

# *Pyramid Lake Paiute Tribal Council*

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## **PYRAMID LAKE PAIUTE TRIBAL COUNCIL SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV March 15, 2019**

### **Members Present:**

Anthony Sampson Sr., Tribal Chairman

Alan Mandell, Vice Chairman

Janet Davis

Sherry Ely-Mendes

Judith Davis

William Miller

Nathan Dunn

Sharon Shaw-Keever

John Guerrero

Michele Smith

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### **CALL TO ORDER**

Tribal Chairman Anthony Sampson Sr. called the March 15, 2019 Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 6:00 p.m.

### **ROLL CALL**

Roll call was taken by Brenda A. Henry, Tribal Secretary. Councilmember Dunn arrived at 6:06 p.m. 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 of Social Service Director interview to the Executive Session.
2. Addition to New Business #9. Approval Kaia FIT Fernley to hold Run the Rez Even April 13, 2019. Lindsey Kreller
3. Remove Presentation #1. Natchez Elementary School. Mr. Kirk, Principal. To be rescheduled for April 19<sup>th</sup> Special Tribal Council meeting.

There was an executive session requested regarding the Pyramid Lake HS School Board. Was asked if the Council wanted to hear.

Councilmember Ely-Mendes commented per the resolution (copy provided to Councilmembers) the school board resolution says the Pyramid Lake Paiute Tribal Council desires to maintain the daily operation of the High School separate from the Tribal politics and through the enactment of Resolution PL 69-01, October 5, 2001, has delegated the BoE the responsibility to oversee the High

School operations excluding financial management. It basically separates the two entities and based on this, the Council can decide if they want to move forward or not. Councilmember Guerrero said it's on the agenda and we'll take it up then. Councilmember Ely-Mendes stated if that's their wish but she would like to defer. Councilmember Janet Davis said he is a Tribal member and that's how she sees it.

Councilmember Judith Davis made a motion to *approve the agenda with the additions and removal of presentation*. Councilmember Guerrero seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### **EXECUTIVE SESSION – Interview Consolidated Education Coordinator and Social Services Director**

Councilmember Shaw-Keever made a motion to *move into Executive Session*. Councilmember Judith 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 6:03 p.m.*

Councilmember Dunn arrived at 6:06 p.m.

Councilmember Dunn made a motion to *move out of Executive Session*. Councilmember Miller seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** *Tribal Council moved out of Executive Session at 7:07 p.m.*

### **CONSENT AGENDA**

Councilmember Judith Davis made a motion to *approve the consent agenda*. Councilmember Dunn seconded the motion.

Councilmember Janet Davis requested to pull #5. Ratification of Poll Vote – Approval Letter and Resolution for Grazing Permit Extension for discussion. Recommendation was made to move/add to New Business #2 Approval 10-year Permit Extension Range Assessment. Stephan James

The following items were listed under the Consent Agenda:

1. Approval of Minutes: February 15, 2019 (Special)
2. Approval Wes Williams February 2019 Invoice #3393
3. Approval one (1) CHE Scholarship (E Chavez), one (1) \$500 Tribal Scholarship (K Begay) and one (1) AVT Scholarship (K Dunn).
4. Approval Ernest Adler, Lobbyist, February 2019 Invoice.

Councilmember Judith Davis restated her motion for clarification to *approve items #1-4 on the Consent Agenda and moving #5 Ratification of Poll Vote – Approval Letter and Resolution for Grazing Permit Extension to New Business #2*. Councilmember Dunn seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

### **UNFINISHED BUSINESS**

**1. Appointment Tribal Council Representative WRAP Committee.**

Councilmember Guerrero asked didn't we already appoint the Tribal Council representative.

Councilmember Ely-Mendes responded she would like to resume her at-large position on the WRAP Committee and have TC appoint a Council representative to the Committee,

Vice Chairman Mandell stated the challenge is that Councilmember Ely-Mendes resigned from the position and then takes another position, you just can't resign without going through the process again. Councilmember Ely-Mendes agreed she will maintain her position as the Tribal representative and the position will be reposted for an at-large member. Councilmember Shaw-Keever asked if we have to come to a consensus to repost. Councilmember Judith Davis said that it's only reposting, they don't have to, it's up to the Secretary.

**2. Approval Charles Zeh Letter of Engagement. Executive Team, Randy Hunter, Executive Officer**

Mr. Hunter said at the last meeting they requested to table Chuck Zeh's letter of engagement so they could review it and make recommendations. Himself and Benjamin John, Program's Officer (interim) had looked into engagement with Pilar Thomas, the lawyer for NextEra Solar. She provided a letter which was provided to Councilmembers. The discussion is how Tribal Council wants to go. Councilmember Guerrero stated he thought they made a recommendation to go with a RFP then a decision would be made because they were going to reorganize the Realty program. The directive was to put it out for an RFP. An RFP has to be out for 10-30 days.

Councilmember Ely-Mendes made a motion to *put the Realty Department Counsel and General Counsel RFP out for 30 days*. Councilmember Shaw-Keever seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

**NEW BUSINESS**

**1. Approval Cast Hope Fishing Derby, April 5-6, 2019.** Matt Heron/Doug Ouellette

Mr. Ouellette ask for approval for Annual Cast Hope Fishing Derby which is a non-profit fundraiser. They would also like to include tribal kids from Pyramid Lake and the Reno Sparks Indian Colony. Last year they had about 100 kids, this year they're hoping for about 150 kids. They are non-profit and are requesting to have fees waived for the anglers which would go back to the kids.

Vice Chairman Mandell made a motion to *approve the Cast Hope Fishing Derby for April 5-6, 2019*. Councilmember Judith Davis seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

**2. Approval 10-year Permit Extension Range Assessment.** Stephen James and Mervin Wright Jr., Environmental Manager

Mr. James, Vice President of the Cattlemen's Association said he is there to explain why they are asking for the extension to the 10-year permit. They called for an extension so they could have a chance to meet their new district range and on their annual range assessments with Bureau of Indian Affairs (BIA) who is consistently under numbered with all the fires happening. The extension would allowed them some time to range and for environmental to come up with a good management plan.

Mr. Wright Jr., Environmental Manager said they met the previous week with Jerry Emm who came out to start doing range assessments and they asked about a letter and resolution and he volunteered to get it written up, which is what he did for the poll vote. Today he received a modification to the grazing permit, this form is required with the Chairman's signature, he did date it for March 14<sup>th</sup>. The BIA 10-year grazing permit expired on March 14<sup>th</sup>, that's why they needed to get the extension submitted. This form basically activates the one year extension supporting the resolution and as Stephen mentioned the 10-year grazing permit is not yet ready for execution by the Council. Council will have to adopt the 10-year grazing permit, which this extension is going to give them one year to create that permit and include terms and conditions. The Pyramid Lake Cattleman's Association manages the permitting now. The Environmental Department, about three years now, started the transfer to move that into PLAs area where they do all the permitting for grazing. Councilmember Guerrero said two years ago BIA met with the Cattleman and the Environmental Department (Marissa) and they were suppose to modify that permit. To update the permit to this year, the BIA person (who is gone now) never started the process. Vice Chairman Mandell commented that as we update the land management plan, the southern zone and the Winter Range (Dodge Flat and Dead Ox Canyon) needs to be taken into consideration. As they continue on with zoning he would like them to participate. Mr. Wright Jr. said with the 10-year grazing it will include all the range units for the assessments, includes the A1 capacities, the seasons and the duration of time that each of the ranges would be grazed. That's what BIA is responsible for and it was indicated they have not done the work. Vice Chairman Mandell asked if the land use plan is modified, how would that affect the grazing units. Mr. James said it would lower the AUMs but it depends on how soon it will be, if it's a ways down the road, they can re-allocate with a new 10-year plan. Mr. Wright Jr. stated this one year extension will give them the opportunity to discuss any modifications if the Tribe is considering changes to the land use plan.

Councilmember Ely-Mendes made a motion to *approve the Ratification of Poll Vote – Approval Letter and Resolution for Grazing Permit Extension*. Councilmember Smith seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**  
**RESOLUTION NO.: PL 025-19 BIA GRAZING PERMIT EXTENSION**

Mr. Wright Jr. informed the Council he received an Environmental Protection Agency (EPA) email regarding the Waters of the United States (WOTUS) Consultation meeting scheduled for next Friday at noon. They wanted him to give him the names of Tribal leadership that would be in attendance. All Councilmembers said they would be in attendance.

Mr. Wright Jr. said they've been involved in webinars and conference calls over the past month with EPA Region 9 National Tribal Operations Committee talking about the impacts that the rule

change is going to make to the clean water act. Back in 2017, two weeks into the new administration, Trump issued an Executive Order repealing the 2015 Clean Water rule which was the Waters of the United States. In his Executive Order he included language that he wants to clarify and create certainty and promote what they call Cooperative Federalism. When it was first published, they put it out to public comment and he participated in some of the webinars. At the end of the initial comment period they received over 600,000 comments across the country from the public. But when they came out with their published rule in February nothing changed, so it's like they never took into account anyone's comments, like their just pushing it through. One of the main intents of redefining navigable waters, Waters of the United States, is they're going to be removing the definition of femoral streams, intermittent streams which we have a number of those on the reservation. Rodero, Block House, Hardscrabble, and Poison Thunder Bolt, that are all included in the water management plan. The concern is those streams will no longer be regulated under the Clean Water Act which is a concern to us because of the number of tributaries upstream that will be taken out of the act. Concern is that polluters can start discharging higher amounts of pollution and won't have an regulatory authority to regulate it. Dan Mosely stated a big one Mullins Wash, it's a femoral, a dry wash. That comes from Palomino Valley through Winnemucca, there's planned growth and if any types of pollutants come from those upstream areas, it'll all come through Mullins Wash and affect water quality at Pyramid Lake. Mr. Wright Jr. stated that over the last three years they received notices from the Nevada Division of Environmental Protection where BLM Horse Operations have all there manure flow into an evaporative pond which can breach and all that ends up into Mullins Wash. In a conference call the previous day they raised questions about funding, the budget that came out of the White House, they're cutting Environmental Protection funding which is one way they see they're going to eliminate regulatory responsibility by eliminating programs through funding cuts. On April 4<sup>th</sup> his staff is meeting with the State of Nevada, he requested this meeting so they can find out what the States position on this so they know where they're coming from. There was a lawsuit that was filed in 2015 and Nevada was one of the states that signed onto the litigation. They're just trying to get all the information together for the April 15<sup>th</sup> comment deadline. Also working with California for the interstates waters, trying to get a meeting scheduled with the California Natural Resources Department.

### **3. Approval Law & Order Committee Request Posting of Chapters 1, 2, & 3 revised L&O Code 2013.** Diana Mitchell, Law and Order Committee

Ms. Mitchell, Chairman for the Law & Order Committee would like to post Chapters 1, 2, & 3 to the Law & Order Code posted for 30 days for public comment. Councilmember Guerrero would like workshops with Tribal Council for step by steps for the new Law & Order Code. He would like to go through it word by word. Councilmember Ely-Mendes says now is your opportunity, everyone has 30 days to go through it and get their comments back. They can go to the meetings because they go through the chapters word by word. Anytime it involves a program they're getting them involved in the meetings also. Councilmember Judith Davis asked if they were new chapters, she printed it and she couldn't tell what's new or amended. Councilmember Ely-Mendes said there isn't really anything changed but they need to get it posted to get on the books. Councilmember Judith Davis said it's usually italicized or color code where the changes are. Ms. Mitchell said since it hasn't been looked at since 2013 they're just looking to see if anything needs to be updated that's why it's being posted.

Councilmember Dunn made a motion to *approve the posting of the Law & Order Code Chapters 1, 2, & 3 for 30 Days*. Councilmember Shaw-Keever seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Ely-Mendes). **Motion carried.**

**4. Approval Garrett O'Neil Existing Home Site Transfer with Resolution.** Richard Frazier, Tribal Land Manager

Mr. Frazier stated this is for Garret O'Neil's home transfer from his late father's home site. The initial date on the form is 2017 and this has gone through several court cases before it came back to the committee. There was a protest filed in court on the transfer, tribal court kicked it up to the appellate court where it sat for quit some time. Appellate court kicked it back to tribal court who initially made a decision on it but it went through the appellate process anyways. They were going through the transfer of title for the house. Councilmember Ely-Mendes asked isn't the house consider improvement to the property and with improvement to the property goes with the land and the Land and Resources committee has the authority to make a decision on those things. And it only goes to court for ratification or stamp of approval of what they already approved. It goes on official record there. Mr. Frazier said the committees always ask for a deed or a transfer of title to the home to be in the person's name who is putting in for the home site. So he had to go through the title transfer regardless. After discussion Council feels that a home is an improvement on a home site and it should be coming to Tribal Council for determination on the ownership and not through the courts.

Councilmember Judith Davis made a motion to *approve the Garrett O'Neil Existing Home Site Transfer with Resolution*. Councilmember Shaw-Keever seconded the motion. Votes were nine (9) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** **RESOLUTION NO.: PL 027-19, LAND ASSIGNMENT GARRETT O'NEIL SITE TRANSFER**

**5. Approval VW Settlement with Resolution.** Michael Guss, Contracts & Grants and Mervin Wright Jr., Environmental Manager

Mr. Guss mentioned that Mr. Wright Jr. and Tanda Roberts brought this to the Contracts & Grants department regarding VW cheating on emissions testing which impacted Washoe County and Indian Tribes. There's a billion dollar settlement, 55 million of which has been set aside for Indian Tribes. It has to be used to replace diesel engine vehicles. The reason it has to come to Council is by allowing it to happen we are foregoing the right to sue. Councilmember Judith Davis asked what is the Tribes responsibility getting into this settlement. Mr. Wright stated that he understands the Tribe would need to inventory and get a list of all their diesel vehicles within the Tribe's fleet. Those would be eligible for the retrofit or replacement. The Tribe needs to approve engaging with this settlement and in doing so would become responsible for working through the administration and management of the process. It is an undertaking to do that and right now with limited resources in the Environmental department they would put it out to find someone to manage the process. They will do what they can to support the process/program. It's an opportunity and they can coordinate with Tribes who have already gone through the process. Mr. Guss said it can be used to not only go to electric vehicles but the installation of charging stations.

This is 100% funding and no match for government vehicles. It's only vehicles that is selected by the Tribe but doesn't require for replacement of all of them.

Vice Chairman Mandell made a motion to *approve the VW Settlement with Resolution*. Councilmember Ely-Mendes seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with one (1) **abstention** (Janet Davis). **Motion carried.** **RESOLUTION NO.: PL 031-19 VOLKSWAGON SETTLEMENT**

**6. Approval Elder Fall Prevention Grant with Resolution.** Carla Molino, Pyramid Lake Health Clinic

Ms. Molino said this is the final year for a continuation grant from Indian Health Service for Elder Fall Prevention Grant. It's for \$25,000 and they do elder fall education and prevention, exercises, the pharmacist reviews charts and works with providers for adjustments if needed, home assessments with handicap ramps and they will begin this grant September 1<sup>st</sup> and ends in 2020.

Councilmember Guerrero stepped out of chambers at 8:18 p.m.

Councilmember Ely-Mendes made a motion to *approve the Elder Fall Prevention Grant with Resolution*. Councilmember Judith Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with one (1) **abstention** (Mandell). **Motion carried.** **RESOLUTION NO.: PL 028-19 ELDER FALL PREVENTION GRANT**

**7. Approval Pyramid Lake Tribal Transit ADA Plan with Resolution.** Robert Hicks, Transit Manager

Mr. Hicks said they are looking to get the Tribal Transit ADA Plan passed and grant requirements also. The Nevada Department of Transportation requires in accordance with the requirements of Title II of the American with Disabilities Act of 1990, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. They are a recipient of NDOT and are required to meet these requirements and have received the funds for the last three years. It's due April 15<sup>th</sup>.

Councilmember Guerrero returned to chambers at 8:20 p.m.

Councilmember Judith Davis made a motion to *approve the Pyramid Lake Tribal Transit ADA Plan with Resolution*. Councilmember Janet Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with two (2) **abstentions** (Ely-Mendes, Smith). **Motion carried.** **RESOLUTION NO.: PL 029-19 TRIBAL TRANSIT ADA PLAN**

**8. Approval Pyramid Lake Tribal Transit Title VI and LEP Plan with Resolution.** Robert Hicks, Transit Manager

Mr. Hicks commented this is essentially the same as previous grant submission.

Councilmember Judith Davis made a motion to *approve the Pyramid Lake Tribal Transit Title VI and LEP Plan with Resolution*. Councilmember Miller seconded the motion. Votes were seven (7)

for and zero (0) **opposed** with two (2) **abstentions** (Ely-Mendes, Smith). **Motion carried.**  
**RESOLUTION NO.: PL 030-19 TRIBAL TRANSIT TITLE VI AND LEP PLAN**  
Councilmember Dunn stepped out of chambers at 8:24 p.m.

**9. Approval Kaia FIT Fernley to hold Run the Rez Event April 13, 2019.** Lindsey Kreller

Councilmember Ely-Mendes made a motion to *approve the request for the Kaia FIT Fernley to hold Run the Rez Event April 13, 2019 with recommendations of having check stations, water stations and to notify Pyramid Lake EMS and Police Department.* Councilmember Janet Davis seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.**

Councilmember Judith Davis stated this is 4 ½ miles and wants to make sure she has water stations and check points for the participants. Also to notify EMS and Police.

**EXECUTIVE SESSION – Brandon Serawop Request**

Councilmember Ely-Mendes made a motion to *move into Executive Session.* Councilmember Shaw-Keever 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 8:27 p.m.*

Councilmember Janet Davis stepped out of chambers at 10:11 p.m.

Councilmember Dunn made a motion to *move out of Executive Session.* Councilmember Smith seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions**. **Motion carried.** *Tribal Council moved out of Executive Session at 10:11 p.m.*

Councilmember Dunn left the Council meeting at 10:12 p.m.

Councilmember Janet Davis returned to chambers at 10:13 p.m.

**COMPTROLLER.** Lynda Ciceu

**1. Approval to Close CD's for use in the General Fund.**

Ms. Ciceu is requesting to close CDs for use in the General Fund. One is for tax savings account that was setup early on but is not gaining interest. The account was setup originally in case the tax department got sued, funds have never been used and not really earning any money. Approximate amount in the CDs is \$421,840.00 which varies. Would like to put these in the general fund and have it set aside for projects, she does have a breakout of the projects on the form submitted to Council. Part of it would go to repaying Fisheries, fixing the sewer, fix gym floor and doors and museum repairs. After these projects would have approximately \$160,000 remaining for unexpected projects/repairs.

Councilmember Guerrero has an issue with it going to general funds when they made directors make big budget cuts. Hate to see it go to general fund for special projects.



Councilmember Janet Davis stated she only has \$1000 in materials and the gym floor really needs to be replaced, the wooden slats are coming up and the gym is where the community goes and is used. Councilmember Guerrero said to get the cost estimates and bring to Council for funds. Ms. Ciceu asked so they want the projects to be brought to Council for approval. Vice Chairman Mandell stated that they've always looked for funds to pay for different projects using the Vidler and other funds. But they need to be saving instead of spending their cash flow. Ms. Ciceu said this money was set aside years ago. Councilmember Guerrero asked if they paid off the USDA loan which was recommended years ago and they still haven't done that. Ms. Ciceu said she didn't have a directive for that but they do have money to pay it down. Councilmember Judith Davis agreed with Councilmember Guerrero and Vice Chairman Mandell, she wouldn't like to see them cashing in all the CDs and go on a big spending frenzy. In January we had departments who they didn't know if they would get a pay check and would hate to be in that same boat again. Chairman Sampson Sr., would like to see them pay the Fisheries back because they need it for spawning. Councilmember Guerrero thought the payment back to Fisheries was written off back in 2007. Ms. Ciceu said it was written off but not forgiven.

Councilmember Judith Davis made a motion to *Cash-in only CD 7832 for \$183,716.98 and to use the funds to pay back the Pyramid Lake Fisheries in the amount of \$180,221.16.* Councilmember Ely-Mendes seconded the motion. Votes were eight (8) **for** and zero (0) **opposed** with zero (0) **abstentions.** **Motion carried.**

Chairman Sampson Sr. stepped out of chambers at 10:30 p.m. and Vice Chairman Mandel took control of the meeting.

## **2. Approval to move Ramah Funds to Interest Bearing account.**

Ms. Ciceu requested to transfer 1 million from the Ramah Funds and open an interest bearing account at Bank of America. This would only be an interest bearing account for the Ramah Funds and would not be used.

Councilmember Ely-Mendes made a motion to *approve the request to open an interest bearing account at Bank of America and transfer \$1,180,852.00 (Ramah Funds) to this account. This account is for interest only and is not to be used.* Councilmember Judith Davis seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions.** **Motion carried.**

Ms. Ciceu asked if the Council wanted her to take the funds she has set aside and pay the loan for the water treatment plant. It's a 30-year fixed interest loan.

Councilmember Guerrero made a motion to *approve the use of \$94,341.00 from the Tax Money Market Fund to pay down the USDA Loan for the Water Treatment.* Councilmember Shaw-Keever seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions.** **Motion carried.**

## **EXECUTIVE TEAM**

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

Mr. Hunter said the only action he brought to Council is the two options for workshops for Strategic Planning. The first one is considerably cheaper, a one day training for \$3,800.00 and Kiva is more expensive, two day workshop but more thorough. He recommends the first choice. This was a request by Councilmember Dunn to provide Strategic Planning workshop for Tribal Council. Mr. Hunter will get with Sherry to coordinate a date for the Strategic Training for Tribal Council. Councilmember Judith Davis is voting against it because they all sat through Strategic Planning and they've had a budget cut this year and some departments had to cut hours, so she can't see them spending funds to do this when they are asking departments to cut budgets.

Mr. Hunter commented on the restructuring of the Enterprises, they will have the managers be responsible for each store starting Monday.

The Valley Road repair came in under budget approximately \$28,000 but thinks it'll be a little less once the numbers are added up. He will bring it back in resolution form in order to use the license plate fund.

Councilmember Judith Davis asked if the Enterprise found out what the cause of the leak was for the water coming in through the roof. Mr. Hunter thinks it's just an old roof but he will find out specifically what the issue was. The issue they're working on now is the old septic system hasn't been pumped since who knows when and it's starting to back up and smell. They've got Fred John who built the system looking at it since he knew where it was and they're working on it at the moment with it being an emergency need.

Chairman Sampson Sr. returned to chambers at 10:43 p.m.

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

Councilmember Guerrero asked who is in charge of irrigation. Mr. John said it went back to Mervin Wright Jr., in Environmental. Councilmember Guerrero stated he understood that Richard James was on board for irrigation or was that just for emergency fixes. Mr. Hunter said he was on for emergency fixes but he is no longer on irrigation.

Councilmember Ely-Mendes commented on A&K leaving the area all tore up in Little Nixon, we don't have a project manager on the project to keep control of it day to day and we're stuck with the mess left behind. Mr. John stated that is not Mr. Wright's responsibility even though it's what's happening, that would fall under Donna Noel since that's her project. They're related but not together. Councilmember Ely-Mendes stated they're not the cleanest crew, they leave things behind, need to make sure in the contract that they'll clean up the debris when they leave. Councilmember Janet Davis commented some of the ranchers were worried that they weren't making the head gates where they originally were. Councilmember Guerrero asked if this was a NRCS project, because they do have specs on the flow lines and elevations on fields.

Mr. John commented to Councilmember Guerrero regarding the berms located west of SR 447 that if they have funding they can address it. Councilmember Guerrero mentioned he knew where the

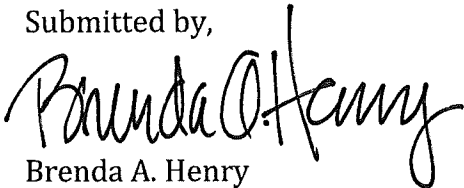
berms were supposed to be located to prevent the run-off of water down to Little Nixon. He thinks he can work with the cattleman's association and get their assistance with the berms.

**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 Smith. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 10:56 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 19<sup>th</sup> day of April, 2019, having nine (9) members present, constituting a quorum, by the vote of seven (7) FOR and zero (0) OPPOSED, with zero (0) ABSTENTIONS.

Minutes attested and concurred by:



Anthony Sampson Sr., Tribal Chairman  
Pyramid Lake Paiute Tribal Council

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