

THE NAVAJO NATION
 Telecommunications Regulatory Commission Regular Meeting
 Staff Development & Training Center, Conference Room A – Window Rock, Arizona
 Thursday, March 14, 2013 * 9:17 AM

ITEM:	DISCUSSION:	ACTION:
I. Presiding Chair Calls Meeting To Order	Chairman called the meeting to order <ul style="list-style-type: none"> • Mr. Tagaban presented Roll Call 	Meeting Called to Order @ 9:17 AM
II. Tsodizin (Prayer)	Chairman Begaye	
III. Call For Adoption of Agenda	Agenda read into the Record by Mr. Tagaban <i>Amendments</i> <ul style="list-style-type: none"> • Mr. Tagaban: Add Item 5 (A) – E911 Discussion – 2 Submissions on 911 <ul style="list-style-type: none"> ○ Written Account on March 08, 2013 ○ Verbal Account in Black Falls, AZ • Commissioner Moore: Add Item “Old Business” to future Agendas, to discuss pending issues 	M: Tsosie; S: Montoya; V: 6-0
IV. Meeting Minutes	<p>A. January 11, 2013</p> <ul style="list-style-type: none"> ○ Internet to the Hogan Project is still on-going with Navajo Technical College (NTC) ○ This project is regional (to the campus) and not to the community ○ The Division of Public Safety Comments have been posted to website <p>B. February 11, 2013</p> <ul style="list-style-type: none"> • Docket for FCC Form 555 is still being developed 	M: Tsosie; S: Davis; V: 6-0
V. Discussion Items	<p>A. 911 Incidences in Black Falls, AZ and Kayenta, AZ</p> <ul style="list-style-type: none"> • Present: Mr. Tagaban, NNTRC; Emergency Management; Emergency Response; EMT; Police; Sheriff’s Office from Coconino County; Rural Addressing and Department of Information Technology (NNDIT) • Mr. Tagaban presented Public Safety Answering Point (PSAP) Docket & Role of the NNTRC • Delegation to the NNTRC, require more authority – The Docket was put out (with the authority present) <ul style="list-style-type: none"> ○ Extension of NNTRC Authority ○ Long Term Structure for Non-Completion of Service Plan <ul style="list-style-type: none"> ▪ Who would plan and oversee this? ○ Current Structure: Service Plan submitted to State of Arizona and they would delegate funds to the Navajo Nation ○ The State of Arizona has taken those funds from E911 and put it into their General Funds, so there are no funds available • The Law and Order Committee offered to Sponsor changes to the Telecommunications Act <p>Kayenta Incident: By Dawnae Ashkii</p> <ul style="list-style-type: none"> • March 08, 2013 @ 1:28 pm • Mr. Tagaban read the Written Report into the Record • Ms. Ashkii having to deal with a possible burglar, 911 called twice. She had to call her parents in Monument Valley, UT, who gave her the direct line to Kayenta Police District, but Officers did not show up until one hour later. Officer suggested she get ADT Security System but no report was taken or follow-ups made. <p>Black Falls Incident – Call-in from Laura Gahn</p> <ul style="list-style-type: none"> • See “Exhibit A” – Verbal Report <p>Recess @ 10:00 AM for Ms. Gahn to Call-In</p> <p>Vice Chairman asked Ms. Gahn if the Black Falls area is in Navajo County or Coconino County? And if there is cross jurisdiction with Navajo County Sheriff?</p> <ul style="list-style-type: none"> ○ It is in Coconino County & there is no cross-jurisdiction with Navajo County Sheriff’s Office ○ The Navajo portion (of Black Falls) is unknown whether it is Tuba City or Dilkon District but she indicated her community is part of Tuba City Service Area ○ The Delegate is Walter Phelps 	

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- Mr. Tagaban assured Ms. Gahn that the NNTRC will follow-up on this
- Ms. Gahn added this particular road is numbered, but Emergency staff still could not find this road or location
 - She would like these situations to be taken care of, GPS should be utilized, because that is how they were able to get to the location of the incident
 - Rural Addressing needs to be done
 - Coconino County needs to be involved in this as well
 - There should be a centralized 911
- The County Supervisor, District Four, is Mandy Mentzer
- Black Falls community in under jurisdiction of Cameron Chapter
- There is a Fire Station in Leupp, but unknown if a Police Sub-Station exists
- It was approximately two hours from the time the 911 call was made, when the Fire Department showed up at the scene
- Mr. Tagaban indicated at the meeting, there was a lot of miscommunications that happened, and a lot of confusion about jurisdiction and service
 - Coconino Sheriff indicated their office would respond, regardless of jurisdiction
 - The Fire Department responded by way of "cross talk" by listening to the 911 call
 - The beacon guided the helicopter to the emergency location
 - They are using public frequencies, which are designated by the Federal Communications Commission (FCC) for Public Safety use
 - The NNTRC Commission should have set rules for them to share information
 - Capabilities
 - Contact information
- Ms. Gahn first met with Tuba City Regional Health Care Chief Executive Officer (CEO) and Walter Phelps, Council Delegate
 - Delegate Phelps contacted Law & Order Committee and Health Education & Human Services Committee, as well as others to hold the meeting in Black Falls, AZ
- Mr. Tagaban shared this could have been avoided if EMT & Police were more forthright with their information - jurisdictional boundaries and Police District to contact
- Commissioner Moore stated he feels the work needs to start from the Chapter level, to Council Delegate, on to the President's office with Public Safety involved
 - Greasewood Springs currently utilizes Rural Addressing
 - The Commission is currently working towards getting more authority
- Chairman stated these events have been happening, as far back as 10 years ago, and posed the questions
 - Call initially made - Does it go to the nearest PSAP, Show Low, Albuquerque or local Police Department?
- Commissioner Nez commented to what extent does this Commission have authority, from the Council, over 911? This needs to be answered by Department of Justice (DOJ)
 - Upon clarification of jurisdiction, there are some rules that can be implemented and pushed down to 911 responders - to follow
 - This will provide order into the ways things are communicated
 - 911 Locations: Rural Addressing is a factor but things can be done, while that is being implemented, such as
 - Addressing all the main roads - maybe not to homes, but major roads being used, i.e. Mile Markers

MOTION: The Executive Director will look into the Scope of Authority the NNTRC Commission has, work within that scope
A) Gain more authority by way of discussing with Council

M: Tsosie; S: Montoya; V: 5-0

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	<p>B) Consolidation of Communications during emergencies and implementation of e911 system, that can be utilized within NNTRC authorities - by way of Order in a Docket</p> <ul style="list-style-type: none"> • Mr. Tagaban added the NNTRC is working within its authority in the Notice of Inquiry (NOI), which is part of the record, and the information during this meeting will also be part of the record, which includes the narrative today and written document <ul style="list-style-type: none"> ○ What needs to be done next? ○ What is the authority of the NNTRC? ○ Does the NNTRC need more authority? ○ Is this going to be under the NNTRC? and ○ What is the Long-Term framework for solving this? • The President has directed the office to do something <ul style="list-style-type: none"> ○ There is support from The Law & Order Committee ○ Delegate Russell Begay offered to sponsor Legislation to change NNTRC • Mr. Tagaban's Recommendation: Proceed with the Law & Order Committee Work Session • Vice Chair added his recommendation would be to have the Work Session in Western Agency to invite the County Officials and authorities within the area • Chairman added the Commission does have Subpoena authority, as well 	
	<p>B. Wireless Telecommunication Development Guidebook for the Navajo Nation - March 2013 Version</p> <ul style="list-style-type: none"> • Jim Dunstan has comments/questions • Page 7, ¶ Two "Wireless Phone penetration..." will be clarified and edited by Brian Gilbert to mean: <ul style="list-style-type: none"> ○ There is a lot of progress in the last 10 years with building out coverage, on Navajo lands, but it has not exceeded what's been built off Navajo lands ○ Mr. Gilbert indicated there is no data to reference to determine this information, which was requested by Commissioner Tsosie • Mr. Tagaban read Page 7, ¶ One "The Navajo Nation..." and ¶ Two "The depressed economic..." and asked if the Commission is agreeable and comfortable with this statement and characterization? <ul style="list-style-type: none"> ○ Mr. Gilbert explained some of this data is from Economic Development Division, dated 2007, which will be sourced ○ Vice Chair asked On-reservation and Off-reservation be deciphered • Commissioner Tsosie recommended language Page 7 ¶ One, First Sentence, after the word development <ul style="list-style-type: none"> ○ Add (semicolon) development; <i>protecting its cultural and traditional heritage...</i> • Mr. Tagaban stated there is Public Notice being printed for Adoption of Release of this Guidebook, for Comments, if Commission desires • Mr. Gilbert indicated there is nothing in confirmations for this Draft Guidebook, but it is up to the NNTRC to decide if they want this • Chairman requested Confirmations from Departments, to acknowledge the information in this Guidebook is accurate • Mr. Gilbert is writing the Guidebook, but information is being gathered through Land Department Commissioner Tsosie asked Mr. Gilbert to get an assistant for graphics of paragraphs to look more professional • Chairman recommended this be provided electronically for approval <p>RECESS: 11:32 AM - 11:43 AM ** Note: A majority of this discussion was in the Navajo Language **</p> <p>C. Certificate of Convenience and Necessity (CCN) Application of Navajo Pillars Telecommunications</p>	

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	<ul style="list-style-type: none"> • Mr. Tagaban stated this is the first completed application and there is proprietary information included in this application • Mr. George Martinez, President, addressed the Commission to Review the document (Application/Booklet) and Approve it • Vice Chair pointed out <ul style="list-style-type: none"> ○ Date of signature by Mr. Martinez indicates 2014 and ○ Page 3 of 10 – Letterhead has previous Commissioners • Mr. Martinez introduced his consultant, John Ross • Commissioner Tsosie asked when this Application was developed and what was the purpose? <ul style="list-style-type: none"> ○ Mr. Martinez indicated they started exploring, to extend services, and found they had the resources to expand these services ○ Mr. Martinez explained the interpretation of the company name Navajo Pillars ○ The company is a Corporation and they have a Lawyer ○ Start up money will be based upon Adoption of the CCN Application • Mr. Martinez assured the Commission that all questions were completed • John Ross, Consultant, provided his background to the Commission • Chairman discussed the steps by the Commission, which is to first review the document and proceed accordingly • Mr. Ross added Moss Adams worked the numbers and implemented changes according to the Rule Changes by Rural Utility Service (RUS) and Universal Service Fund (USF), etc. • Navajo Pillars is requesting for an update, showing Mr. Martinez is doing his due diligence, by receiving a Support Letter from the Commission to RUS <p>MOTION: Mr. Tagaban work with Navajo Pillars in drafting a Letter of Support to RUS</p> <ul style="list-style-type: none"> • Mr. Tagaban added, it will be known, Navajo Pillars’ CCN has been accepted and is still pending for Approval • Vice Chair asked Mr. Tagaban when approval for Navajo Pillars application would take place? <ul style="list-style-type: none"> ○ CCN must be formally Adopted ○ Then dedicate Resources to do due diligence ○ Upon CCN Adoption, approximately 1-2 months for Application approval 	<p style="text-align: right;">M: Tsosie; S: Montoya; V: 6-0</p>
<p>VI. Announcements</p>	<p>A. Navajo Technical College (NTC): FM Radio Allocation</p> <ul style="list-style-type: none"> • Extra handout from Jim Dunstan’s Narrative • New rules for FM Station Allocation • NTC was denied moving of an antenna, or frequency to a different location • NTC went through the new rules (process) and were awarded FM Station • Mr. Tagaban recommends having a meeting at NTC when Frequency is turned on <p>B. FCC Office of Native Affairs and Policy (ONAP) Progress Report to Commission</p> <ul style="list-style-type: none"> • Mr. Tagaban will provide the phone number (bridge) for Commission members to call in – if they choose - Link: fcc.gov/live • Legislation: Granting of Rights-Of-Way (ROW) • Mr. Tagaban commented it adds to costs and we have authority, as Legislation stands – Reference Title 21 	
<p>VII. Next Meeting Date</p>	<p>Thursday, April 11, 2013 – Location of meeting will be sent out electronically</p>	
<p>VIII. Adjournment</p>	<p>Chairman requests for Motion to Adjourn @ 12:47 PM</p>	<p style="text-align: right;">M: Montoya; S: Davis; V: 6-0</p>

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Addendum
03/14/2013 Meeting Minutes
Black Falls, AZ Transcription

Chairman Begaye explained to Ms. Gahn this is an Official Meeting

- Commission Introductions

(0303 0813 3626 : 00:42:25:68 {Recording} to

Ms. Gahn: My name is Laura Gahn, um..thank you for um..taking my statement this morning and um, I'm originally from Black Falls and um..thank you for um...Mr. Phelps putting the meeting on at, right there, in Black Falls yesterday. And um..My main concern is my family was called and how the 911 was handled that day. It happened on Wednesday, February 6th around about eight o'clock in the morning an accident of a head on collision occurred um..on a dirt road. Like, um...about one mile from my aunt's place. Um, the road is located um..just north of um..Leupp and the location is like um..25 miles North of Kayenta and 10 about miles East of National Park. At the time, my aunt was unresponsive on impact and I wasn't there at the scene. I was just communicating back and forth with my brother and they did say that she had a pulse at the time and two residents that had done CPR, and they were unable to revive her and she passed on at that time. In the other vehicle was a young lady, oh excuse me my aunts and my, her son, my cousin, they were traveling together those were in one vehicle. And in the other vehicle was a young lady and she was trapped, she was still in the vehicle. She had broken...she had internal injuries and a broken leg and she was bleeding. But my aunt...my cousin is okay. He was limping around but he was taken in an ambulance to...he went into shock. That's what they told me...and they took him to Winslow. My understanding is when an accident happens, the one that is very critical is tended to first. So the young lady was taken in a helicopter to, I believe, Flagstaff Medical Center. That's where she's at. And the ambulance that came from Winslow was taken to Winslow. And my aunt, who was deceased, then, they wait for that investigation to be completed. During the time of the 911 call, my cousin called 911 and Flagstaff responded. Flagstaff asked him where the accident was and he told them that it was Black Falls, on the reservation, and they told him that wasn't their jurisdiction, so they transferred his call to Tuba City. And Tuba City didn't know where Black Falls was and my cousin was trying to explain to them the location or where it was exactly at. And they found that it was up near a location up near Leupp and they thought Dilkon was closer to us so they transferred his call to Dilkon Police Department. And the same thing, they didn't know where Black Falls was. So, from there they contacted Winslow and that's where the ambulance came from and then also Leupp Fire Station...they sent a Fire Station out to the area. But, what I heard was that, that a fire truck ended up near East of Black Falls. There's a Church called Black Falls Bible Church, he was...the fire truck was up there. I don't know for how long, but they finally came to that location. And...But it was...what I gather...what I understand is that the Fire truck showed up first, then the Navajo Police and then the ambulance. I think the helicopter came at the same time as the ambulance. And that was how it went about that day. So the main issue that we have is the transferring the call around and that was frustrating for my cousin, you know...and then for the fire department showing up at the wrong location and just because of the name of the Church, they were up in that area. And this isn't the first time that happened, as far as 911 responding. A few other times, or at least two other times that I know of, that the Navajo Police they had ended up in the wrong location, up past the Church. And at one time they were up there looking around three hours. So it really, the Navajo Police should at least know their areas. And not picture or tie to...opposed to whatever the name...I don't know if they know their areas but you know it just seems like they didn't that day. But, that's how it went about...as far as my aunt's body out there...on the ground...it was...another man that was at the meeting yesterday, he said that when he came back down there around 6:30...the body was still there. I don't know, you know...I'm just kind of gathering...it happened around after eight and then if it ended up, you know, if the body was taken like at 6:30, that's like you know nine hours. And, the time when they responded, transferring calls around was like two hours, you know and so anywhere from I'd say for my aunt's body being out there is like probably 4-9 hours, you know, coming from different people. But you know...she was out there for quite a long time, actually all day. I talked to my cousin on this, this morning, and he said that its not the reception that's the problem, they got the call, he got the call right away. He got threw, its just how the call was relayed from one place to another, you know, shifting calls around. That was the main frustration part.

The Chief Deputy that came yesterday, he did say, you know, the First Responders should've taken the action, you know, whether or not it was their jurisdiction or not.

Dilkon is, even Tuba City thought that Dilkon was closest to us, I don't think so. And, I think Dilkon is much further than Tuba City. I think either Winslow or Flagstaff would be the closest, maybe just by a few miles, maybe by five miles Flagstaff might be closest, you know. But then there's that water, that we didn't, if the river was running high, the Colorado River, so if it was coming from Flagstaff, with the water like that running, they can't cross it, they're just going to have to go around Leupp or Cameron, you know, to get to Black Falls. But, Winslow would be as far as emergency, in the hospital, that would be...probably the closest...whether...if, you know the water is running high, they can't come across to Black Falls. They will have to go around Leupp, which is much longer. And...so there is just a few miles difference to Winslow and Flagstaff. But, as far as Dilkon, that is two hours away to get to Black Falls. Tuba City, they do have a helicopter, they have a contract with Flagstaff. So they do have a helicopter there, and with Tuba City coming to Black Falls, it would probably take like 20 minutes.