micronesia Area of Research Center to research the family name.

Bertha Aldon: Yes... yes...

Chairwoman Pika Fejeran: and they said the documentation should be sufficient to verify his family claimed that they lived here.

Bertha Aldon: At the time it was (inaudible) that was doing our case at the time so that's what made us do these paper.

Land Agent II Jhoana Bragg: What we've done in the past Chairwoman is we've done a family tree so what we could do (inaudible) so we can start off with what has been submitted and then do the final recommendation if in fact you know... she is or he is eligible.

Chairwoman Pika Fejeran: You may also find based on the letter that's in here that he is that he may be qualified. Okay...okay because right now Ms. Aldon, right now the Commission cannot approve your lease because starting at the way beginning when your husband applied, it was determined he was unqualified which is why he transferred it to you.

Bertha Aldon: Because they told us you know...

Chairwoman Pika Fejeran: But they told you that you could... I think what the staff has to do is they have to do more research to determine whether or not your husband is in fact unqualified.

Bertha Aldon: Like I said, he was born here, his parents are not they're from Saipan.

Chairwoman Pika Fejeran: But you had to be residing on Guam... right, that's the law prior to 1950. Were his parents living on Guam in 1950?

Bertha Aldon: Yeah they were here.

Chairwoman Pika Fejeran: So then we'll just have to have the staff make a new research and determination and to present to the Board if he's qualified. Because right now, we can't...

Bertha Aldon: Even if they have it there.

Chairwoman Pika Fejeran: It doesn't look that was considered, I think they just said, oh we don't we're not to sure here just give it to your wife, it'll be faster. That was what was said.

Legal Counsel Toft: That's what it looks like.

Chairwoman Pika Fejeran: They didn't.... from what I can see they didn't really consider.

Bertha Aldon: Even if they do a research, I know that he won't be qualified. Like I said, his ancestors are not from here.

Chairwoman Pika Fejeran: But if his parents were living on Guam in 1950, that's the Organic Act.

Bertha Aldon: I don't think they were here.

Land Agent II Jhoana Bragg: What about his grandparents? Because it could go back as far as the grandparents, if the grandparents were on Guam.

Bertha Aldon: I mean you guys can check that or...

Land Agent II Jhoana Bragg: We'll look at all the paperwork and then your husband may have to go back to MARC to just do the research on the grandparents.

Chairwoman Pika Fejeran: We'll so if your, if your... let's say your husband was qualified then we would say okay the transfer that he did from himself to you, that's not allowed so we say the transfer never happened but we can still award the lease to your husband. Right. But because he's unqualified, we can't do that at this point or the initial determination that we're looking at that says he's unqualified.

So first we have to figure out, is he qualified or not and then go from there. Because if we do find out that he is qualified, maybe based on grandparents um then the lease that we are looking at would have to be in his name because he is not allowed to transfer to you.

Bertha Aldon: So where does this leave me with my lot that I'm in right now?

Chairwoman Pika Fejeran: I think, for now it's reserved, we're not gonna give it away to anybody.

Bertha Aldon: (inaudible) because authorization for water (inaudible)

Chairwoman Pika Fejeran: Are you occupying already?

Bertha Aldon: Yes

Chairwoman Pika Fejeran: Oh...you're occupying? Are you... how long have you been living there?

Bertha Aldon: We came there since

Chairwoman Pika Fejeran: 2014

Bertha Aldon: Yeah...'13

Chairwoman Pika Fejeran: '13? Because the lease is...

Bertha Aldon: Because I keep asking... I mean they did give me a letter for water but they don't honor because I don't have my lease.

Administrative Director Jack Hattig III: Can I ask a question? The lease was issued already but it was X'd out?

Chairwoman Pika Fejeran: It was X'd out right? Was it?

Legal Counsel Toft: Yup

Administrative Director Jack Hattig III: Okay. That answers my question.

Commissioner Santos: Under her name?

Chairwoman Pika Fejeran: Yeah

Land Agent II Jhoana Bragg: Okay so in this situation, it probably might find others in displaced, could we I mean um our legal counsel possibly draft something (inaudible) they are residing there, however, due to the um nature...situation we're not saying for them to move out because we're still hopefully waiting for the legislature to move forward. Could we just acknowledged that they are the residence until such time that we can umm move forward.

Administrative Director Jack Hattig III: In order to get utilities? Is that what you're angling?

Land Agent II Jhoana Bragg: Yeah...something like that

Legal Counsel Toft: Would have to talk to GPA GWA's counsel on that to see what they would accept.

Chairwoman Pika Fejeran: Okay. Some kind of interim thing to help her out.

Administrative Director Jack Hattig III: Okay you want to initiate that conversation

Legal Counsel Toft: Yeah

[Multiple conversation]

Chairwoman Pika Fejeran: Yeah, the property was surveyed and everything.

Bertha Aldon: Yeah, and like I said, they called us to come and pick up our own lease and then they told us that it's on hold because of what they're going through.

Commissioner Duenas: I'm sorry, what year is that again that you switched with your husband?

Bertha Aldon: Ah... 2007

Chairwoman Pika Fejeran: Here it says 2014

Bertha Aldon: That's when I came in and follow up again on my application

Commissioner Duenas: Ah... okay.

Chairwoman Pika Fejeran: Okay Ms. Aldon, two things, our legal counsel is gonna talk with the legal counsel from GWA GPA to see if there is anything that we can give to them to allow you to hook up your water um absence the lease right. And then the staff is going to be doing more research on your husband's family history to see if he qualifies.

Bertha Aldon: Now if they find out he's not qualified...

Chairwoman Pika Fejeran: Then we'll have to revisit it.

Bertha Aldon: We have to redo everything?

Chairwoman Pika Fejeran: We'll have to revisit the whole situation

Bertha Aldon: inaudible

Chairwoman Pika Fejeran: But we're gonna try to get your water hook up.

Administrative Director Hattig III: (inaudible) if you can make an appointment with us so that we can meet and your husband as well so he has the opportunity to come in, I'd like to meet with him.

Bertha Aldon: Alright. You guys are open tomorrow?

Administrative Director Jack Hattig III: Yes we're open

Chairwoman Pika Fejeran: Okay and now to our 102... okay first person going alphabetically. Who's the first person alphabetically?

Administrative Director Jack Hattig III: Is it Celestial

Chairwoman Pika Fejeran: Okay Mr. Robert Namauleg Celestial and Yvonne Borja Flores. Mr. Celestial. What's the date and time? Full disclosure I think I share ah ancestors.

Robert Celestial: She's my second cousin

Chairwoman Pika Fejeran: Yeah, there you go. So you have a lease that was signed in 2011.

Robert Celestial: Yes

Chairwoman Pika Fejeran: Um and you received a lease because you were allowed to take your sister's place in line who is or your cousin's place in line Ms. Yvonne MG Blas, that's your cousin?

Robert Celestial: Yes that's correct

Chairwoman Pika Fejeran: She's a December 2nd applicant. There was a notarized request and they were approved in 2008 and after that you were awarded a lease.

Robert Celestial: in 2011

Chairwoman Pika Fejeran: in 2011. You had it surveyed, you are not occupying and I haven't had the opportunity to go check it out but I saw in ah... online

Robert Celestial: PDN

Chairwoman Pika Fejeran: Yeah, I saw it online so that was very...

Robert Celestial: So you saw my ducks?

Chairwoman Pika Fejeran: Yeah the nganga (ducks) I applaud what you have done with the property. Really really applaud.

Robert Celestial: Oh thank you.

Chairwoman Pika Fejeran: Um... so now the Commission is going to be reviewing, as we know the leases that were issued um... as the result of the switch of applicants has been considered null and void by the Attorney General right. Ah so what... ah...last year, we felt like we needed the legislature's approval to just go ahead and ratify all of these leases... legislature has not done anything yet but they still have these people in the gray zone... no man's land so um, I wanted to bring it to the Commission again and reengage with legal counsel to see what our... what the Commission can do at this point. I mean our intent you know, we reviewed all of these knowing that switches were approved at the time by the staff and the Director and Deputy Director at the time. Um...for at least the last 23 years 20 years or something. Um...

Legal Counsel Toft: Is Yvonne Blas still alive?

Robert Celestial: She passed away in 2016.

Legal Counsel Toft: Is this file? Is there information (inaudible) application?

Chairwoman Pika Fejeran: On his application?

Legal Counsel Toft: On her application?

Chairwoman Pika Fejeran: Oh mean the cousin?

Legal Counsel Toft: Right

Chairwoman Pika Fejeran: So there's two Yvones kind of confusing, right?

Legal Counsel Toft: That's all it is. I mean if there is a declaration that these transfers are null and void that the rights would revert back to the original applicant but the original applicant has passed away and there could be a transfer of application rights in there but (inaudible) so depending on whether or not she designated a successor to application rights.

Administrative Director Jack Hattig III: Are you looking at Mr. Celestial's file? You need Ms. Flores' file is that...

[Multiple response]

Administrative Director Jack Hattig III: Oh... merged... in audible

Legal Counsel Toft: Well if there's no beneficiary that's also fine. Um... is there a separate form for designated...ah because if we do have a situation where there's no designation of beneficiary um under 5.8 subsection 1, the Commission can designate a successor, right, which would short cut the problem.

Chairwoman Pika Fejeran: yeah... is the... did you say the original applicant's, all of her documents are in Mr. Celestial's file? Or if it was a switch, maybe she still has a file we could look at.

Land Agent II Jhoana Bragg: Oh yes

Legal Counsel Toft: Can you check to see if she has a file

Administrative Director Jack Hattig III: Can you have Yvonne Blas' file pulled?

Commissioner Duenas: (inaudible) is listed a beneficiary or should (inaudible)

Chairwoman Pika Fejeran: Okay it looks like we have some kind of potential work around.

Legal Counsel Toft: Well that maybe... if there is form

Land Agent II Jhoana Bragg: Look at the database

Administrative Director Jack Hattig III: I know records is closed unfortunately. We're gonna look on the database.

Chairwoman Pika Fejeran: So hold on, am I hearing correctly from legal counsel that if the original applicant has passed away.

Legal Counsel Toft: Yes. So if the original applicant has passed away because the transfer was declared void that the rights to the application would belong back to the original applicant and under 5.8 after death of the applicant 5.8 determines all that in a sense whether if there's a successor designated that if not then the Board has the discretion to designate a successor.

Chairwoman Pika Fejeran: Okay. And then if the Board does designate him as the successor then we would reissue a lease for that property.

Legal Counsel Toft: A new lease

Chairwoman Pika Fejeran: Yes

Legal Counsel Toft: If there is a different successor, we would probably need to bring them in here and discuss with them as to whether or not... I guess see what the situation is I guess with that person.

Chairwoman Pika Fejeran: Right if they really push the rights to the application.

Robert Celestial: The rights to the application but not the property?

Legal Counsel Toft: Correct

Chairwoman Pika Fejeran: I mean really, this is why we wanted to just tell the legislature to do it and then amend our rules so that we have this...

Robert Celestial: If her successor is her husband which is a good friend of mine also, but he passed away too...

Legal Counsel Toft: If that's the case, then the Board has the discretion to designate the (inaudible)

Chairwoman Pika Fejeran: Okay

Land Agent II Jhoana Bragg: Okay so there is a designated benefactor, there's actually two which she ah...it looks like she named her grandchildren.

Administrative Director Jack Hattig III: Is the document in the file? We would have to figure that out.

Land Agent II Jhoana Casem Bragg: It should be, there's two listed names.

Administrative Director Jack Hattig III: Okay, first thing tomorrow, we can pull it and then find out. Okay.

Chairwoman Pika Fejeran: Do you know the grandchildren?

Robert Celestial: Yes I know the grandchildren

Chairwoman Pika Fejeran: Okay

Robert Celestial: Well I don't think they're here, they're in the states.

Chairwoman Pika Fejeran: Okay. Well if it is them, Mr. Celestial can you talk to them?

Legal Counsel Toft: And see if they will relinquish their beneficiary rights

Robert Celestial: I don't think will because they even ask me when the mom passed away and we were at the rosary and they asked about the switching dates, how could they umm...benefit from that meaning is it still good and even asked a question did we switch properties and had to clarify that the property was transferred and it was just time and date and so I know they'd be interested in getting a lease.

Chairwoman Pika Fejeran: Can the Commission still issue a lease, understanding that it's null and void and he's occupying the property?

Legal Counsel Toft: You mean issue a new lease?

Chairwoman Pika Fejeran: What was your original application...

Robert Celestial: 2001

Chairwoman Pika Fejeran: Where were you in '95?

Robert Celestial: '95, I was in San Diego, my wife was still active duty. We're both retired from the Military.

Legal Counsel Toft: Because 5.7 requires us to go down the list that I don't think we can jump until we have some sort of power from the legislature under different rules and reg. But under the current ones, no.

Chairwoman Pika Fejeran: Oh man.

Robert Celestial: It is what it is. Do we need to go to the legislature?

Legal Counsel Toft: We might, I mean those that we can resolve somehow without going to the legislature, I think we should. Those that we can't, I think that we should put together and explanations for each and every applicant that is having an issue and go to the legislature and say, hey these are the situations that we're dealing with. These aren't you know...people out skipping the line for no reason and see if that works better than just a bare bone sending a 102 and saying, fix... So we're not able to do anything at the moment.

Robert Celestial: I would like to make a request, if the Director could try to contact the kids instead of me.

Administrative Director Jack Hattig III: Yes Absolutely

Chairwoman Pika Fejeran: Okay.

Robert Celestial: I think coming from you would be a lot easier because I don't want to miscommunicate and they might think something else. You know communication is very delicate and so coming from the Director would help... (inaudible) because if I explain it to them and they get something different from him then it just... you know.

Chairwoman Pika Fejeran: So you're okay with the Director pursuing that option, to have them relinquish?

Robert Celestial: Right. I mean if not, then just notify them at least that they do have a lease that they could.... you see what I'm saying...

Legal Counsel Toft: Technically they don't have a lease, they have application rights.

Robert Celestial: At least let them know they have the application rights and at the time I felt bad because they really needed property and that's why they moved back to the states. I'm not sure if one of them are here, I think Glen is still here but I'm not sure what name is on the list. But I think one of them

would benefit from a least know that they have an opportunity to you know...receive it as a beneficiary and if they do want to relinquish then that will give a benefit to me...but a... I think we'd both be blessed. So I'll be in limbo 'til...is there a resolution going to the legislature.

Legal Counsel Toft: We had sent one and the hopes is that it was going to be acted upon before the ending of the last legislative session but it wasn't so we'd have to revisit the issue with them.

Robert Celestial: Alright...thank you

Administrative Director Jack Hattig III: Just for the record, I believe the legislature has set the date of April 29th as the informational briefing for this so I just wanted to let the Commission know that's based on the email I guess that was sent. So the public announcement hasn't been made yet, but I just want to let the Commission know that I did receive email from Senator Terlaje that she was gonna schedule one for April 29th, which gives us about 10 days to prepare what we need to do.

Robert Celestial: Okay. Thank you

Administrative Director Jack Hattig III: Thank you, Sir.

Chairwoman Pika Fejeran: Okay next on the list... sorry who was the next one there

Administrative Director Jack Hattig III: Tina Respecio DeSablán

Chairwoman Pika Fejeran: Hi Ms. Tina, thank you for your patience.

Tina De Sablan: Hello

Chairwoman Pika Fejeran: Okay...so...oh yeah, so she is on page 2 midway down. Tina Respecio DeSablán. This one actually relinquishment via application, oh I remember receiving your letter. So it was a transfer of application rights, the original CLTC applicant was Ronald S. DeSablán?

Tina De Sablan: Yes, my husband.

Chairwoman Pika Fejeran: Your husband okay, and in 2014...2008? 2014 maybe?

Tina De Sablan: What are you referring?

Chairwoman Pika Fejeran: Sorry, the transfer was requested?

Tina De Sablan: Well I got the lease in 2003

Chairwoman Pika Fejeran: Oh...okay it looks like we have a lot of bad info here. So did he just transfer it to you?

Tina De Sablan: Well like in my letter, you know, we have four kids so we thought it would be best for me to stay home and he would stand inline. So he applied in his name and ah... we weren't told. We got the lease under my name in 2003.

Chairwoman Pika Fejeran: You got the lease under your name? That's why. Oh yeah, you did. Oh it's because he stood in line for you but you were the one really in...

Tina De Sablan: In my (inaudible) yes.

Commissioner Duenas: Is he still alive?

Tina De Sablan: Yes.

Legal Counsel Toft: So in this situation, if the so the application would revert to him, the lease... I think the Board can vote whether or not to have the lease revert to him and then after that time if you want the lease's name to be under Tina De Sablan, under 7.5 you can transfer it because that lease would have been active for over seven years.

Chairwoman Pika Fejeran: Okay.

Legal Counsel Toft: So we would have to have yeah... action one would be a reversion of the lease to his name, action two would be a transfer with all the forms filled out to her.

Chairwoman Pika Fejeran: Okay. So we can revert the lease although it was null and void?

Legal Counsel Toft: The transfer of the application rights is what was null and void.

Chairwoman Pika Fejeran: I think they were leases too.

Legal Counsel Toft: Let me try and find it.

Chairwoman Pika Fejeran: Are you currently residing on the property?

Tina De Sablan: Not yet...but we planted stuff on there, we fenced it we have our containers already set to go. (inaudible) we also have (inaudible) trees.

Chairwoman Pika Fejeran: He was a December 5th applicant, if we do like what we were gonna do, we revert application rights, goes back to her husband.

Legal Counsel Toft: And then we can...

Chairwoman Pika Fejeran: We can award him that lease for that property.

Legal Counsel Toft: Correct... Correct.

Chairwoman Pika Fejeran: Would he accept the lease and hold it under his name? Because if... we wouldn't be able to back date it for the seven years so that he can transfer it to you within the law. But if he's the lease holder.

Tina De Sablan: Well I'm the lease holder because my name is on it, is it not?

Legal Counsel Toft: Currently yes, but they were all declared null and void.

Chairwoman Pika Fejeran: It's almost like it doesn't exist.

Legal Counsel Toft: Yeah.

Tina De Sablan: So can they do that?

Legal Counsel Toft: Yeah

Chairwoman Pika Fejeran: So what we do is ah... we would

Legal Counsel Toft: It would be a new lease issued under his name base on his original application

Tina De Sablan: And we could do that all right here?

Chairwoman Pika Fejeran: Yes

Tina De Sablan: Or go to the legislature?

Chairwoman Pika Fejeran: No

Tina De Sablan: He would do that?

[all laughing]

Chairwoman Pika Fejeran: okay so I think we need a motion but you don't have a power of attorney for him right? So he would have to come in and I guess agree.

Legal Counsel Toft: I don't think he has to agree, the Board can just make a motion on it's own.

Chairwoman Pika Fejeran: And sign the lease showing he agrees with it

Legal Counsel: Yeah. I suppose he would definitely have the option to sign or not sign the lease. That would be his half of the equation.

Chairwoman Pika Fejeran: Okay

Commissioner Duenas: So the first step would be to, make a motion to revert the application.

Legal Counsel Toft: It's already reverted

Chairwoman Pika Fejeran: Legally he's still the one standing in line.

Legal Counsel Toft: Yeah with a December 1995 application

Commissioner Duenas: So the motion would be to approve the lease for that lot to him.

Legal Counsel Toft: To Ronald S. De Sablan

Commissioner Duenas: Okay... Motion to approve lease for Mr. Ronald S. De Sablan for a portion of Lot 10171 in Dededo containing an area of not more than one acre.

Chairwoman Pika Fejeran: A motion has been made

Commissioner Santos: I second it.

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

Commissioners: None

Chairwoman Pika Fejeran: All those in favor

Commissioners: Aye

Chairwoman Pika Fejeran: Ayes have it. Okay Ms. De Sablan, thank you for your patience. I'm glad it was your husband. Unfortunately, Mr. Celestial is not as fortunate but I'm glad we can do this.

Administrative Director Jack Hattig III: Once the lease is drawn up (inaudible)

Chairwoman Pika Fejeran: Okay finally, Hafa Adai Sir.

Administrative Director Jack Hattig III: Oh do you want to go in alphabetical order still because we have Chelsea Eay.

Chairwoman Pika Fejeran: Oh no, can we just... yeah... thank you... can I have... hi Buenas.

Unknown: Hafa Adai

Chairwoman Pika Fejeran: You are so good... I hope you get ice cream after this.

Administrative Director Jack Hattig III: Or Chucke E Cheeses

Chairwoman Pika Fejeran: Sorry Sir can I have your name

Brian Mendiola: My name is Brian Mendiola. Brian Ross Evangelista Mendiola

Chairwoman Pika Fejeran: Ah here we go, Brian Ross. Okay so this...

Legal Counsel Toft: Is Diana Muna Duenas still alive?

Brian Mendiola: Yes

Chairwoman Pika Fejeran: Diana Muna Duenas, who was the original original?

Legal Counsel Toft: That who it is

Chairwoman Pika Fejeran: Diana?

Legal Counsel Toft: Yes

Chairwoman Pika Fejeran: What's her relation to you?

Brian Mendiola: She's related to my father in law, so she's like an auntie.

Chairwoman Pika Fejeran: It looks like she relinquished her rights first to Michael Manibusan Ramos

Brian Mendiola: That's my father in law

Chairwoman Pika Fejeran: oh that's your father in law and then he was found to be ineligible that's what the notes say, so what is that about?

Brian Mendiola: I think he already owned a property

Chairwoman Pika Fejeran: Okay, so owned property so we couldn't award him a residential lease so he passed down his application rights? Yes?

Brian Mendiola: I'm not sure

Land Agent I Lorraine Nededog: It was the application rights.

Brian Mendiola: I'm still kind of new to all this process so I was just asking along the way and just following what everyone was telling me to do.

Legal Counsel Toft: Are you living on the property?

Brian Mendiola: Yes, I actually just built my house, so last year we moved in.

Chairwoman Pika Fejeran: Yeey... congratulations. Okay...okay so Michael Manibusan Ramos was the beneficiary but you said she's still living? Ms. Diana?

Brian Mendiola: Yes

Chairwoman Pika Fejeran: Okay so then, would it...

Legal Counsel Toft: We might be able to send both, his and Robert Celestial as far... I'm hoping the legislature moves on this one cuz I don't see it as a way to transfer it back... even if we transferred it back to Diana and she wanted to transfer because that original lease would be void or starting a new lease now (inaudible) 7 years before (inaudible)

Chairwoman Pika Fejeran: So how is it different for? Oh because the new lease is gonna be held on the husband's name, that was the difference.

Land Agent II Jhoana Bragg: Earlier when (inaudible) the original applicant is going to transfer then um...

Legal Counsel Toft: I really felt that but then Chairwoman pointed out that the AG's opinion would say the lease itself is null and void and not subject to the Commissions power to correct. So earlier, I thought of trying to work the lease is (inaudible) it's not... so this maybe one where he's kind of sitting in limbo for a while the legislature moves on it.

Chairwoman Pika Fejeran: Okay.

Brian Mendiola: I just want to know, if things didn't work out what would happen to um...cuz I'm in a hole right now, 30 years under a mortgage payment.

Legal Counsel Toft: Worse comes to worse, the Commission would have to buy your house in order to (inaudible)

Brian Mendiola: Is the...um what is the amount based on?

Legal Counsel Toft: Appraised value

Land Agent Supervisor Matt Leon Guerrero: Fair Market Value, The Relocation Act, would be the Fair Market Value not the balance of the loan it's whatever the value of the structure is today.

Brian Mendiola: What about for out of pocket expenses?

Land Agent Supervisor Matt Leon Guerrero: It's just the evaluation of the improvement, the structure itself.

Brian Mendiola: So I'd have to get a second appraisal?

Legal Counsel Toft: Well we're hoping it doesn't come to that um, I think if we can get some of these resolved so that it's less intimidating than the number of the amount of outstanding leases and we can come to the legislature with enough (inaudible) stories why this is and what we're dealing and not a massive of hard cases here (inaudible)

Brian Mendiola: Okay cuz, I kind of like where I'm at, we're pretty much established. I put a lot of time and money and actions and it's just hard to let it go.

Chairwoman Pika Fejeran: And we don't want to push you out of there, we want to keep you there. Um, unfortunately we can't do anything, it's gonna take legislature to hear it. Or we ask legislation to give us a onetime authority to make these kinds of decisions ourselves and then we can do it.

Legal Counsel Toft: That's something we can bring up with the Senator.

Chairwoman Pika Fejeran: Yeah, that way they're not doing it (inaudible) I'm sorry Brian, I know you waited all day.

Brian Mendiola: It's okay, I'm glad to least get an inside as to what's going on. Being in the gray area, you can't hardly see.

Chairwoman Pika Fejeran: I'm sorry you gotta stay there, but we're working hard to make sure you're not kicked off your property. You've done what we intend, we hope all of our Residential Lessees do. Build a home for themselves and do well for their families. Okay thank you for understanding. Thanks for coming, I know this was long.

Brian Mendiola: At least I didn't walk away empty handed.

Chairwoman Pika Fejeran: Is there someone... Mr. Eay?

Administrative Director Jack Hattig III: The daughter is actually not present, so we can...

Legal Counsel Toft: Yeah...

Chairwoman Pika Fejeran: Table for... Okay so, we were able to approve the one because it was her husband.

Unknown: A hundred more to go

[laughing]

Commissioner Duenas: We made so much progress though. It went from 102 to 101.

Administrative Director Jack Hattig III: That one means a lot Madam Chair, it means a lot... thank you so much.

Chairwoman Pika Fejeran: It does.

Commissioner Duenas: Absolutely

Chairwoman Pika Fejeran: Okay so my question is, can we... I mean we have the relationship with the transferor and the transferee so the only way we'd be able to do it ourselves is if the original transferor or the original applicant is dead?

Legal Counsel Toft: Right or either has the person listed as their beneficiary or ineligible or deceased person.

Administrative Director Jack Hattig III: This helps us narrow it down for you Ma'am.

Legal Counsel Toft: There's a couple that says spouse here and they may have the same situation as the (inaudible)

Chairwoman Pika Fejeran: Okay so maybe we reach out to them and say, we have a work around that we can work with you.

Administrative Director Jack Hattig III: As soon as we get those identified and I have your blessing to identify them and contact them and see if we can bring them before the Board to have the same thing happen as Ms. De Sablan.

Chairwoman Pika Fejeran: Yes. Um my, two of my questions that came up when I was looking at this um... for the leases that were issued after a transfer of application rights to a beneficiary who then intern transferred those rights to another, can we act on those? Because it's not like they got an application, it was, they were designated a beneficiary, they said, I don't want it give it somebody else. Do we have to lock those in with these ones where they were actually applicants switching or transferring in their lifetime?

Legal Counsel Toft: Depends whether the original transfer was valid or not. If it was based off of a death, then yes if it's not then no. So in that last case, it's under that same setting but technically it wasn't two beneficiaries so much, it was...

Chairwoman Pika Fejeran: Okay so if a death of an applicant,

Legal Counsel Toft: Causes a situation, where the transfer of rights and then...

Chairwoman Pika Fejeran: And then the named beneficiary declines and says give it to somebody else

Legal Counsel Toft: Or the (inaudible) leaves it open then the Board can assess the situation and make a decision.

Chairwoman Pika Fejeran: In those instances. Okay so in the death of original...

Legal Counsel Toft: But if the original applicant has not died, then the rights remain

Land Agent II Jhoana Bragg: Okay so I have an example, so we have like a Mr. Benny Unsiog Sablan, original applicant is his brother and the beneficiary was the wife, however, the wife said, I am moving off island um so I want to give it to my brother in law, so in this situation we placed it under this category because by law, there's nothing there that says, the original benefactor can transfer it to another person. So that's why we listed him in that category parse.

Chairwoman Pika Fejeran: Oh Okay

Land Agent II Jhoana Bragg: Because by law the original benefactor um still alive but because they say for whatever reason, I want to turn it down. So I..I...I think in that situation um...it's okay to move forward because the original benefactor did the relinquishment, they had it notarized before us and it was approved. But again, that was the original benefactor that wrote us the letter for whatever reason they wanted to transfer it to another to take over their beneficiary rights as an original benefactor.

Land Agent II Glenn Eay: We just had a case earlier, Edward Sandlin who an applicant who's deceased, beneficiary was James Sandlin, who has already a lease so he transferred his beneficiary rights to his daughter Victoria...

Chairwoman Pika Fejeran: Right, it just never came to the, that's why we were looking at it today so the Commission could offer approval so if we today identify the ones that fall in those categories, can the Commission approve those transfer of beneficiary right and then approve the issuance of a lease for those?

Legal Counsel Toft: No because it depends if the original person is alive or not.

Chairwoman Pika Fejeran: (inaudible) the original applicant is dead

Legal Counsel Toft: If (inaudible) deceased, yeah.

Land Agent II Glenn Eay: So the beneficiary is alive, it's James Sandlin and because he has a lease already, he passed

Legal Counsel Toft: Right, yeah, the Commission can act upon that

Administrative Director Jack Hattig III: That's one of the (inaudible) that we put, is the original applicant deceased? We put yes then we can further cata... that's what we've done...

Chairwoman Pika Fejeran: Okay so can you...

Land Agent Supervisor Matt Leon Guerrero: If your saying that, I know a person who's on that list who came to me saying that, father a piece of property his daughter was the benefactor came in and did that switch, passed away a week after that individual got a lease and she's on the list but the original applicant is deceased, so should we just remove her from that list then? Her name is Mary Gagacao or something like that... and I know that because they came in and they saw me and then her father passed away right after we approved that switch and the individual gets the lease

Chairwoman Pika Fejeran: She would have been the benefactor anyway?

Land Agent Supervisor Matt Leon Guerrero: She was the benefactor but because the daughter came in and said I want to give it to my daughter. She has a lease, I believe so do we need to go back and reissue the lease.

Chairwoman Pika Fejeran: No, I think we can just say this was erroneously identified as a

Legal Counsel Toft: Inaudible

Land Agent Supervisor Matt Leon Guerrero: So she could be removed from that...so we're down to 100 now.

[multiple discussion]

Chairwoman Pika Fejeran: I think we can get rid of 3 & 8, wait I'm sorry 8 & 3, so leases that were issued after transfer of application rights to beneficiary who then in turn transferred those rights to another.

Legal Counsel Toft: (inaudible) some of those are alive, so case by case

Chairwoman Pika Fejeran: oh some of them are alive okay.

Land Agent II Jhoana Bragg: And there's one in here, um...Allen Michael Mateo original beneficiary is alive, however transferred it to the stepson, so therefore, it's not applicable by law. So that's why the original benefactor took his beneficiary rights and said, I want to transfer it to my stepson. So he wouldn't be one of the 5.8s because all of the other ones that we may find are under the 5.8 original, deceased, benefactor in place, benefactor doesn't want it gives it to...

Legal Counsel Toft: And the ones with the beneficiary that is not designated, it just needs to come to the Board so that the Board can make the decision on the record...(inaudible)

Chairwoman Pika Fejeran: Right...yeah...

Legal Counsel Toft: We just had one Aurelia Cruz, deceased (inaudible) and the Director back in 2012 signed off on it, the lease (inaudible) had to come back to the Board to acknowledge her or designated her as the benefactor (inaudible) those types of cases.

Chairwoman Pika Fejeran: Okay so then what is the staff gonna do moving forward because I would like to address and take care of the ones that we can, so we just have to find out who's the original.

Legal Counsel Toft: Actually, if we could find who is deceased among the original

Administrative Director Jack Hattig III: Right. That'll be the first step, I recommend that will be the first thing we do.

Chairwoman Pika Fejeran: Okay. And then my question also is, this one kind of scares me, leases that were issued after a transfer of application rights in which the original applicant did not qualify under the Act. To me that sounds like somebody was standing in line not qualified under the Act but then still was able to give his application to somebody.

Administrative Director Jack Hattig III: Yeah Ms. Aldon

Chairwoman Pika Fejeran: Yeah that one is....

Legal Counsel Toft: That's one that we're gonna have to wait and see what the legislature says on that.

Chairwoman Pika Fejeran: Okay. So let's get this put on our next agenda.

Administrative Director Jack Hattig III: Do you want it on the May 2nd or do you want it for the May 16th. cuz the May 2nd. supposed to be the Administrative Matters (inaudible)

Chairwoman Pika Fejeran: Yeah we'll see. I think I'll talk to the a... Therese because if no public hearing is (inaudible) gone out then maybe I'll ask her to pause on this until we have more time to flush out the ones that we can get to.

Administrative Director Jack Hattig III: Thank you Madame Chair, appreciate it.

Chairwoman Pika Fejeran: Okay... I'm exhausted. I'm sure everybody else is too...um I just want to address under Administrative Matters, the Media Policy, the Commission has never set in the open format media policy, the Director and I have been talking over the last couple of weeks, there were a couple of instances where representations made to the media were not in line with what was discussed here at the Commission level. Okay, so I asked the Director to forward....well first I asked him to get all his talking points approved so he understands and I understand that the representation he's making is in line with us. Um, that wasn't followed unfortunately, um but and so because of that, I asked him to forward all media inquiries to the Commission to handle. So I just wanted to put that out to the Commission, if we want to formalize that um really to be honest...I don't think at this point we have anything interesting to share with the media. I think the more we talk to the medial when major decisions haven't been made, the more we get people riled up and upset. I mean, this today, was the most attended meeting and I want to say it's because of all the media attention and Director, I understand your eagerness and your passion and your eagerness to be transparent with the media and the public but that... I think it can really harm what the Commission is doing and how careful we've been. Over the last year, you know we've been very very careful and deliberate with our messaging and I don't want something to be misrepresented out there that gets our beneficiaries upset but then I also don't want to deal with media inquiries because I know they're hitting you left and right. I know I get paid cents on the hours that I work for the Commission but I also... I was very upset. As you know, I had a very candid conversation with you and I'm just concern how do we move forward because I can't... we have to control our messaging, right? And then I think as our Administrative Director, you gotta understand that all of your messaging has to mirror our messaging in what we are saying and what we've discussed at the commission level, regardless if you and I had an offline conversation when yes we're in agreement but if the Commission hasn't had the opportunity, I think it's irresponsible to let that out to the public. So, I guess the policy right now, if you get a media inquiry forward it to the Commission and maybe when you forward it to the Commission, draft up your response so that the Commission can approve it rather than us starting from scratch, that will be very helpful. And think Director again, I'm just gonna chalk it up to growing pains you know where you're really coming into your role and we're learning how to work with you and I don't fall cheap, I think it's just part of growing pains but I just want to be very clear that moving forward, any media inquiries you forward to the Commission with your response so you can have approval at the Commission level.

Administrative Director Jack Hattig III: Yes Ma'am.

Chairwoman Pika Fejeran: Okay. Thank you.
Okay um...

Administrative Direcotr Jack Hattig III: Did you still want me to give you a brief update with the situation of the hatchery?

Chairwoman Pika Fejeran: Oh yeah. So the hatchery, did you dig up the last time we looked at this?

Administrative Director Jack Hattig III: I tried to within the time frame because I got everything so late this week because of the Legislative Review Committee so I haven't had an opportunity yet to find what was. I'm still...

Chairwoman Pika Fejeran: I think we had a resolution saying that if this bill is gonna go forward then these are our requirements.

Administrative Director Jack Hattig III: Okay that helps. That helps a lot.

Chairwoman Pika Fejeran: And I think we will stand by that.

Administrative Director Jack Hattig III: The only update that I have is that I have received confirmation that the University is not going to sell the property and that comes straight from the UOG President.

Chairwoman Pika Fejeran: Sell what property?

Administrative Director Jack Hattig III: The... remember in my email I said that I found out that when we went to the Legislative Review Committee that UOG might have intended to sell that property once we get the boundary....

Chairwoman Pika Fejeran: After we transferred it?

Administrative Director Jack Hattig III: Yeah see I indicated that would undercut any proposal that they sent us because they sent it to us before hand. But I had confirmed with GEDA and through the President of UOG that the intent is not to sell the property they want to enter into a Memorandum of Agreement with operators of the facility to operate the facility. But they needed the boundary to be a whole in order for them to go forward. So I was wondering if we could.... If we're not going to respond with Bill 76...

Chairwoman Pika Fejeran: I think we can reach back to the last response we had to the last Bill.

Administrative Director Jack Hattig III: Okay

Chairwoman Pika Fejeran: Right...is the Commission I mean it's the same issue presented, the UOG's building is within CHamoru Land Trust property so they're asking for it to be transferred and I think we had some requirements if we were to agree to the transfer, so I would just.... I don't know if we want to revisit it now or let's go with what we decided back then, our position hasn't changed.

Administrative Director Jack Hattig III: Did you get a chance to review the request memo cuz I'm not sure if and I'll check if it's different from what our requirements are but while it's under consideration, let me verify these and I'll give you an update.

Chairwoman Pika Fejeran: Yeah, let us know and if the legislature is really pushing for this and if you find what they're proposing is different from what we looked at back then, tell them look the Commission hasn't met on this and I also know that Senator Therese Terlaje said that she wouldn't act on anything without Commission input.

Administrative Director Jack Hattig III: Okay

Land Agent I Tina Jocson: So are we tabling that discussion for a later time or...

Administrative Director Jack Hattig III: No no tabling.

Chairwoman Pika Fejeran: No we'll just say that we'll use the decisions from previous unless what is being proposed today is different than what was proposed back then.

Administrative Director Jack Hattig III: Can I request that we table the budget ma'am?

Chairwoman Pika Fejeran: Yes, let's move that to May 2nd. I really don't want to get to that. And then can May 2nd also be when we talk to GEDA, bring GEDA here and we can work through each of the properties and the information they need from us.

Administrative Director Jack Hattig III: And then I did send in my report that I need your help oh, the motion to engage... Yeah I just wanted to work with you on the exact wordings on that.

Chairwoman Pika Fejeran: Okay

Legal Counsel Toft: On the issue of this Cannabis Cultivation, I have a draft of the AG's opinion on it, it hasn't been updated yet, until the (inaudible) new law and the most important parts really aren't changed as far as the (inaudible) federal law still prevents it and the (inaudible) and anybody (inaudible) subject to federal prosecution including Government officials...so at this time I would hold firm from the last Director's memorandum saying (inaudible)

Administrative Director Jack Hattig III: Would you like to reissue that directive or

Legal Counsel Toft: I think just hold on to that and I can ask the AG if they're going to revise it to update with the new law... (inaudible)

Chairwoman Pika Fejeran: Guam Housing Corporation MOU, is there any change or anything?

Administrative Director Jack Hattig III: That was subject to the legal review as far as the I know we talked about it at the last meeting but I recommended if the Commission had approved the MOU in the past and nothing has changed except for they want to move forward in the invitation for design. They're not going to move forward unless we have it signed.

Legal Counsel Toft: I'll check on that.

Chairwoman Pika Fejeran: I think it was the subleases. You'll check on that so we'll just table that for... Let's do that May 2nd.

Chairwoman Pika Fejeran: May 2nd. also if we could revisit the switched or transferred leases.

Administrative Director Jack Hattig III: And that will be under Old Business this time.

Chairwoman Pika Fejeran: Yeah. Thank you guys.

Administrative Director Jack Hattig III: Just an update on the two thousand some odd leases that were Ratified, the Ratified list, we're working on getting each of them to be consummated, the leases, one of them was Cynthia Borja so we were able to get that and so we're going to continue to get that done um pursuant to the Boards approval already because I want to report on that. Eventually how many have we been doing every month or every week that way you guys can also be appraised of that situation.

Chairwoman Pika Fejeran: Yeah, okay. Another thing I want to have on May 2nd. is the properties that were transferred from the Land for the Landless, the ones that are ready to be leases out, can we look at that and can we start the process for issuing leases, using our current Rules and Regs.

Administrative Director Jack Hattig III: Okay got it. Yes. I have the list. I have the transfer documentation so I can provide that in the packet, that's a rather big list though, so I'll talk to the Chair you know to see what we could do to share it electronically maybe.

Chairwoman Pika Fejeran: Which one?

Administrative Director Jack Hattig III: Because the list for the Land for the Landless is quite lengthy, it has all the lots in it. It actually identifies each lot and the map so in Dededo in Ija different parts. So it's really thick document so I'm not sure if you want it to be provided for everybody or...

Chairwoman Pika Fejeran: I don't think so, maybe one map or one or two maps or however many villages it's in then we can identify how many lots are available.

Administrative Director Jack Hattig III: We can do it by Municipality.

Chairwoman Pika Fejeran: Yeah do it by Municipality and map whatever is available and then we can go through our Rules and Regs and set the process for reaching out to those on the waiting list so we could start issuing leases.

Administrative Director Jack Hattig III: Okay. Yes

Chairwoman Pika Fejeran: So that's May 2nd also

Administrative Director Jack Hattig III: Yes

Chairwoman Pika Fejeran: Any other Commissioner comments

Commissioner Duenas: Just a quick question, I'm seeing that the next meeting is at 4PM is that a typo?

Administrative Director Jack Hattig III: Only because that was the schedule of work session for commercial leasing.

Chairwoman Pika Fejeran: Oh it's a work session.

Administrative Director Jack Hattig III: Remember you had requested one for May, the first one so 1:00 p.m. would be the work session, and then 4pm would be the meeting... you can let me know if you want to scale it back a little bit and we can start it earlier and end the Commercial Leasing Work Session earlier if you want. Depending on the items for discussion.

Chairwoman Pika Fejeran: Why don't we do that, we'll have the work session for the first hour where we go with GEDA. We'll talk to GEDA and they'll propose their ideas and then or wait can we just do the whole thing in the meeting.

Administrative Director Jack Hattig III: Sure you don't need a work session then, if we're...

Chairwoman Pika Fejeran: Yeah let's just do it in the meeting

Administrative Director Jack Hattig III: Got it. So we'll amend that to make it 1PM Commissioner Duenas, we'll make sure that changes to 1PM.

Chairwoman Pika Fejeran: Thank you, any other... motions to adjourn.

Commissioner Duenas: Motion to adjourn

Chairwoman Pika Fejeran: Thank you, we're adjourned

Meeting Adjourned: 6:49 p.m.

