

# Pyramid Lake Paiute Tribal Council

Post Office Box 256  
Nixon, Nevada 89424  
Telephone: (775) 574-1000  
Fax (775) 574-1054

## PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV April 19, 2019

### Members Present:

Anthony Sampson Sr., Tribal Chairman

Janet Davis  
Judith Davis  
Nathan Dunn  
John Guerrero

Sherry Ely-Mendes  
William Miller  
Sharon Shaw-Keever  
Michele Smith

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### CALL TO ORDER

Tribal Chairman Anthony Sampson Sr. called the April 19, 2019 Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 6:03 p.m.

### ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Dunn arrived at 6:29 p.m. Vice Chairman Mandell was absent. All other Tribal Councilmembers were present at roll call and a quorum was established for this meeting.

### APPROVAL OF AGENDA

Chairman Sampson Sr., requested the following changes to the agenda:

1. Addition under New Business #10 Approval NV Division of Tourism Tribal Marketing Grant with Resolution. Michael Guss, Contracts & Grants
2. Executive Session to be placed after the Executive Team.

Councilmember Shaw-Keever made a motion to *approve the agenda with the additions*. Councilmember Smith seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### CONSENT AGENDA

The following items were listed under the Consent Agenda:

1. Approval of Minutes: March 15, 2019 (Special)

2. Approval HR Classification – PUD Water Operator Trainee
3. Approval three (3) CHE \$500 Scholarships: BJ Guerrero, M Zumoff and J McCauley
4. Approval Ernest Adler March 2019 Invoice
5. Approval for NCAI Mid-Year Request for Donation Group Rate.

Councilmember Janet Davis made a motion to *approve the consent agenda*. Councilmember Ely-Mendes seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

## **PRESENTATION**

### **1. Natchez Elementary School. Mr. Daniel Kirk, Principal**

Mr. Kirk introduced himself to the new Councilmembers. This is his first year at Natchez and he will be presenting data of Natchez Elementary Schools progress. The Natchez Vision is to create a community where each individual, both students and staff, are treated with respect and dignity, where each and every individual feels safe and loved, and where each and every student has a role model who believes in them and supports them in growing emotionally, socially, and academically. The Natchez Mission is through strong relationships, high expectations, quality instruction, and community involvement, all Natchez Elementary School students will grow socially and achieve their maximum learning potential academically.

Councilmember Dunn arrived at 6:29 p.m.

All Nevada state schools are rated on a performance framework scoring system, called NSPF, it's a star rating system as public education is rated on the past for all schools in Nevada. Natchez and all schools are rated on five categories: Growth which has the highest weight, Academic Achievement, Opportunity Gaps, EL (English Learners) and Engagement. Natchez Elementary School scored 12 out of a 100 points, they are a one star school and has been since the reimplementation of NSPF and star rating. Natchez is a one star school at this time for the 2017-18 school year. Currently in the 2018-19 school year, they will get their rating after they take their assessments at the end of the school year and it usually comes out late July. The biggest areas of focus related to the NSPF that they are focusing on this school year is all around growth and the engagement piece. The engagement piece entails attendance and social, emotional learning (SEL) in the school community to create a positive climate and culture within the school and community. Within the SEL, some data points can earn them points around growth and engagement, with one point with engagement being attendance. Natchez has had a history of high chronic absenteeism. In the 2017-18 school rating there was 43% of the students absent, meaning they are absent more than 10% of the school year, that is a total of 18 or more school days. Research says that if you miss more than 10% of their academic year they are behind a whole year in their educational progress. So 43% of their students last year, which equals 78 students were chronically absent and not attending school on a regular basis to keep up academically. This current year, as of today, the data is showing that they have dropped that 43% chronically absent to 13%. They have drastically improved the attendance and are have students coming and wanting to be at school and they are using through incentives with individual students, as a whole class and a whole school community to really to promote and get the kids wanting to go and be at school. They are currently earning 6 points in the NSPF rating which is more than they've seen in a 3 year period.

They are looking to get out of the one star rating to a 2-3 star. Councilmember Ely-Mendes asked what the incentives are now and how he's working with families to make the huge increase. How did he come to the conclusion that the focus increased to 13% at this point. Mr. Kirk said their incentives are individual so students that are at school on time and present with perfect attendance, they quarterly are in running for a drawing that earns them prizes. In the first and second quarter it was a computer which they get to take home. Within the classroom, for every day they're there, the classroom earns a letter to a phrase that once complete, they receive for example, for the first quarter, was a popcorn party. Another phrase was "being in school is cool", where they received a Popsicle party. Councilmember Ely-Mendes asked if they collaborated with parents on the effort. Mr. Kirk stated yes they collaborated with parents, they communicated and reached out to them to emphasize the importance of going to school. They have a new attendance policy that allows for the opportunity for students to make up their missed work which takes those absences away. The opportunity to make up the work can be completed at home or during the after school program. Councilmember Ely-Mendes stated this is a collaborative effort from the teachers, staff and aids working on the program. Because this is one of the major things she felt is missing from the collaborating between all the staff and going in a purposeful one direction. Mr. Kirk said this focus around SEL has been his focus around social emotional learning starting with the adults in the building. Another piece it shows is high gains, which is not related to the points rating on their NSPF but it does relate to creating a culture that is positive and impactful for students. In the last year and previous year, 2017-18 school year there were 228 major behavior events with the school community, this year there are currently 45 major behavior events. Chairman Sampson Sr., and Councilmember Guerrero have been working with Natchez and contributed to incenting for some of the students struggling to meet the expectations, if they have good behavior they were rewarded. At the end of the month both gentlemen contributing to purchasing a meal which brought forth some strong positive behavior. Chairman Sampson Sr. wanted to clarify that he wanted to help with this but he wasn't given a date to participate in the incentive award but noted Councilmember Guerrero has been supportive of the school. Mr. Kirk commented that they are concentrating on academic growth because they are performing at a level where the majority of their students are behind and they need to ensure they are closing those achievement gaps through the focus of growth. It's a process and it takes time but with the comparative of Academic Growth for the 2017-18 school year there has been improvement. Growth in math was a 4% increase from 28% to 32.26%, in ELA there was an increase of 19% from 29.33% to 48.39%, in IEPs there was an increase of 21% from 28.57% to 50% and in IEPs in ELA there was an increase of 6% from 35.71% to 41.67%. The growth relates to NSPF where they can grow the most points. Their PBS system was created by the Council in collaboration prior to his leadership at Natchez, their PBIS system is designed around the cultural aspects of the students and their cultural background. Karen Shaw, a former employee of Natchez, stated when they created the four pillars of PBIS, they got the tribal elders from the community and not the Council. Once they decided on the pillars, Pyramid Lake High School also adapted the pillars. It's still in place at the high school and Natchez. The issue they had at Natchez was they had a lot of teacher turn-over. Mr. Kirk stated they do collaborate with the teachers and parents when there are changes to the PBIS, right now it's designed in a square but with recommendations from community members they would like to see it in a circle being more culturally responsive.

Karen Shaw, regarding IEPs, she's been working with several parents who have students with special needs, who would normally be zoned for Natchez Elementary School but are currently

being bused into Sparks and Reno area. These are most severe special needs students and every year seems to be adding more students. She brought some parents of these students for Council to hear their stories of sacrifice and impact on their families for their children. Anna Romero, parent, explained what she's gone through for her son. Her son was diagnosed when he was 3 years old and because of his disability he went into special education at Natchez. At that time he was afraid to get on the bus, she had issues with a teacher grabbing her son and stated it's important that they understand the needs and how to react to children with disabilities. He hasn't been at Natchez for 3 years, but there don't have the appropriate tools, guidance or training to deal with children like her son. She feels they are being neglected because there are other students on the reservation who are disabled like her son. Every morning he has to catch a bus to Juniper Elementary and just last year a drunk driver hit his bus, it took her son almost 3 months before he would get back on the bus. We need to work as a community to get the assistance and community training for the kids in our community. We should have to ship these kids anywhere else, they should be getting the education at Natchez. Ms. Shaw stated there is another parent who has 2 children who has decided to home school because it's too hard for them to be on the bus. She attended a meeting with Washoe County and they say they would like to put the services where there needed but it doesn't seem like they are trying to do the best they can for our community. She would like Council to think about the service that their children are getting, these are the communities youngest and vulnerable. District is aware of it but they think they are meeting the needs of the people. RoseMary Kinale, Social Services Director, stated she received a call from a Natchez School teacher who said that she was on the phone with a mother and boy, who was threatening to kill himself, she's wondering if Natchez has teachers to deal with these situations. She thinks it's time for Tribal Council to intervene with Natchez, she doesn't think they have the proper staff to deal with special education children. Councilmember Dunn reminded Council that this is Mr. Kirk's time during his presentation and this seems to be a bigger issue and maybe we should schedule a special meeting for it.

Mr. Kirk thanks the community members for bring forth their concerns to the Tribal Council. For the next steps for the remainder of this year, they are going to continue the SEL focus to promoting self-awareness, self-management, social awareness, relationship skills, & responsible decision, making. They will have high expectations for all, students, staff and community. High accountability on training students getting them ready for their next step into high school. They will focus on high quality instruction for all students and 5 instructional coaches (4 WCSD 7 1 imbedded). They will be involved in the new Teachers Project (TNTP), a Nevada Department of Education assigned program to support Natchez. They will continue to collaborate and support the community and families, with the Tribal Council. He encourages the Tribal Council to come to the school and do a walk through with him.

Councilmember Shaw-Keever asked what needs to be done to support the special needs children. Mr. Kirk said for the students on IEPs, that concern has been brought forward, they met with the Chairman, his area superintendent and Diversity and Equity Director. The Chairman brought forward similar concerns for students zoned for Natchez but are bused to other schools within the district. As a school district they have parameters and decisions that are made relative to what specialized programs are at each school within the school district because not all schools can contain all those specialized programs within one school. Natchez has a specialized program within its school community, they have an early child special education program, they provide all

day early childhood. Majority of these students are on an IEP. That is the specialized program that the district has assigned to Natchez. The criteria is based on district decisions and policies around how they make decisions on what schools are assigned specialized programs. Councilmember Janet Davis asked what they can do with the communities and their concerns. They've attended meetings with the district and with the communities needs what do they need to do. They want to help him, it's a concern, and they don't want to be sending their little kids on a bus. Councilmember Ely-Mendes asked what's the percentage of special needs students in Natchez School? Mr. Kirks said it is less than 20%, that is the students currently enrolled with Natchez. Councilmember Ely-Mendes asked is that a high number compared to other schools. Mr. Kirks said that is less than other county schools. Councilmember Ely-Mendes asked for his opinion on why we don't have a more extensive program at Natchez, is it funding, or are the numbers not high enough. If we want to help, which we do, because it is a high priority issue for this Council and future Councils, because she's heard about this issue since her children went to Natchez. They need more information on how we need to collaborate, even if it means providing funding within Natchez or outside the school, we need to do that especially for those children who are special needs. She hearing a lot and that they're doing well most of the time, they get the positive spin but they all know there are still issues. But they need to know that 100% of them are getting the services that they need to be as successful as they can to meet their goals and it sounds to her that there are specific goals for each student, is it based on a curriculum or program or is it just a basic assessment that they can complete something by the end of the year. Mr. Kirk stated the growth targets are based on standards, the State of Nevada adopted standards of content performance. Those assessments are individual to kids. Councilmember Ely-Mendes asked if anyone has looked at the standard they're using and ensure that they are culturally appropriate for the population that he's serving because he does have 90%, at least Native American students and as an early childhood teacher, there was a lot of times that standardized tests that had things in it that kids around here would never see and they were asked to identify. There are several issues going on and it's everyone's issue now. She really thinks the Council needs to put together a plan on how they plan on moving forward and decide who is going to advocate for Natchez School to have better services to give him the tools to make sure it happens.

Ms. Shaw stated they are currently in negotiations with Washoe County School District to create an MOU for our Head Start programs to receive child find, once they get child find which has been denied to Natchez for 4 years now. They have a meeting next week with WCSD to see how they can mend the bridges, how do they get their little ones to receive the services like they once did, right now they can't do that unless they are enrolled in the program at Natchez.

Wendy Grant, a parent, spoke about her son, had requested an IEE and the recommendation was he be given a one on one, she's been going to meetings all year long. Finally gone done with it and she disagreed with it because they would allow one on one. He is traumatized by it. The services they need is great at this school, when she heard it's at 30% which is different than what was reported by Mr. Kirk. She's always pushing for training for staff especially traumatized care.

Chairman Sampson Sr., stated they have met with WCSD in trying to bring these issues to light and they know they exist, but there shouldn't be a MOU, we are a part of Washoe County school district and these services need to be within our school system. They're trying to assist Mr. Kirk by continuing the talks with WCSD to help support him and not to say he's failing because he does

have good things that are being implemented in the school. They hope to see the success with our children and the outcome. With the decrease in students it's telling them that parents are taking their children elsewhere, which is their right but they do want them to succeed.

Councilmember Ely-Mendes asked if they have a school wide reading program. Mr. Kirk stated his curriculum is standard, WCSD just adopted a curriculum for the school district. They do have a standard reading program. Councilmember Ely-Mendes also asked if they have a social worker in the school and Mr. Kirk said they don't.

Councilmember Janet Davis stated they've been meeting with the district, the State, and Reno Sparks Indian Colony, to gap the bridge to get help for our kids. It is also the law they have to provide the needs for the kids with disabilities.

## **UNFINISHED BUSINESS**

### **1. Approval and/or update Pyramid Lake Paiute Tribe 401 (k) Proposed Changes. Randy Hunter, Interim Executive Officer**

Mr. Hunter stated they review this during the Executive Team meetings and they recommended that the Tribe switch to Mass Mutual because it would be a savings to the Tribe because of the lower cost funds investment.

Councilmember Shaw-Keever made a motion to *approve the recommendation of the Executive Team to change the Pyramid Lake Paiute Tribe 401 (k) to Mass Mutual*. Councilmember Dunn seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### **2. Approval Numu Inc. request for funds from the Economic Development Fund with Resolution. Gary Shaw and Cassandra Darrough representing the Economic Development Committee**

It was recommended this item be moved to Executive Session.

## **NEW BUSINESS**

### **1. Selection Pyramid Lake Housing Board of Commissioners (1 vacancy).**

There was only one applicant. Judith Davis received six votes with 2 abstention votes. Judith Davis was selected to fill the 1 vacancy on the Pyramid Lake Housing Board of Commissioners.

### **2. Approval /Discussion Michael Dunn Request. Benjamin John, Interim Programs Officer, Executive Team**

Mr. John, state Mr. Dunn provided a written request for reimbursement of fees he paid while living at the Marina RV Park. He was paying approximately \$500 a month and the Executive Team feels he should be reimbursed, even though they think he should have come to Council first and asked

for waiver of fees. Councilmember Guerrero asked if they could have worked it out internally with Realty. Mr. John stated the Executive Team thought it was a Council decision since he was a tribal member and an elder. Jolene Henry, Interim Realty Director, stated with their budget they currently have and the amount of money being requested to be reimbursed, they don't receive funds from the Marina income it goes back to the general fund. Mr. John explained he possibly had nowhere else to go and he was living in a travel trailer. Public Utilities was working with Housing to setup his land assignment but they had no money for the HIP program, so they ended up setting the septic system and water line at his assignment but its' taken awhile to get his trailer back to the assignment.

Councilmember Guerrero made a motion to *approve the Executive Team's recommendation to reimburse Michael Dunn for his RV fees from the Pyramid Lake RV Park*. Councilmember Smith seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Dunn). **Motion carried.**

Councilmember Janet Davis stated that when we charge rent, the funds should go back to the program so they can upgrade the property and fix things instead of it going into the general fund. Councilmember Guerrero stated the same issue was brought up last year by Councilmember Shaw-Keever and they should work on it and get it completed in a timely manner. It was confirmed that the funds will come out of the general fund.

**3. Approval to post Law & Order Committee: Chapter 4 Criminal and Chapter 15 Alcohol Code.** Diana Mitchell, Law and Order Committee

Ms. Mitchell said they would like to post Chapter 4 Criminal and Chapter 15 Alcohol Code for 30 day posting.

Councilmember Dunn made a motion to *approve the posting of the Law & Order Code Chapters 4 Criminal and Chapter 15 Alcohol for 30 Days*. Councilmember Guerrero seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.**

**4. Approval Non-Native Trespass Notice with Protective Order with Resolution.** Christopher Parson, Pyramid Lake Police Chief

Councilmember Guerrero asked if this went to the Law & Order Committee and posting and policies been followed.

Chief Parsons stated this doesn't change or alter the Law & Order Code, this is non-Native and NRS and Tribal Police having the authority to issue a Non-Native Trespass Notice with Protective Order. Yes, they did take it through the Law & Order Committee for their insight and recommendation and it was a positive meeting with the committee. They've had a problem with a Tribal Protection order being served on a non-native that's living with a Tribal member on the reservation. The Tribal Court can issue the order but if they violate the order, the Tribal Court doesn't have any criminal jurisdiction to punish that individual. That's the hammer behind the protection order, if there's no criminal violation to a protection order, people are not going to think twice about violating them. They reached out to the County when it comes to criminal prosecution on a non-native, it's the County's jurisdiction. They tried this last year, the arrested an



individual who violated the protection order and the Washoe County Prosecutor's office didn't think they had the jurisdiction to criminally punish the individual through the Tribe's court order. Since this process didn't work, worked with the Tribal Judge, Tribal Prosecutor and Tribal Administrator to see what they have which they can use. They found that the Fallon Tribe uses a trespass notice, which this notice is built after. The idea is if the Tribal Court issues protective order against a non-native living on the reservation, when they serve the protective order, they will also serve the non-native with the trespass notice. In doing so, they will be following state law since they will be dealing with a non-native. The notice has both the Pyramid Lake Law & Order Code for trespass but it also notes that if you're not a Tribal member you're going to fall under NRS. There is also an appeal process where they submit a letter to the Tribal Council with all correspondence through the mail. It's a tool they can utilize to protect the Tribal member from the domestic partner that's non-native that violates the protection order. There is an expiration date on the notice, it will be the same as the protection order, when the protection order expires the trespass notice will expire. There is also an appeal process written into it, they can write to the board and explain why they feel they should be allowed back on the reservation. The resolution is important here because it shows Tribal Council recognizes police officers as a representative in this matter, so if they do end up in state court, the district attorney's office will have a copy with the protective order and trespass notice, which should make it a non-issue with the district attorney's office. Councilmember Janet Davis asked if there was comments when it posted. Chief Parsons said it wasn't posted because they aren't dealing with the Law & Order Code, this is procedure but they did go the Law & Order Committee for review. Diana Mitchell, Law & Order Committee, stated that it was brought to the committee for feedback and review and the suggestion was to bring to Council for approval. Councilmember Guerrero stated he would like to see it in the Law & Order Code for civil and criminal for non-natives. Chief Parsons said they can charge them civilly now.

Councilmember Judith Davis stated she knows it something we need but it would have more weight if it was in the Law & Order Code with the Domestic Violence Code. With the way it's written tonight and with the information they received and with it having gone to the Law & Order Committee she wouldn't see why it couldn't go for posting so it could be a part of the Law & Order Code.

Councilmember Judith Davis made a motion to *post the Non-Native Trespass Notice with Protective Order*. Councilmember Smith seconded the motion.

Irwin Mix, in the audience, reminded the Council, the process with the posting which will take approximately 60 days with posting. This is long over-do when they can have something happen tonight. He's had this happen to one of his family members and it really upset him because the cops couldn't do anything.

Councilmember Ely-Mendes confirmed that Councilmember Judith Davis would like a reference in the Domestic Violence Code. Councilmember Judith Davis responded no, she would like this added as part of the Domestic Violence, post it, then it could be added, that way when it goes to district court or anywhere else, it's not just a form the officer's use, it's in the Law & Order Code. Councilmember Ely-Mendes said they can reference it, but the state will be enforcing it through their law. If we put it on the books now, the form, they can enforce it now because they have a law



in Nevada for people that are non-natives. What they can do is pass it, so the officers can have the safety net the officers can use, and if you want it referenced in the Law & Order Code as a reference for a procedure because this is not a law. It's a law we're asking them to enforce.

Councilmember Judith Davis rescinded her motion.

Councilmember Guerrero made a motion to *approve Non-Native Trespass Notice with Protective Order with Resolution and made a recommendation to add the reference in the Domestic Violence Code, Law & Order Code*. Councilmember Dunn seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.** **RESOLUTION NO.: PL 037-19, NON-NATIVE TRESPASS NOTICE WITH PROTECTIVE ORDER**

**5. Approval Land & Resources Committee – Carmen Tobey Jr., Sutcliffe Assignment Relocation with Resolution.** Richard Frazier, Tribal Land Manager

Mr. Frazier stated Carmen Tobey had an existing site in Sutcliffe. His original assignment was granted in 1996, all the data they had for this assignment was on the north side of the dirt road, so they assigned other assignments around it. Carmen, earlier this year wanted to give parts of his assignment to his niece and nephew, but when he came in to do the paperwork he said the land office was wrong on the location which he said was on the south side of the road. The new location is marked in red on the map. There is another site that was assigned to Erin Breuninger (Calvin), they've been in contact with both of them, and they are in agreement to swapping. Carmen has 4 and Erin has 5, so there is not a big discrepancy. The committee's recommendation is to amend the original resolution of Carmen's original application and replace with the attached resolution.

Councilmember Janet Davis asked if there was letters from both parties in agreement. Mr. Frazier said they currently don't have a letter from Erin but was told she would be coming by with it.

Councilmember Janet Davis made a motion to *table the Carmen Tobey Jr., Sutcliffe Assignment Relocation with Resolution until more all documents are received*. Councilmember Guerrero seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.**

**6. Approval Land & Resources Committee – Leroy JD Phoenix, Sutcliffe Exchange of Home Sites with Resolution.** Richard Frazier, Tribal Land Manager

Mr. Frazier said Leroy JD Phoenix is requesting a transfer of site with his niece in Sutcliffe on Tufa Rock road. They do have letters from both parties and are in agreement to swapping sites, they are down the street from one another. The requested address is 4530 Tufa Rock road and the exchange address is 4593 Tufa Rock Road.

Councilmember Janet Davis made a motion to *approve the Leroy JD Phoenix, Sutcliffe Exchange of Home Sites with Resolution*. Councilmember Shaw-Keever seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** **RESOLUTION NO.: PL 038-19 LAND ASSIGNMENT – LEROY JD PHOENIX SUTCLIFFE EXCHANGE OF HOME SITES**

## **7. Discussion Land Moratorium Status.** Richard Frazier, Tribal Land Manager

Mr. Frazier stated the moratorium was asked for in July 2018 basically where the committee was requesting to place new land assignment applications to a moratorium which was a result of evaluations the existing water system which at that time was operating at capacity as per a report from Indian Health Service. It's currently still the same. The committee is in agreement to lifting the moratorium, they've had discussions in the last couple of months. The real focus is because they can't control the utilities, they are only land operations. The committee would like to see a written recommendation from the Public Utilities Department (PUD) and Indian Health Services before they're in agreement to ask for it to be removed/lifted, which they haven't received yet. Councilmember Janet Davis would like for all the departments to come together for this discussion. Mr. Frazier said they had a meeting, the past Wednesday, with the Housing Department and Indian Health Service. According to Indian Health Service and PUD they are still in the same situation they were in back in 2018. This also came up because there is no land to give to anyone until the land use plan is revisited. Councilmember Ely-Mendes commented that if they do the land use plan and they don't cover the utilities, they only say where land can be used according to the land use plan. Then that gives PUD, Indian Health Services and everyone else involved a direction to go in finding the infrastructure to accommodate the zoned areas. She would bring it forward to be approved and from that point then they would ask how would we support this request and then PUD can get with Indian Health Service to figure it out. We need to have a starting point and the plan would be your starting point. With lifting the moratorium, like Richard said, they don't do water. They can give land to someone with the disclaimer, they don't provide services to that property and they would have to go to PUD. Then PUD can talk to them about the challenges and when they may see resources for it. Benjamin John stated for the record Public Utilities had nothing to do with the land moratorium. Irwin Mix stated that Housing, Indian Health Services, PUD and Land Resources need to get together to make the decision, not just one can do it. Councilmember Guerrero stated under the Constitution, under the assignment applications there is policies and procedures, can we get those put on the applications with recommendations for how many acres for home sites. With the 184 program, they could already put those homes in the process. Mr. Frazier said that still has to be worked out internally because the land assignment data is currently not acceptable like the 184 program is. They need to get everyone involved. Mr. Frazier said this moratorium did not affect Tribal departments it only effected new assignments/new home sites. The committee is currently still accepting applications and processing them. If they're new they're being tabled. He asked the Council what direction would they want to go with the moratorium, he wants to have it on record so the committee knows which way to go. Councilmember Judith Davis said she thinks the group really needs to look into it because of the meeting they had with Indian Health Service at Housing and at this level, maybe six homes in Sutcliffe and with Housing coming in with their homes and the invasive species program, there's more water going to be used. They need to think about getting this group together first. Benjamin John said the land assignments that are coming in are basically scatter sites and they're not going to be able to connect to the water system so the moratorium on that doesn't do anything since they will be connecting into wells. Councilmember Guerrero said that's why they need guidelines and policies. Chairman Sampson Sr stated that with the implementation of how we're moving forward with Numu Inc., and all this, in some areas they need to look at housing tracks or housing development with infrastructure of community building instead of scattered home sites. Mr. Frazier said that's going to come up with the 184 program, people are

not going to want to live together and we're back to the scattered sites again. With the 184 program there's a lot that has to be done before it gets going. On the land use plan they are probably close to bringing it to Council.

Council consensus was to bring back to Tribal Council at the May 3<sup>rd</sup> Regular Tribal Council meeting with a recommendation from the Land & Resource Committee

**8. Approval Request for Issuance of Request for Proposals for Grant Writing Services with Resolution.** Michael Guss, Contracts & Grants

Mr. Guss talked about the existing contract they have with Resource Associates, they wrote a lot of successful grants but they're very expensive. Their annual budget was about \$50,000 a year and it was for services for technical services to department heads that were writing grants. He thought the cost was a little high so with the Programs Officers permission called around locally in Nevada to qualified grant writing programs to see what the general price would be if they put an RFP out for the same services. They have been paying resource Associates about \$50,000 a year and for the same services they were providing all five of the agencies he just mentioned said they would bid between \$15-25,000 a year. The RFP can go out to anyone including Resource Associates to bid on it but this competition will save money for the Tribe.

Councilmember Dunn made a motion to *approve the request for Issuance of Request for Proposals for Grant Writing Services with Resolution*. Councilmember Smith seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** **RESOLUTION NO.: PL 039-19 ISSUANCE OF RFP FOR GRANT WRITING SERVICES**

**9. Approval Summer Foods Program with Resolution.** Michael Guss, Contracts & Grants

Mr. Guss said this is the Summer Foods Program and due to turnover in the Daycare Department, the summer foods program grant was written in the Grants Department. In order to ensure they meet deadlines imposed by the state of Nevada, they filed the application without bringing it before Council. It will serve two sites, the Pyramid Lake High School and the Brown Building in Wadsworth. There are no matching funds required for the grant and it will be used to provide lunches during the summer recess. The resolution ratifies the decision to apply for the Summer Foods funds, and authorizes the Chairman to sign the acceptance documents.

Councilmember Dunn made a motion to *approve the Summer Foods Program with Resolution*. Councilmember Judith Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Janet Davis). **Motion carried.** **RESOLUTION NO.: PL 040-19 SUMMER FOODS PROGRAM**

**10. Approval NV Division of Tourism Tribal Marketing Grant with Resolution.** Michael Guss, Contracts & Grants

Mr. Guss stated the Business Office has traditionally maintained a grant to advertise Pyramid Lake. Over the past few years, this \$5,000 grant, matched by \$5,000 in Tribal funds, has paid for a 10 second video playing on a loop in the baggage claim area of the Reno Tahoe International Airport.

Michelle Mix, the Business Assistant, expressed a desire to change marketing strategies this year, and advertise in print magazines focused on fishing and outdoor recreation. The grant allows for this expenditure. Matching funds will be providing by the Business Office funds through fund code 128 which was approved in the budget. If the funds are not enough to cover print than it was agreed they would put it into the website.

Councilmember Janet Davis made a motion to *approve the NV Division of Tourism Tribal Marketing Grant with Resolution*. Councilmember Dunn seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**. **RESOLUTION NO.: PL 041-19 NV DIVISION OF TOURISM TRIBAL MARKETING GRANT**

**COMPTROLLER.** Lynda Ciceu, Comptroller

Ms. Ciceu was not was present, the comptroller was represented by Caroline Lacroix.

**1. Approval to Pay Stipend for Economic Development Committee with Resolution.**

The estimate was for \$200 per person for the Economic Development committee. The budget was also included and the funds would come out of the salary for the business officer and is for the 2019 budget year. Since the committee doesn't meet every month this amount is probably ok.

Councilmember Dunn made a motion to *approve the request to provide a stipend out of the Business Office salary to support Stipends for the Economic Development Committee*. Councilmember Judith Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**. **RESOLUTION NO.: PL 042-19 AUTHORIZATION TO PAY STIPENDS FOR ECONOMIC DEVELOPMENT COMMITTEE**

Councilmember Ely-Mendes made a motion to *repost the vacancies for the Economic Development Committee*. Councilmember Janet Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried**.

Councilmember Guerrero asked that he would like to bring up with the Comptroller for the next meeting the 064 budget to either move forward to shut down or use for projects since there has been no reimbursements. This would be at the next Special Council meeting May 17, 2019.

**EXECUTIVE TEAM**

**Executive Officer (interim) - Randy Hunter**

Mr. Hunter stated with the use of the Lower Truckee River License Plate funds for the Valley Road erosion emergency they needed an approval of a resolution. They approved the project but the Comptroller said they needed a written resolution because they were using funds from the license plate fund. The total cost was \$26,675.41, the original budget was \$50-60,000.

Councilmember Guerrero made a motion to *approve the Lower Truckee River License Plate Fund for the River Bank*. Councilmember Dunn seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** **RESOLUTION NO.: PL 043-19 LOWER TRUCKEE RIVER LICENSE PLATE FUND FOR RIVER BANK**

Mr. Hunter stated Council asked them to put an RFP out for legal services, they sent it out to the 3 lawyers and he posted it to a national blog called Turtle Talk which is an Indian Law blog nation-wide. So far we received 2 responses and the deadline is April 26 at 4:30 p.m. The question he posed to Council is do they want to rate the proposals or do they want to appoint a small group to do it. Council consensus it would go to the Executive Team, they would rate it and then bring it forward to Council for final decision. It was decided the Chairman, Vice Chairman and the Executive Team would review and rate the proposals.

Mr. Hunter provided an update of the enterprise stores. Stated the Nixon Store is holding its own. He is meeting with the store managers to talk about cuts so they can work on turning the stores around. He's working on how to revitalize the stores right now where they currently sit. Hopefully they'll start getting the fireworks in since he knows those are big selling items. His goal to keep going as they are for another quarter than decide on continuing so they don't get further into a hole. Now they are working on cutting costs and working with vendors. Councilmember Guerrero thinks fireworks will be a big issue this summer, we don't benefit from it. Need to take a look at them and do away with fireworks. Mr. Hunter said the contract was extended to 2020. Councilmember Shaw-Keever stated her concern is that's it's not approved by the state and she thinks we're holding a big liability even though we're selling on the reservation and they take it off and something happens, will it come back on the Tribe. It was noted that the purchaser signs a waiver when they purchase the permit. Councilmember Shaw-Keever ask if the costs went up when they hired 3 managers. Mr. Hunter said they did away with the Enterprise manager and we're looking at the reduction in staff, each store has their own manager and one financial person.

Mr. Hunter stated the contractor for the TERO building has been dragging his feet but he got on them and they're going to start to digging and put the electrical in. He will keep on top of it. He provided information on the costs for the past month.

**Programs Officer (interim) – Benjamin John**

Mr. John reported that Washoe County is turning over the old irrigation water system in Wadsworth, the land and water rights for the well to the Tribe. Councilmember Shaw-Keever stated she saw dumpsters by the Police station. Mr. John said they didn't put out notices yet but they're out there for Earth Day. There needs to be flyers posted in the community so everyone is aware because not everyone has Facebook. Councilmember Judith Davis asked about the Washoe County water line down by Herman, was that the one he was talking about with Realty on prior to the previous Realty Manager meeting. Mr. John said this will solve Realty's problem to support the units that are rented out. Currently they are taking it to their board of commissioners to get approval, and they've got all the legal documents drawn up. They usually end in October for the irrigation water and looking to that period for the transition. Councilmember Judith Davis stated in his report regarding the grant, the first bullet point about the waiver, does it mean it's too late to apply for it. Mr. John said yes, they have to apply for the economic hardship when you apply for

the grant which we didn't ask for it, which may be because we had the outside grant writing agency. They're just writing the grant and not looking out for the best interest of the Tribe. Mr. John also stated that working with Don Pelt, asked him to look for other ways to pay the Tribe's portion to get it paid. Councilmember Judith Davis asked if the Tribe's match is \$82,000 and not including the Tribe paying the indirect costs. Mr. John said they are trying to look for all of it. Mr. John stated the total over 3 years is \$571,206.00. Councilmember Judith Davis asked, just out of curiosity, can we give the grant back. Mr. John said you can give it back, at this point then the Tribe would have spent the \$82,000. Councilmember Ely-Mendes stated that with economic growth we should not turn it back and should support it. Since it's already approved, it's your orders to move forward. Councilmember Janet Davis said they can probably use some of the Burning Man funds to cover.

Don Pelt stated that even though the waiver was not mentioned he will write a request to see if they can get a waiver, maybe they'll get it because they do fall under the unemployment rates and income status rates that would normally apply.

### **EXECUTIVE SESSION**

Councilmember Dunn made a motion to *move into Executive Session*. Councilmember Janet Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** Tribal Council moved into Executive Session at 9:07 p.m.

Councilmember Dunn left the meeting at 9:39 p.m.

Councilmember Guerrero made a motion to *move out of Executive Session*. Councilmember Judith Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** Tribal Council moved out of Executive Session at 10:00 p.m.

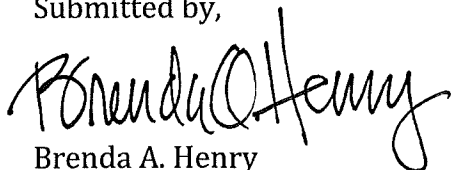
Councilmember Guerrero made a motion to *approve the Economic Development Committee Crosby Lodge Resolution with recommendation to remove APN #s*. Councilmember Judith Davis seconded the motion. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.** **RESOLUTION NO.: PL 044-19 ECONOMIC DEVELOPMENT COMMITTEE CROSBY LODGE**

### **AJOURNMENT**

With no further business before the Tribal Council, Councilmember Ely-Mendes made a motion to adjourn the meeting. The motion was seconded by Councilmember Guerrero. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 10:06 p.m.

Submitted by,




Brenda A. Henry

Tribal Secretary

**CERTIFICATION**

The foregoing minutes were adopted by the Pyramid Lake Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 16<sup>th</sup> day of May, 2019, having ten (10) members present, constituting a quorum, by the vote of eight (8) FOR and zero (0) OPPOSED, with one (1) ABSTENTIONS.

Minutes attested and concurred by:   
Anthony Sampson Sr., Tribal Chairman  
Pyramid Lake Paiute Tribal Council

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